

**Regular Meeting****THE LEAWOOD CITY COUNCIL**

February 1, 2021

**Minutes**

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

**Councilmembers Present via Zoom:** Andrew Osman, Debra Filla, Chuck Sipple and Jim Rawlings

**Councilmembers Absent:** None

**Staff Present:** Scott Lambers, City Administrator  
Nic Sanders, HR Director  
Chief Troy Rettig, Police Department  
David Ley, Public Works Director  
Travis Torrez, Bldg/Code Enforcemt Dir.  
Mark Tepesch, Info. Services Specialist III  
Stacie Stromberg, Assistant City Clerk

Patty Bennett, City Attorney  
Chris Claxton, Parks and Rec Director  
Chief Colin Fitzgerald, Fire Department  
Mark Klein, Planning Services Director  
Ross Kurz, Info. Services Director  
Kelly Varner, City Clerk

**Staff Present via Zoom:** Brian Anderson, Parks Superintendent

**Others Present via Zoom:** Brian Garvey, SFS Architects

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

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

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/](http://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](mailto:LeawoodPublicCommentGB@leawood.org).

Councilmember Filla joined the meeting via Zoom.

## 5. PROCLAMATIONS

National Engineers' Week February 21-27, 2021

Mayor Dunn read the proclamation into record. David Ley, Public Works Director, accepted the proclamation. Mayor Dunn and Councilmember Azeltine thanked Mr. Ley and his staff for all their hard work.

## 6. PRESENTATIONS/RECOGNITIONS - None

## 7. SPECIAL BUSINESS

Review request for City Park Upgrades (PR)

Chris Claxton, Parks and Rec Director, reminded the Council that this item was originally on the January 19, 2021 agenda, but during and after the Parks Board meeting, there were additional questions and requests for more information. She stated the topics tonight will be the renovation of the pool building, exterior restrooms, the multi-purpose meeting space, and bike hub.

Brian Garvey, Principal Architect at SFS Architecture, located in Kansas City, Missouri, addressed the Governing Body via Zoom. Mr. Garvey began his presentation by explaining the existing site plan. He stated that originally the plan was to replace the bathhouse that was built in the mid to late 1970s. On the new site plan, Mr. Garvey explained they plan to reuse the existing pool's mechanical room to save from re-plumbing the system. He stated the pumps should be able to remain. Mr. Garvey stated the restroom facilities will be located south of the mechanical room and that the entire building will be canted on a slight angle. He pointed out the entry to the facility will be through a breezeway for a more open feel and give an opportunity for the display of a public art piece. The building to the south of the breezeway would be for the Pool Manager's office, concessions, and a lifeguard space.

Mr. Garvey stated that the additional building on the south side of the site plan is designed as an all-season function space or multi-purpose space. He explained those are becoming more of a trend in aquatic centers as rental space, and can be a way to generate revenue. Included in the multi-purpose building are 2 restrooms that are accessed from outside the pool fence for anyone using the Park. He explained it will have security features during after-hours times.

Mr. Garvey pointed out the final feature on the site plan is a bike hub. He stated it is an amenities area that includes a small shelter over a paved area and works as the trailhead for City Park. It would include a repair stand, benches, bike racks, and a misting station.

Mr. Garvey presented a breakdown of the interior of each building. He stated the pool's mechanical room will offer storage space while maintaining the existing electrical room. He explained the bathhouse facilities will include men's and women's showers, restrooms, changing facilities, and an addition of 4 family changing rooms.

He stated the breezeway entry is a covered, open-air area with a welcome desk. In the staff building, the manager's office and guard space are located in an area for good visibility to the pool area and entry. The concession space, storage, walk-in cooler and serving windows are located on the south side of the staff building. The main serving window looks out onto a large seating area covered with a trellis. Mr. Garvey explained the southeast corner will remain heavily landscaped to screen existing transformers and electrical gear. The function space building is located directly off the parking lot. The entry vestibule opens to a large space that can be divided into two separate spaces. The total square footage of the entire space is approximately 1100 sq. ft. He pointed out that each divided space includes a single occupant

restroom. Mr. Garvey said outside the function space there will be a 4' high fence with two gates leading to the pool deck. Seating will be available inside the fence for those using the building.

Mayor Dunn asked if there is access to the pool from the function space in the case of a swimming party. Mr. Garvey replied yes, through either gate.

Brian Anderson, Parks Supervisor, addressed the Governing Body via Zoom. He pointed out that the storage space in the mechanical room will be created above the room and will enable them to store more paper products and lane markers. He stated that the First Aid station would be moved inside the guard room for better emergency response time and climate control in keeping an injured person out of the heat.

Councilmember Harrison asked if the showers/washrooms have been reoriented in the new plans. Ms. Claxton stated yes, and will be seen later in renderings. Mr. Garvey explained there are also two deck showers and lockers located just outside the family restrooms.

Councilmember Filla asked if the men's and women's restrooms could be switched to help with traffic flow because more women attend the pool with children. Mr. Garvey stated that flipping them should not be a problem.

Councilmember Rawlings asked what the maximum occupancy is of the function space. Mr. Garvey replied as one large space it is approximately 75, and for the divided spaces it would be 25-30, for the smaller of the divided rooms and 35-40 for the larger area.

Councilmember Cain asked if there is a reason the men's and women's restroom areas are the same sizes. Mr. Garvey pointed out that the physical space for stalls versus urinals takes up approximately the same amount of space.

Councilmember Sipple asked about the justification of canting the buildings from north and south. Mr. Garvey explained it is to give the breezeway a bit more breathing room as visitors are entering and exiting the facility. He stated it also creates more interest and opens up the area to avoid crowding, especially near the diving boards. Mr. Garvey explained there are some grade challenges, so setting the function space on an angle helps as well.

Councilmember Harrison asked for the distance between the corner of the concession stand and the function space building. Mr. Garvey replied it is approximately 15-18 feet.

Mr. Garvey presented several elevation renderings and pointed out some of the features of the buildings and materials. He pointed out that there is a public art component and they are currently working on with a local artist for the solid glass panels located in the breezeway. He stated the glass art piece colors would be mimicked in the building façade.

He mentioned the materials to be used would be some limestone, manufactured stone (similar to the Prairie Fire Museum), dark bronze anodized aluminum and steel, and pre-finished metal. The wood material would be a clear finished "ipe", and some translucent wall panels for natural light during the day and a lighting effect at night.

Councilmember Filla asked about cleaning the translucent wall panels. Mr. Garvey explained it is a system that captures all the edges with a wrap around, so it filters out any ability for insects or other

debris to get inside the cavities. He stated the price point is the same as clear glass, but with a higher R-value.

Mr. Garvey stated when the pool is closed there will be a coiling door on both sides of the breezeway. Ms. Claxton stated the current entry is very tight for patrons and especially for deliveries for the concession stand. She stated in the new plan deliveries would be moved to the south where the concession stand is located. She pointed out that the look of the building is industrial and is good for the elements during the winter months.

Councilmember Filla asked if the tile on the outside of the building could be done by local artists and still be weather-proof. Mr. Garvey stated they are discussing that and the price with an artist.

Mr. Garvey and Ms. Claxton pointed out that the area of the landscape screening not only hides the existing electrical units and adds some lighting, but also is made to avoid moving any underground utilities. He stated the front of the function space would integrate the same translucent panels on the outside of the building and limestone seating.

Councilmember Harrison asked if the function space could be used for fitness classes, bridge classes, or HOA meetings in the cooler months. Ms. Claxton confirmed that a staff member would not need to be present for these, so the renters would use a code in which to enter. She stated the inside of the rooms will be basic but adequate. Mayor Dunn asked if there is a demand for this kind of space. Ms. Claxton stated that the current rooms within the City are not always large enough and that space is always an issue.

Councilmember Filla asked about the panels on the bathhouse. Mr. Garvey explained the panels work to allow airflow and circulation within the building, along with fans. He stated the doors will be louvered to allow air to move through but still be private. The function space building is a fully heated and cooled space. Councilmember Filla mentioned it can be uncomfortable to come into an air-conditioned room when wet from a pool. Mr. Garvey replied that the thermostat can be adjusted.

Councilmember Cain mentioned that there is a lack of color on the building plan.

Councilmember Sipple asked to clarify the sliding metal gate location. Mr. Garvey explained the sliding door is located on the east side of the breezeway and a coiled gate would be pulled from the ceiling on the west side, so as not to block the manager's door when not in use.

Councilmember Filla mentioned the limestone seating stones will be hot in the summer. Mr. Garvey remarked that he had not heard of that problem with limestone, but certainly with metal seating. She stated that she likes the layout and design, especially for the breezeway and function space.

Mayor Dunn stated she would like to see the design more cheerful and kid-friendly, similar to the Children's Center Campus at 31<sup>st</sup> and Main in Kansas City, MO. Ms. Claxton indicated that staff would like to see more color opportunities in the design with the furniture at the concessions or outside, the doors, and in the public art piece.

Mr. Garvey presented a rendering of the bike hub. He explained it would be a sheltered area and have similar building materials and finishes from the aquatic center. He pointed out other features would be benches, picnic tables, a misting station and signage explaining the amenities in the area and information on the Park. Mr. Anderson mentioned that the Bike/Walk Committee would like to include a bike themed

art piece. Mr. Garvey remarked that a kinetic sculpture from Lyman Whitaker, Leopold Gallery would add interest, sophistication and something unexpected. Mr. Garvey suggested the art piece would help identify this as a trailhead and would be seen as a gateway feature of this area.

Councilmember Osman asked if the manager's office should have a door leading into the guard's room, and if the First Aid station is a separate room within the guard's room. Mr. Garvey stated the door was discussed with staff but they did not feel it was necessary since there is a visual connection and that it would take up needed wall space. He explained the First Aid area houses some gear, a gurney, and chair and includes a curtain for privacy. Ms. Claxton pointed out that if more room is needed for a medical emergency, the guards would be cleared from the room. Councilmember Osman asked if the concession area is adequate. Ms. Claxton explained that currently there is wasted space in that area and they saw no need for future cooking or a grill. She noted that Parks and Rec allow visitors to bring in their own food.

Councilmember Osman asked which direction was north on the site plan. Mayor Dunn replied north is up, where the pump room is marked. Councilmember Osman asked if the manufactured stone holds up well against chlorine versus natural stone. Mr. Garvey stated the manufactured stone holds up very well, but it likely will not come in contact with chlorine on the outside of the building. Councilmember Osman mentioned the limestone seating may be hot when visitors are waiting for rides and asked if shade could be offered. Mr. Garvey stated there is a trellis along the building but they could look at adding freestanding shade in that area. Councilmember Filla added that there are shade trees across the circle drive in which she has picnicked and visitors wait for rides there.

Councilmember Osman reiterated making the color scheme "pop." He mentioned using fonts, logos or designs that would match the celebration of the City's 75<sup>th</sup> anniversary coming up soon. He suggested the designer work with the Leawood Foundation allowing families to purchasing bricks to be inscribed.

Councilmember Osman inquired about what direction is shown in the rendering of the breezeway and welcome desk and if that area is covered in case of a rainstorm. Mr. Garvey stated it is shown as east looking west in the renderings and would be totally covered. Councilmember Osman asked if there will be any screening for the men's and women's bathhouse entrances. Mr. Garvey replied that it is a deep corridor with a sharp 90 degree turn, so there is no sightlines into the showers or restroom facilities.

Councilmember Osman asked if a water fountain is needed at the bike hub. Mr. Anderson replied that there is a water bottle filling station. Mayor Dunn asked if there is a dog water station included at that location. Mr. Anderson indicated that staff had not considered that, but it could be added. Mr. Garvey suggested that it be added but in a separate location from the bike repair stand.

Councilmember Osman mentioned a non-local kinetic artist, Anthony Howe, as another option for the public art piece. Councilmember Cain stated the City already has a kinetic sculpture that matches the color of the pool and needs to be replaced.

Councilmember Larson asked how old the pool is and if the staff anticipates any renovation or expenses to the pool. Ms. Claxton stated the pool was redesigned in 1997 and that the Spray Ground was added soon after. Ms. Claxton stated she does not anticipate work needed for the pool other than replacing the filters. Councilmember Larson commented that the color scheme should be fun and bright. She stated the color of the limestone used for seating looks like hay bales, so she would like to see a lighter color used. Councilmember Larson asked if there is enough space for shelter in the event of lightning. Ms. Claxton replied she is confident there is enough space.

Mayor Dunn stated this plan has expanded from the original idea with the additions of the bike hub and function space. She asked Ms. Claxton what action she is requesting from the Council. Ms. Claxton replied that she would like to go on the recommendation of the City Administrator and request \$1 million toward the project and bond the other \$3 million. Mayor Dunn asked if alcohol tax money would be used. Ms. Claxton stated that they would try to use as much of the alcohol tax revenue as they could, but will also use some money from Impact Fees. She stated she would work with the City Administrator and Finance Manager on the funding. Mayor Dunn inquired about the timeline of starting the project, if approved. Ms. Claxton stated work would get started when the pool closes for the season this year and the bike hub could begin earlier.

Scott Lambers, City Administrator, addressed the Governing Body. He stated the reason for this presentation is due to the expansion of the project from the original plan. He felt it was appropriate for the Council to give the go ahead to move forward, given the cost and need to bond part of the project. Mayor Dunn stated this would need to go before the Planning Commission then back to the Council.

Councilmember Rawlings asked if there were any concerns in the timeline of finishing the project. Mr. Garvey stated they are on track starting with the Planning Commission and do not anticipate any delay with bid awards or construction. Councilmember Rawlings remarked that he liked the suggestion of starting on the construction of the bike hub early, but Mr. Garvey cautioned that the same area will likely be used as the contractor's staging area.

Councilmember Harrison inquired what the average percent change orders are on a \$3M project. Mr. Garvey stated it usually ranges between 2.5-5% at the top end of the original construction contract. He stated their company recommends clients carry a 7.5-10% owner contingency for possible change orders. Mr. Garvey stated there are two different contingency types: one for design and estimating for market conditions and volatility at the time of bidding. The owner's contingency is meant to be held until after the contract is awarded. He stated that it can be used during construction as a bid alternate, scope changes, or unforeseen construction issues. Mr. Garvey stated the design and estimating contingency has been worked into this cost estimate, but not the owner contingency.

Ms. Claxton pointed out that when negotiating the SFS Architecture contract there was language included referencing that design changes would require additional fees. Ms. Claxton asked if those fees are included in the cost. Mr. Garvey stated they will need a supplemental amendment to the agreement.

Councilmember Filla stated she is impressed by the teamwork with the staff and design firm. Ms. Claxton thanked the Planning staff for working with her department to make sure the proposals would meet code requirements.

## **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. 2020-53, 2021-3 and 2021-4
- B. Accept minutes of the January 19, 2021 Governing Body meeting
- C. Accept minutes of the January 19, 2021 Governing Body Work Session
- D. Accept minutes of the December 1, 2020 Leawood Arts Council meeting
- E. Resolution approving and authorizing the Mayor to execute a Maintenance Agreement between the City and Blue Valley Public Safety, Inc., in the amount of \$7,148.00 pertaining to siren maintenance (FD)

- F. Resolution revising the Fee Schedule to provide for Confinement Fees, in accordance with Section 1-701 of the Code of the City of Leawood, 2000 (LD)
- G. Approve an expenditure in the amount of \$51,884.10 to Jerry Ingram Fire & Rescue for the purchase of (18) sets of Morning Pride protective gear (FD)
- H. Approve an expenditure in the amount of \$51,707.00 to Shawnee Mission Ford for the purchase of (1) F-350 truck for vehicle replacement (PW)

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

**9. MAYOR’S REPORT**

- A. My sincere sympathies to the family and friends of Leawood resident Maddox Truitt who passed away expectantly on January 21<sup>st</sup>. Many may remember Maddox when he spoke at the Leawood Rotary Club and when he attended the grand opening and ribbon cutting of the Leawood’s All Inclusive Playground. He represented the Muscular Dystrophy Association, Make-a-Wish, and Variety KC because he thought all kids should have the same opportunities. Maddox was a wonderful young man and ambassador for Variety and felt that all of his outings were “field trips.” I had the pleasure of attending his visitation and visiting with his parents, Tracey and Nancy, and his brother Jackson. A moment of silence was offered for Maddox.
- B. This is the time of year that we typically celebrate the Lunar New Year, but due to COVID, the celebration has been cancelled this year. However, the New Year is approaching and it is the Year of the Ox. The I-Lan Sister City Committee hosts this annual event to honor our sister city relationship with I-Lan, so I would like to wish them and all of our friends who celebrate with us a very Happy New Year.
- C. In the lobby of City Hall, there is a banner indicating that we are “Chiefs Kingdom.” I would like to ask everyone here and on Zoom to join me in saying, “Go Chiefs!”
- D. Finally, because we will not be together again until afterwards, Happy Valentine’s Day.

Mayor Dunn mentioned that copies of the Leawood Fire Department’s Annual Report was made available for each Councilmember at the dais. She thanked Chief Colin Fitzgerald.

**10. COUNCILMEMBERS’ REPORT - None**

**11. CITY ADMINISTRATOR REPORT - None**

**12. STAFF REPORT**                      Patty Bennett, City Attorney – Regarding referral to Sustainability Advisory Board

Patty Bennett, City Attorney, addressed the Governing Body. She reminded the Council that a few months back she asked if they had any interest in pursuing an ordinance to allow beekeeping in limited circumstances. She stated that Ashlee Tomasic, Assistant City Attorney, researched other cities’ regulations and has now drafted an ordinance. Ms. Bennett stated that the Sustainability Advisory Board (SAB) indicated an interest, so staff is requesting the Council to do a formal referral to the SAB to review the draft. Ms. Bennett explained the SAB could then make a referral that would go before the Planning Commission because there would need to be changes to the Leawood Development Ordinance (LDO.) She stated staff would then bring both the LDO and proposed City Code back to the Council.

**A motion to refer to the Sustainability Advisory Board was made by Councilmember Azeltine, seconded by Councilmember Cain. Motion was approved with a unanimous roll-call vote of 8-0.**

Councilmember Cain remarked that she has a brother who is a local beekeeper. She mentioned she was able to gain a lot of information from him and that she is happy to share with the SAB, if interested.

### **13. COMMITTEE RECOMMENDATIONS**

#### **[From the January 12, 2021 Planning Commission Meeting]**

- A. Resolution approving a Final Plat for Regents Park, located south of 135<sup>th</sup> Street and west of Kenneth Road (PC 109-20) *[Continued to February 15, 2021 at the request of the applicant]*
  
- B. Resolution approving a Final Plan for Regents Park Multi-family Subdivision and Public Improvements, located south of 135<sup>th</sup> Street and west of Kenneth Road (PC 103-20) *[Continued to February 15, 2021 at the request of the applicant]*
  
- C. Resolution approving a Final Plan for One35 – Mixed Use, located south of 135<sup>th</sup> Street and west of Kenneth Road (PC 102-20) *[Continued to February 15, 2021 at the request of the applicant]*

### **14. OLD BUSINESS - None**

### **15. NEW BUSINESS**

- A. Schedule Work Session for Monday, February 15, 2021 at 6:00 P.M.

Mayor Dunn stated the topic for the Work Session has changed to discuss possible tax abatement and sales tax exemption through the issuance of IRBs.

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

Councilmember Filla asked on what date the previous topic, Climate Action KC, has been rescheduled. Mr. Lambers stated it was rescheduled to March 15, 2021.

- B. Schedule Governing Body meeting for Monday, February 15, 2021 at 7:30 P.M.

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

*Meeting was adjourned at 8:52 p.m.*