

Minutes

The City Council of the City of Leawood, Kansas, met in regular session in the Council Chambers, 4800 Town Center Drive, at 7:00 PM on Tuesday, July 5, 2022. Mayor Peggy Dunn presided.

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

Councilmembers Absent: Debra Filla and James Azeltine

Staff Present:

| | |
|-----------------------------------------------|-------------------------------------------|
| Patrick Geschwind, Interim City Administrator | Patty Bennett, City Attorney |
| Chief Dale Finger, Police Department | David Ley, Public Works Director |
| Chris Claxton, Parks & Rec Director | Nic Sanders, HR Director |
| Deputy Fire Chief Jarrett Hawley, Fire Dept. | Travis Torrez, Bldg/Code Enforcement Dir. |
| Mark Klein, Planning Services Director | Loretta Morgan, Acting Fin. Dir. & Trsur. |
| Stephen Powell, City Clerk | Holly York, Cultural Arts Coordinator |
| Stacie Stromberg, Assistant City Clerk | Mike Pelger, Info. Services Specialist |
| Mark Tepesch, Info. Services Specialist | Whitney Moore, HR Generalist |

Others Present: Dave Arteberry, Greg Musil, Rachel Merlo

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

Mayor Dunn stated that there was an addition to the agenda under Item 10, Councilmember Reports from Councilmember Osman regarding municipal comparisons of planning processes and procedures regarding agenda items.

A motion to approve the agenda as modified was made by Councilmember Rawlings and seconded by Councilmember Sipple. Motion was approved by a unanimous vote of 6-0.

4. CITIZEN COMMENTS

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. It is not appropriate to use profanity or comment on pending litigation, municipal court matters or personnel issues. Comments about items that appear on the action agenda will be taken as each item is considered. CITIZENS ARE REQUESTED TO KEEP THEIR COMMENTS UNDER 5 MINUTES. A TOTAL OF 30 MINUTES WILL BE ALLOCATED PER MEETING FOR CITIZEN COMMENTS.

Charles R. “Bob” Brettell, 9221 Wenonga Rd., Leawood, KS, addressed the Governing Body on the topic of a breed specific ban.

A motion to review the pit bull ordinance was made by Councilmember Osman. The motion failed for lack of a second.

Mayor Dunn reminded the Council that a work session is a time when the Governing Body comes together for a discussion and not a time for public comment. She stated that if there was public interested in a work session, it would be best to refer to staff to conduct a survey of the residents. Councilmember Osman agreed that input from everyone is the key.

Councilmember Harrison stated that she has not heard from many residents on the issue except for several who are pleased that the City has a ban. Councilmember Harrison stated that she is not opposed to a survey. Mayor Dunn agreed that her comments from residents has been similar.

Councilmember Larson asked what is the cost for a survey. Patty Bennett, City Attorney, replied that the City of Overland Park recently conducted a survey on their breed specific legislation. She stated that she believes the costs are more to make sure the citizen are aware of the survey. Mayor Dunn stated that it is important to hear from everyone. Councilmember Larson stated that she is not opposed to a survey.

Ms. Bennett stated that she would bring the Council a report in August that would outline some information on doing a citizen survey. Councilmembers Larson and Osman agreed it would be helpful. Councilmember Rawlings expressed concern with the number of residents who will complete a survey.

Councilmember Larson stated that she has heard from a small number of residents in Ward 2 who are content with the current ordinance. Councilmember Osman stated that it is ultimately up to the Council on whether or not to review the current policy. Councilmember Cain stated that she is interested in getting more information on how a survey would be conducted and worded.

Hearing no dissent, Mayor Dunn recognized the consensus that Ms. Bennett will present a report on survey information for the Governing Body at the first Council meeting in August.

5. PROCLAMATION

National Parks and Recreation Month

Mayor Dunn read the proclamation into record. Chris Claxton, Parks, Recreation and Cultural Arts Director accepted. Councilmember Rawlings noted the great job that the Parks staff did to clean up after the July 4th celebration.

6. PRESENTATIONS/RECOGNITIONS – None

7. SPECIAL BUSINESS

- A. Resolution authorizing the offering for sale of General Obligation Temporary Notes of the City of Leawood, Kansas; approving the form of notice of sale and preliminary official statement to be used in connection therewith (FN)

Loretta Morgan, Acting Finance Director and Acting Treasurer, introduced David Arteberry, from Stifel Financial Corp. Mr. Arteberry stated that the resolution before the Council is referred to as a “go to market” resolution, which is the next step for the Council to take in order to authorize the issuance of the temporary notes for the summer borrowing.

He stated that since his last financial report to the Council, the note issue was approximately \$84.8M but considering certain circumstances, they decided to scale it back to \$65.9M and borrow only what was needed for existing projects and projects being taken on in the next few months. The remainder of the note would take place early next year.

Mr. Arteberry indicated that a rating call will take place next week and that the draft document has been circulated and comments completed. He stated that the City's required annual information filling for municipal bond purposes has been completed. He stated that everything is on schedule for the notes to be offered on August 1st.

He stated that the Council will also have the opportunity to approve resolutions to provide authority for the borrowing of the new projects and for any increase of a project is included in the note.

Councilmember Sipple asked if there would be any problem with exposure with the rating agencies with the current staff vacancies of a City Administrator and Chief Financial Officer. Mr. Arteberry stated that the City's situation was unforeseeable and would be likely be discussed in the call, but stated that he is not too concerned it would be a consideration of a downgrade or a systemic credit risk.

Mayor Dunn stated that lowering the note to \$65.9M was an excellent call and thanked Mr. Arteberry and Ms. Morgan for the recommendation.

A motion to approve Item 7A was made by Councilmember Harrison and seconded by Councilmember Sipple. Motion was approved unanimously by a vote of 6-0.

- B. Resolution of the City of Leawood, Kansas regarding the Governing Body's intent to levy a property tax exceeding the Revenue Neutral Rate and scheduling Public Hearing for September 6, 2022 (FN)

Stephen Powell, City Clerk, stated that because of Senate Bill 13, which passed last year, cities are required to notify the County Clerk of the intent to exceed the Revenue Neutral Rate (RNR). He stated that the mill levy will remain the same as last year which is higher than what the County Clerk stated it is. Mr. Powell reminded the Council that the RNR is the tax rate that would generate the same amount of revenue that was brought in last year, but because there are higher assessed valuations from the County Appraiser's office and in order to capture that growth and keep the levy flat, the City will need to exceed the RNR.

He explained that the resolution authorizes the City Clerk to notify the County Clerk of the intent and to establish the date and time of the public hearing.

Councilmember Osman asked if everything was completed correctly. Mr. Powell replied that Kathy Byard was asked to return to help assist with the budget this year and she is assisting Ms. Morgan in completing the required State forms. He stated that he is confident there will be no issues this year.

Councilmember Harrison asked if the RNR changes every year. Mr. Powell affirmed it is for one year. Mayor Dunn stated that the City has maintained it flat for many years except last year it did go down.

A motion to approve Item 7B was made by Councilmember Osman and seconded by Councilmember Sipple. Motion was approved unanimously by a vote of 6-0.

- C. Resolution calling for a Public Hearing to be held on Tuesday, September 6, 2022 at 7:30 P.M., or as soon thereafter as may be heard, to consider the 2023 proposed Budget for the City of Leawood, Kansas (FN)

A motion to approve Item 7C was made by Councilmember Rawlings and seconded by Councilmember Larson. Motion was approved unanimously by a vote of 6-0.

- D. Resolution approving and authorizing the Mayor to execute a First Amendment to the Development Agreement between the City; Leawood Hills Development, LLC; David C. Swarts; Who's on First, LLC; and Paru, LLC pertaining to the Hills of Leawood Villas Development (LE)

Ms. Bennett stated that this is a development near 151st St. and Mission Rd. in which that the City had a restriction. She stated that at this point the developer cannot meet those restrictions because of litigation. She stated that it may be some time before the case is done and mentioned additional delays because Covid and the labor and supply chain issues. Ms. Bennett indicated that the developer has asked that two milestones in the agreement be moved out farther while keeping the agreement in place still keeping the ability to rezone to R-1 if they do not meet those milestones.

Greg Musil, representative for the developer, was present for questions.

A motion to approve Item 7D was made by Councilmember Osman and seconded by Councilmember Rawlings. Motion was approved unanimously by a vote of 6-0.

- E. Ordinance granting to Google Fiber Kansas, LLC, a contract franchise to construct, operate, and maintain communications service facilities in the public right-of-way of the City of Leawood, Kansas and prescribing the terms thereof (LE) [Roll Call Vote]

Ms. Bennett stated that Google Fiber has agreed to comply with the City's right-of-way ordinances and that they have been working with the Public Works Director, David Ley.

Rachel Merlo, Google Fiber Government and Community Affairs Manager, addressed the Governing Body. Councilmember Rawlings asked about their plan for installation when digging in residents' yards. Ms. Merlo stated that there will be a general contractor managing the project and they will have regular meetings with staff as they go through the build-out. She explained that they will have a quality control process, as well as a phone number for residents or elected officials to call 24/7.

Councilmember Sipple asked what part of Leawood will the work begin. Ms. Merlo replied that they plan to start in the north part of town. Councilmember Sipple inquired if Google services will be available to all Leawood residents. Ms. Merlo stated that their goal is to cover as much of the City as they can.

Councilmember Cain asked where the Google lines will be relative to the recent install of AT&T lines. Ms. Merlo replied that typically they are in the same neighborhoods where the fiber line is permitted to go. She affirmed that the lines will be underground and they would like to start as early as Q4 this year but that it could take a couple of years to have the entire City completed. Councilmember Cain asked in what other parts of Johnson County are they currently offering services. Ms. Merlo stated that they are nearly through the entire county and Leawood is the "donut hole."

Councilmember Harrison asked about the installation in the right of ways. Ms. Merlo stated that they will go through the right of ways to make service available but they do not connect to a house unless a property owner signs up for their product.

Mayor Dunn asked about the services Google will have available. Ms. Merlo stated that they are strictly an internet company. The service will be a super high-speed internet connection and VoIP (voice over internet protocol) telephone service. Ms. Merlo pointed out that even in the case of a power outage, phone service would still be available with back-up power through the internet.

Councilmember Rawlings asked how the Google service is made available for those who are interested. Ms. Merlo gave a brief description on how lines are connected to a house. Mayor Dunn stated that residents will be delighted there will be a choice of providers. Ms. Merlo agreed that competition elevates the choices for everyone.

A motion to approve Item 7E was made by Councilmember Larson and seconded by Councilmember Cain. Motion was approved unanimously by a roll call vote of 6-0.

F. City Administrator Search Firm Discussion (CA)

Patrick Geschwind, Interim City Administrator, addressed the Governing Body. He stated that at the last meeting he reported that although he had ideas for a search firm, he had no recommendations at that time. He asked Nic Sanders, Human Resource Director, and his team to start the project.

Mr. Sanders thanked Whitney Moore, HR Generalist, for being the point of contact and compiling the information. He explained that they contacted 18 firms from a list of executive search firms available through International Public Management and Google searches. Six firms provided responses and were listed in detail on the spreadsheet provided to the Council. Mr. Sanders stated that from those 6 firms, his team requested references and points of contacts in order to inquire about services provided and recommendations.

He stated that he met with Mr. Geschwind to discuss the results and to make a recommendation to the Governing Body. Mr. Sanders pointed out that 3 firms rose to the top in terms of cost and matching the criteria that the City staff felt was important. Those firms were Virchow Krause (aka Baker Tilly), CPS HR Consulting, and Strategic Government Resources (SGR). Mr. Sanders stated that staff recommends SGR based on the communication with the vendor and feedback from other organizations who used the other two vendors.

Mr. Geschwind summarized that he and staff focused on those 3 firms because their market penetration is best for a city of Leawood's size, level, and resources. He stated that staff is requesting that if the Council accepts the data provided and recommendations, to continue focusing on SGR with a goal to bring a contract forward at the August 1st Council meeting. Mr. Geschwind stated that with the professional staff in the City he does not recommend a personnel subcommittee.

Councilmember Osman stated that he feels they are being rushed into a decision and that the Council received the data too late to do a thorough review. He noted that the Public Works or Stormwater Committees would get expanded portfolios when choosing a consultant, and stressed the importance of the role of the City Administrator and that the decision should not be taken lightly.

Councilmember Harrison agreed that she did not have adequate time to review the information, but that she is comfortable with Mr. Sanders' and Mr. Geschwind's recommendation.

Councilmember Rawlings stated that the companies listed are of good quality and similar in pricing. He pointed out that the Committees also consider the recommendations from staff. He stated that staff has

done their homework and does not feel that another work session will change anyone's mind. He stated that he is comfortable with their recommendation.

Mayor Dunn reminded the Council that the request from staff is to do more research on SGR and to come back to the Council with more reference material. Mr. Sanders stated that they can share the additional information digitally that they received from the firms, and pointed out that some of the data did not come back from providers to them until this morning.

Mr. Geschwind stated that his instructions to staff when making inquiries were to consider how fast and how well a firm responds. He stated that they were conscious that this is a public forum and to be accurate on the assessment is part of the evaluation process. He felt confident in SGR's responses, price, and reputation.

Mr. Powell stated that he had excellent experience with SGR while working for the City of Shawnee in both high level executive recruitment and strategic planning work with their Governing Body. He noted that he was aware of other organizations that went through processes led by SGR and all were very pleased.

Councilmember Sipple asked about the additional costs not included. Mr. Sanders replied that additional fees will be incurred, but whether or not certain processes will be used internally, such as background checks, will be determined and at the preference of the Governing Body. He stated that all firms will have a standard set of processes but additional requests, such as a stakeholders survey, would be outside of the recruitment process.

Councilmember Sipple asked what a DISC profile was. Mr. Geschwind answered that it is a type of survey that tries to assess and measure the candidate's preferred style of communication in the categories of dominance, influence, steadiness, and conscientiousness. He stated that if their recommendation is approved, staff will continue their due diligence with SGR.

Councilmember Sipple asked if SGR's job is to secure 2-3 high power resumes, or recommend one candidate. Mr. Sanders stated that it is up to the Governing Body to decide what level and number of candidates to interview. Councilmember Sipple asked who SGR's client would be. Mr. Sanders stated that it is ultimately the Governing Body and the citizens of Leawood. He stated that the Governing Body will determine how much and to what degree they want the staff to be involved in the process.

Mr. Geschwind recommended 3-5 candidates. He added that the firm is the expert and the Governing Body should allow them to bring their best candidates forward and to have some level of deniability because it is likely that a constituent will apply for the job. He stated that the staff will be the interface and the Governing Body's role will be at the end for the final interviews.

Mayor Dunn stated that in the past, each Councilmember had a one-on-one interview with the president of the search firm. Mr. Geschwind confirmed that will be done again this time.

Councilmember Larson agreed that she would have liked more time to go over the material but she trusts the staff and appreciated all the work done in a short timeframe. She stated that she would support the selection of SGR to move forward.

Councilmember Cain agreed that it is a big decision for the Council and that she is comfortable with SGR. She stated that she would like a wider range of candidates.

Councilmember Harrison asked how information is gathered on a candidate and the confidentiality on what can be asked. Mr. Sanders replied that most are confidential but the process does try to validate, check references, and have conversations. Mr. Geschwind noted that the candidates will have a public persona, so it will not be difficult to find information via Google. Councilmember Harrison asked about (Kansas Open Meetings Act) KOMA when meeting with representatives of the firm. Ms. Bennett stated that if they were meeting with the contractor, they will need to be sure not to violate KOMA, but if they are less than a quorum, they can meet with them. She stated that in terms of interviewing a candidate, they can meet in an Executive Session because it is an exception to KOMA for personnel reasons.

Mayor Dunn stated that when the Council interviewed Scott Lambers 22 years ago, they had 7 candidates. She mentioned that Google may give more information on a candidate today compared to that many years ago. She remarked that the interview is the key, and Mr. Sanders replied that the representative and staff will help the Governing Body through the process.

Councilmember Rawlings asked if the firm will continue to search for a candidate for the same fee if the Council rejects those who they brought before them initially. He also stated concern with the number of candidates to bring forward and that he will rely on the experts' recommendations. Mr. Sanders noted that it will depend on the quality of the candidates and that SGR included in their cost to come back with more candidates, if the Council rejects the first group.

Councilmember Osman stated that he is not comfortable with staff presenting the Governing Body only 1, 2 or 3 candidates. He agreed that a gut feeling is real, so he does not want to rely on staff in an interview. Mr. Sanders clarified that staff will not be filtering out candidates or making the decision, as that is the role of SGR. Councilmember Osman stated that he wants at least 5 candidates as a baseline.

Hearing no dissent, Mayor Dunn recognized the consensus to direct staff to return on August 1st with a contract from SGR, after having done their due diligence and providing information in the packet in a timely manner for Governing Body review.

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. **Pulled by Councilmember Sipple.**
- B. Accept minutes of the June 1, 2022 I-Lan Sister City Committee meeting
- C. **Pulled by Councilmember Sipple.**
- D. Resolution authorizing the improvement of a certain section of Mission Road, a Main Trafficway, between 85th Street and 92nd Street within the City of Leawood; providing for issuance of General Obligation Improvement Bonds of the City to pay the costs thereof pursuant to K.S.A. 12-689 and for the issuance of temporary notes of the City pending the issuance of said bonds; and expressing the intent to reimburse certain costs of the project so incurred from proceeds of General Obligation Bonds; and authorizing and improving certain related matters and actions (Project # 82082)
- E. Resolution amending Resolution No. 5587 authorizing the restoring and redeveloping of the Ironwoods Park Pond in the City of Leawood pursuant to Charter Ordinance No. 33 (Project# 80159)
- F. Resolution to approve County Assistance Road System Program (CARS) proposed 2023-2027 Five Year Program (PW)

- G. **Pulled by Councilmember Sipple.**
- H. Resolution approving and authorizing the Mayor to execute a Construction Agreement between the City and Cartwright Tree Care, LLC in the amount not to exceed \$180,981.00 pertaining to the Mission Rd, 133rd-143rd Tree Removal [Project #80175] (PW)
- I. Resolution approving and authorizing the Mayor to execute an Independent Contractor Agreement between the City and O’Dell Service Company in the amount not to exceed \$44,795.00 pertaining to the HVAC Split Systems Installations (PW)
- J. Resolution approving and authorizing the Mayor to execute an Agreement between the City and Total Electric Contractors Inc. in the amount not to exceed \$154,491.00 pertaining to the Pedestrian Signal Crossing, 143rd Project [Project #80402] (PW)
- K. Resolution approving and authorizing the Mayor to execute an Artwork Commission and Ownership Agreement in the amount of \$200,000 between the City and Curious Form, LLC pertaining to the commission and installation of the public art piece to be known as “Reaching” (PR)
- L. **Pulled by Councilmember Larson.**
- M. **Pulled by Councilmember Larson.**
- N. Approve purchase from Turn-Key Mobile, Inc., in the amount not to exceed \$39,234.00 pertaining to the replacement of the Fire Department Mobile Data Terminals (FD)
- O. Authorize purchase of a City pickup truck in an amount not to exceed \$70,000 for Fire Department use (PW)
- P. Approve payment to PowerDMS, Inc., in the amount not to exceed \$19,458.57 for city-wide online document management, training and compliance system access for July 17, 2022 – July 16, 2023 (HR)
- Q. Approve 11th and final payment to Continental Consulting Engineers, Inc., in the amount not to exceed \$380.00 pertaining to the Ironwoods Pond Design [Project #80159] (PR)
- R. Approve 2nd and final payment to Willoughby Design in the amount not to exceed \$4,000.00 pertaining to the 2022 Brand Strategy and 75th Anniversary project (PR)
- S. Approve 3rd and final payment to Superior Bowen Asphalt Co., LLC, in the amount not to exceed \$26,149.64 pertaining to the 2021 State Line Rd Mill & Overlay [Project #72085] (PW)
- T. Declaration of surplus equipment (PW)

A motion to approve the remainder of the Consent Agenda was made by Councilmember Harrison and seconded by Councilmember Larson. Motion was approved unanimously by a vote of 6-0.

Discussion of Item 8A: Accept Appropriation Ordinance Nos. 2022-25 and 2022-26.

Councilmember Sipple asked to be recused from voting on this item because his wife’s name is listed as a payee, as she is a contractor for the Parks Department.

A motion to approve Item 8A was made by Councilmember Cain and seconded by Councilmember Larson. Motion was approved by a vote of 5-0-1. Councilmember Sipple abstained for reasons stated.

Discussion of Item 8C: Resolution authorizing the improvement of a certain section of 123rd Street, a Main Trafficway, between Mission Road and State Line Road within the City of Leawood; providing for issuance of General Obligation Improvement Bonds of the City to pay the costs thereof pursuant to K.S.A. 12-689 and for the issuance of temporary notes of the City pending the issuance of said bonds; and expressing the intent to reimburse certain costs of the project so incurred from proceeds of General Obligation Bonds; and authorizing and improving certain related matters and actions (Project # 80182).

David Ley, Public Works Director, stated that in discussions with Scott Lambers earlier this year it was decided to make modifications from the mill & overlay and street lighting to narrow the roadway in order to add a sidewalk and trail in certain sections on the south side.

Councilmember Larson stated she was in favor of this plan, especially with Leawood Elementary close by and students using this route to walk and bike to and from school. Mr. Ley stated that in front of the school the roadway will be widened by a few feet in order to add a left turn lane.

Councilmember Harrison asked if a bike lane will remain in the area. Mr. Ley confirmed that there will be bike lanes. She asked when it will be completed. Mr. Ley stated that GBA is the design consultant and it will go out for bid year as part of the CARS funding. He stated it will be completed at the end of 2023 at the earliest.

Councilmember Cain asked if this has anything to do with undergrounding. Mr. Ley stated that they will be undergrounding the utilities which will allow extra room to underground the power lines and that there will be new LED street lights added. Councilmember Cain asked new street lights were done along Mission Rd. Mr. Ley stated that they were added along the section from 119th to 127th, but from 127th to 133rd they will only be replacing the fixture with LED, not the entire street light. He stated that it will begin in March/April 2023.

A motion to approve Item 8C was made by Councilmember Cain and seconded by Councilmember Sipple. Motion was approved unanimously by a vote of 6-0.

Discussion of Item 8G: Resolution approving and authorizing the Mayor to execute Right-of-Way Maintenance Agreement with Oxford Hills West Homes Association (PW).

Councilmember Sipple asked if the monument sign for the HOA is a replacement. Mr. Ley stated that it is a replacement. He explained that the neighborhood was built in the 1970s, so the City does not have a right-of-way maintenance agreement, but since the project is to remove and replace the monument, they will get an ROW maintenance agreement at that time.

Mayor Dunn clarified that this resolution is for the ROW maintenance agreement and not for the monument. Mr. Ley affirmed that is a separate case with the Planning Commission. Councilmember Cain asked who was paying for the monument. Mr. Ley stated that the HOA is paying for it.

A motion to approve Item 8G was made by Councilmember Sipple and seconded by Councilmember Larson. Motion was approved unanimously by a vote of 6-0.

Discussion of Item 8L: Resolution approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$2,500 per year, between the City and Weld Made Art Works, LLC pertaining to the art on loan piece known as "Purple Twist" (PR).

Councilmember Larson asked if staff has a picture of Purple Twist. Holly York, Cultural Arts Supervisor, presented a photoshopped image of the piece at its planned location. She explained that they are designing a concrete base that will be a 1 ½ ft. high but not stepped (as shown on the image.)

Mayor Dunn asked how soon it will be on display. Ms. York stated that it should be early August for the installation.

A motion to approve Item 8L was made by Councilmember Larson and seconded by Councilmember Harrison. Motion was approved unanimously by a vote of 6-0.

Discussion of Item 8M: Resolution approving and authorizing the Mayor to execute Change Order No. 2 for construction of trail connection from Roe to Tomahawk Creek Parkway for the “Dancers” sculpture in the amount of \$150,639.90 (PR)

Councilmember Larson expressed concern for the cost of the construction since it is much more than the price of the artwork. Chris Claxton, Parks, Recreation and Cultural Arts Director, stated that in addition to bringing people closer to the sculpture, it also gives connectivity to Roe. She acknowledge the concern for the price tag and mentioned that the trail will be 8’ wide, and after discussion with the team and engineer, they felt that the money was better spent at this location instead of near the “Inspiration” sculpture. Ms. Claxton mentioned that with the KDOT grant that the City received they are able to save a significant amount of money and believes that it will be well utilized. Councilmember Larson asked if this is a type of detour on the trail. Ms. Claxton stated that in working with Plaid Collaborative on the master art plan, this was one of the suggestions they had. Ms. Claxton stated that she will email a map of the trail area to the Council as a point of reference.

Councilmember Sipple asked if there will be a connection to the sidewalk on the west side of Roe. Ms. Claxton explained that the trail will come from 115th St. to the existing sidewalk then behind the sculpture and back around to connect. She stated that a pedestrian could have the option to walk directly to the sculpture or not.

Mayor Dunn stated that this will be a great enhancement, especially if benches and more landscaping are added.

Councilmember Cain asked where the money is coming from for the project. Ms. Claxton replied that it is not coming from the public art fund but from the City’s capital improvement where it was budgeted for a trail extension. She stated that it will be complimentary to the sculpture. Councilmember Cain commented that she recognizes the many unfunded projects in Parks and Rec and raising the public art fund from \$5/person to \$7/person she wished the extra money would go into a fund with more latitude, not just to Arts.

Councilmember Harrison asked that maps or diagrams be included in future packets to help with visualization.

A motion to approve Item 8M was made by Councilmember Larson and seconded by Councilmember Harrison. Motion was approved by a vote of 5-1. Councilmember Cain voted nay due to the funding source.

9. MAYOR’S REPORT

- A. Our heartfelt sympathies to all of the families and friends of the victims in Highland Park, Illinois, who were killed or wounded during their July 4th parade yesterday.
- B. We have a letter that was written July 1976 to us from then Mayor, William Eddy. His Leawood American Revolution Bicentennial Committee presented the City with a CD in the amount of \$1,000. He requested that a report be given on an annual basis. Last year, the fund earned \$5.00 in interest. The principal amount is up to \$8,752.00 which brings the current balance of the CD to \$8,757.00. The interest rate is 0.025% and it matured on June 25, 2022.
- C. I would like to offer tremendous thanks to Leawood Foundation Chair Alice Hawk and her Board of Directors for once again organizing the appreciation luncheon at the Ironwoods Lodge for our Police and Fire Departments personnel, as well as our Public Works and Parks, Rec and Art staff. Thanks also to Parks and Rec Director Chris Claxton for her assistance. It was appreciated by one and all.
- D. My thanks to APPI Chair Kim Hinkle and her Board, and to the Cultural Arts Coordinator Holly York for organizing the dedication of the sculpture “Praise” by metal-works sculptor Bruce Niemi. This piece was donated to the City by Leawood residents Chris and Bridget Lee and sits in front of Fire Station No. 3 at 148th and Mission Road. It is a beautiful addition to our extensive array of public Art. Councilmembers Filla, Rawlings, Larson and Sipple were also in attendance.
- E. Congratulations to outgoing Leawood Rotary President Chuck Sipple on leading a most successful year of service for our Rotary Club. There were many accolades at the Annual dinner as he passed the gavel to the incoming president, our former Police Chief, John Meier.
- F. I attended a lovely retirement reception hosted by Police Chief Dale Finger for Officer Phil Goff. We thank him sincerely for his 28 years of outstanding service to our community and wish him success in his future endeavors.
- G. Finally, tremendous appreciation to Community Events Supervisor Katie Burruss, Director of Parks, Recreation and Arts Chris Claxton, her entire team, as well as our Police Department, Fire Department, and Public Works personnel for orchestrating a magnificent July 4th celebration for our entire community and those beyond our borders. Despite the heat, there were thousands in attendance, and a grand time was had by all. Thank you for all of your hard work!

10. COUNCILMEMBER REPORTS

- A. Councilmember Osman (Cellular) Communication in southern Leawood

Councilmember Osman stated that the Governing Body received a lengthy email from a resident recently with concerns about communication in the south part of Leawood. He stated that he is also aware of his own family members living in that area who have exceptional difficulty making phone calls from their houses from some of the major carriers. He stated that communication is not only landline, but fiber optics and cell phone towers.

Councilmember Osman requested to direct staff to proactively get in touch with all the head communication providers to see what can be done to enhance the corridor in that area for cell phone coverage.

Mayor Dunn stated that with the assistance of the City's legal counsel and department heads she responded to the same citizen informing them that the Council would be reviewing an agreement with Google at tonight's meeting. Councilmember Osman apologized for not seeing her response before added this topic to the agenda.

- B. Councilmember Osman Municipal comparison of planning processes and procedures regarding agenda items

Councilmember Osman stated he was recently contacted by attorneys who were not able to present at the last Planning Commission meeting because of time restraints. He reminded the Council that members of the Planning Commission are non-elected, appointed volunteers who work pro bono to review plans on a monthly basis, and at the last meeting they were only able to review a couple of projects.

Councilmember Osman asked staff if they would contact other municipalities over the next couple of weeks to research what other city planning commissions' policies are in terms of start times, cut-off times, and how the commissions actively engage with the applicants in case they may not be heard at the meeting.

Mark Klein, Planning Director, addressed the Governing Body. He stated that Leawood has a 10:00 p.m. stop time since the meetings start at 6:00 p.m. They felt after 4 hours that it was difficult to concentrate and residents may not be able to stay that late. He stated that it does not happen often, but items can and have been continued but that he would research other city policies for more information.

Councilmember Osman stated that he is concerned for applicants who pay for legal representation and/or engineering fees on an hourly basis who, after 4 hours, are not heard.

Mayor Dunn stated that there has been on occasion, two Planning Commission meetings in one month, but she remarked that there may not always be a quorum, especially in the summer months. Mr. Klein mentioned that a work session was to be scheduled on the second date in June but a couple of Commissioners stated they would not be available.

Councilmember Harrison asked if other cities limit their applicant's time and suggested that Leawood used a time limit per applicant. Mr. Klein stated the Leawood assistant city attorney had also considered that but cautioned that the circumstances of each case can vary and could have a lot of resident interest.

Councilmember Larson stated that attorneys and other professionals are used to having time limits, so they should be able to work within those boundaries. She stated that she does not like having residents being inconvenienced or spending money unnecessarily.

Mayor Dunn asked Mr. Klein if a month was sufficient time to report back to the Council and he agreed it was.

11. INTERIM CITY ADMINISTRATOR'S REPORT

Mr. Geschwind reported that he has been able to meet with almost all of the Department Head staff to review their goals for the remainder of 2022.

12. STAFF REPORTS

- A. Chris Claxton, Director of Parks and Recreation – Report on Projects in Progress

Ms. Claxton offered a handout of the report to the Governing Body. She reported that the Aquatic Center is up and running and the flooring is being installed in the Event Space. There has been a little trouble with the concrete base for the Bike/Walk trailhead but not significant. She noted that the irrigation and landscaping are ongoing, and that they are going through the final punch list. She stated that she has heard a lot of positive comments on the functionality as well as the aesthetics.

Ms. Claxton stated that all of the work in the developed park at the pond at Ironwoods is finished and the contractor will return to do all the seeding around the pond in September. She stated that the silt is still drying and later in the fall the plan is to turn the silt, mix with top soil and start seeding.

She stated that the contractor has roughed in the trail on the east side of Tomahawk Creek Parkway. She noted that some of the crews had to be pulled for another project but that they are two weeks ahead of schedule and will be gearing up again soon. The base for "Skywriting I" will take place next week, and the tunnel lighting will be installed in mid-July. Ms. Claxton stated that median crossing on the Parkway is still going on.

She noted that September remains the estimated completion date although they still have some trees that were donated by AMC Theatre left to plant. Staff recommended the dedication to be in October after all the projects were finished so it would look its best for guests and dignitaries.

Ms. Claxton stated that the site work began at the Parks Maintenance Facility and some of the soil from the Fire Station project is being moved there to help level the site.

She stated that there has been no change with the "Skywriting I" sculpture install and it is still currently stored safely at the former Parks Maintenance Shop. The installation and dedication of "Praise" was on June 23rd. Ms. Claxton stated that the transom at the Event Space has been installed and the art piece at the pool breezeway will be installed once the permanent overhead door is installed. She stated that the artist named the piece "Reflections" of which staff is very pleased.

Ms. Claxton stated that Phase II of the branding for the 75th Anniversary was approved at the June 6th City Council meeting, so the next step is for the consultant to present the first round of brand identity concepts to the team the week of July 25th. Mayor Dunn stated that the work session is scheduled for September 6th.

Councilmember Rawlings asked about ribbon cuttings for the Aquatic Center and Bike Hub. Ms. Claxton stated that staff plans a separate ribbon cutting for the Bike Hub and an open house for the Aquatic Center. She agreed that committees, the Governing Body, and others who have been involved will be invited.

Councilmember Sipple asked if there are any projects that are in progress or completed that should be included on the report. Ms. Claxton stated that Phase II has not yet been started on the Clubhouse renovation and staff is working diligently on the pump house agreement. She stated that August 1st it will be on the Council agenda. She stated that other future projects related to the golf course will be discussed with staff at an August golf course meeting.

Councilmember Larson thanked Ms. Claxton and her staff for the July 4th celebration. She stated that the fireworks were awesome. She also thanked Ms. Claxton for the update on the golf course pump since it is important to the vitality of the course. Ms. Claxton thanked all the staff for the 4th of July event and stated that every department in the City participates and is involved in the work. She commented that

the Police Department set out 1,200+ No Parking signs. She stated that with rising costs, she added \$5,000 to the fireworks budget for next year.

B. David Ley, Director of Public Works – Report on Public Works and Fire Department Projects in Progress

Mr. Ley reported that the contractor is installing the waterlines on the Lee Blvd at 83rd and Somerset project and should be completed by the end of the month. He mentioned that there will be street work after that, but they are still on schedule to open mid-October. He stated that the projects on 95th St. in front of Ranchmart and Mission Rd. from 95th to 103rd are mill and overlays being managed by the City of Overland Park and should be completed by this week.

He stated that the contractor for the Fire Station project will start back late next week with under slab drains. He stated that this change will take two weeks to install.

Mr. Ley reported that the Mission Rd. from 133rd to 143rd St project to relocate the utilities has begun and that the City will bid the roadway construction at the end of September. The residential mill and overlay project kicked off today and is primarily in south Leawood.

Mr. Ley stated that the project for the 143rd St. pedestrian beacon crossing was approved tonight and the contractor will begin tomorrow. He noted that they hope to have that project done before school begins. Mayor Dunn asked which contractor was doing the mill and overlay. Mr. Ley replied that it is JM Fahey Construction and that they are also doing the Lee Blvd. project.

13. COMMITTEE RECOMMENDATIONS – None

14. OLD BUSINESS – None

15. NEW BUSINESS

Schedule Governing Body meeting on Monday, August 1, 2022 at 7:00 P.M.

A motion to approve Item 15 was made by Councilmember Rawlings and seconded by Councilmember Sipple. Motion was approved unanimously by a vote of 6-0.

The meeting was adjourned at 9:30 p.m.

City Administrator Executive Recruitment Firms

Human Resources made contact with eighteen firms with expertise in public sector executive recruitment services to gather basic information about each. There were firms (listed below) that provided a response that included an estimated quote for services. ** Note: One additional quote was received with approximate fees of \$75,000 that is not included below.

- Virchow Krause (Baker Tilly US)
- CPS HR Consulting
- League of Kansas Municipalities (LKM)
- Management Partners
- Mercer Group Associates
- Municipal Solutions (did not respond to follow-up request for information)
- Strategic Government Resources (SGR)

All firms were asked for a general overview of their executive recruitment services, the average fee of services, and references for municipalities they have worked with/currently working with.

| Firm Name | Approximate Fees | Municipality References (within last 2-3 years) |
|---------------------------------------|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Virchow Krause (Baker Tilly US) | \$26,950 | <i>KS/MO Executive Searches:</i> City of Overland Park, KS (City Manager – 2022, Chief Information Officer – 2019), City of Belton, MO (City Manager – 2022, Police Chief—2021, Public Works Director— 2020) , City of Joplin, MO (Assistant City Manager – Current, Fire Chief—2021, HR Director—2021) <i>Non-KS/MO Executive Searches:</i> City of Grand Rapids, MI, and Lancaster County, SC |
| CPS HR Consulting | 3 Tier Professional Fixed Fees- ranging from \$7,500 - \$25,000 | <i>KS/MO Executive Searches:</i> Johnson County, KS (Director of Human Resources – 2022) <i>Non-KS/MO Executive Searches:</i> (All City Administrator/Manager positions) City of Dickinson, TX, City of Littleton, CO, and City of Bozeman, MT |
| Strategic Government Resources (SGR) | Ranges from \$18,500 to \$24,900 + advertising costs | <i>KS/MO Executive Searches:</i> City of Mission Hills, KS (City Administrator, 2020), City of Shawnee, KS (Multiple Department Head Recruitments), City of Parkville, MO (City Administrator, 2022) <i>Non-KS/MO Executive Searches:</i> City of West Lake Hills, TX, City of Choctaw, OK, City of Marshall, TX, and City of Manor, TX |
| League of Kansas Municipalities (LKM) | \$12,890 + advertising costs | <i>KS/MO Executive Searches:</i> City of Caldwell, KS, City of Osawatomie, KS, City of Garnett, KS, City of Larned, KS, City of Girard, KS, City of Independence, KS, and City of Jetmore, KS <i>Non-KS/MO Executive Searches:</i> None provided. |
| Management Partners | \$19,500 + advertising costs | <i>KS/MO Executive Searches:</i> City of Olathe, KS (Human Resources Officer—2021) and Independence, MO (City Manager, Assistant City Managers – 2016, 2017, 2018) <i>Non-KS/MO Executive Searches:</i> n/a |
| Mercer Group Associates | \$18,000 Reimbursable expenses not-to-exceed \$6,000 | <i>KS/MO Executive Searches:</i> None provided. <i>Non-KS/MO Executive Searches:</i> City of Jacksonville, NC (City Manager – In Progress), City of Madison, GA (City Manager), City of Roswell, GA (City Administrator and Recreation Director), Hall County, GA (Finance Director, HR Director and Community Development Director), and City of Clinton, NC (Police Chief) |

**City Administrator Executive Recruitment Firms
(cont'd)**

Based on responsiveness, estimated cost, and comparable projects, staff narrowed the focus to three firms - Virchow Krause, CPS HR Consulting and Strategic Government Resources. Below is an overall breakdown of the approximate fees associated with their executive recruitment services:

| | Virchow Krause (Baker Tilly US) | CPS HR Consulting | Strategic Government Resources (SGR) |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Professional Fee | The all-inclusive professional fee to complete the project is <u>\$26,950</u> . | Professional Services For Outreach Only (includes Brochure and advertising) - <u>\$7,500</u> Professional Services for Partial Recruitment (Phases I and II) - <u>\$19,500</u> Professional Services for Full Recruitment (Phase I, II, and III) - <u>\$25,000</u> | Not-to-Exceed Price: \$24,900* Professional Service Fee - \$18,500 |
| Services/Cost Includes | Cost of professional services by the Project Team Leader and the project support staff, and all project-related expenses such as advertising, printing, candidate background and reference checks, and travel expenses for on-site visits by the Project Team Leader. | Professional fixed fee covers all CPS HR services and deliverables associated with Phases I, II, and III for a Full Recruitment process. Also includes professional fees associated with Partial Recruitment (Phase I and II) and Outreach Only Services. Phase I: Develop Candidate Profile and Recruitment Strategy <ul style="list-style-type: none"> Review and Finalize Executive Search Process and Schedule Key Stakeholder Meetings Candidate Profile and Recruitment Strategy Development Develop Recruitment Brochure Phase II: Aggressive, Proactive, and Robust Recruitment <ul style="list-style-type: none"> Place Advertisements Identify and Contact Potential Candidates Resume Review and Screening Interviews City Council Selects Finalists Phase III: Selection <ul style="list-style-type: none"> Design Selection Process Administer Selection Process Final Preparation for Appointment Contract Negotiation (if requested) | Expenses: <ul style="list-style-type: none"> Position Profile Brochure & Marketing - \$1,500 Semifinalist Recorded Online interviews for up to twelve (12) semifinalists - \$225 each Comprehensive Media Reports for up to five (5) finalists - \$500 each Comprehensive Background Investigation Reports for up to five (5) finalists - \$400 each Comprehensive Reference Checks with individual reports for up to five (5) finalists - \$225 each Up to two (2) multi-day onsite visits by one Recruiter to the Organization, for up to 2 and 1/2 days per visit. Meals are billed back at a per diem rate of \$15 for breakfast, \$20 for lunch, and \$30 for dinner. Mileage will be reimbursed at the current IRS rate. All other travel-related expenses are billed back at actual cost, with no markup for overhead. |
| Additional Costs Not Factored Into Total | Travel expenses incurred by candidates for on-site interviews with the Client are not the responsibility of Baker Tilly and shall be handled directly by the Client. | Travel expenses for candidates who are invited forward in the interview process are not included. However, should the City desire CPS HR's Travel Team to assist with these arrangements, we are happy to do so. This might require an amount be added to our contract. | Additional supplemental services are available that are not included in the not-to-exceed price; additional online interviews, comprehensive media reports, background investigation reports, reference checks, DiSC Management Profile, additional one site visits, SGR conducting a Stakeholder Survey and more. |
| Additional Comments | | | *Ad placement costs are not included in the Not-to-Exceed Price. These costs are estimated to be between \$1,750 and \$2,500 and shall be added to the total cost of services. |



Aquatic Center

- Preparing to install flooring the Event Space.
- Bike Walk Trailhead – there is an issue with the concrete base.
- Irrigation and landscaping are ongoing. This will probably get completed in the next 2 weeks.
- Roll down doors, exterior fencing for the Wave patio, and lockers, will be installed when pool goes to “school schedule.

Ironwoods Pond and Trail Improvements

- The work in the developed park is finished. Contractor will most likely return to seed around the pond again in September.
- The removed silt is still in the drying phase. The exposed 6” to 10” is dry but below that is still too muddy to work with. The plan is to turn the silt, in order to expose it more in August. It will be mixed with topsoil.

Roe to Tomahawk Creek Parkway Trail Extension [KDOT Grant]

- Trail is roughed in on the east side of Tomahawk Creek Parkway.
- Sidewalk along Roe Avenue is formed and ready for concrete
- Contractor had to pull crews to work on another project last week and the Superintendent for our project was on vacation last week.
- Work will return next week.
- Construction of sculpture base (Skywriting I – blue kinetic) will take place week
- Work to start on tunnel lighting/cameras in mid- July.
- Median crossing (on the parkway) will start in early August.
- September remains estimated completion date.
- Dedication currently planned for mid-October

Park Maintenance Facility

- Site grading is underway.
- Contractor is moving the imported soils from the Fire Station project to help level out the site.

Cultural Arts

“Skywriting I”

- Will be installed by Mega KC as part of the Tomahawk Trail extension. Location is on the east side of TCPKW
- Installation is planned for September and should take 2-3 weeks to complete depending on weather.

- The sculpture is currently stored at the former Parks Maintenance Shop. Dedication date TBD.

"Praise"

- Installed and dedicated on June 23.

Pool Art

- Piece for transom at Event Space has been installed.
- Event space will be installed first.
- Pool breezeway piece will be installed once the permanent overhead door that accesses the pool deck is installed.
- The artist has named the piece(es) "Reflections"

Temporary Art

- "Purple Twist" (Jessie Cargus) will be installed in early August

75th Anniversary Branding

- Phase I – Brand Strategy is complete
- Phase II approved at June 6 meeting.
- Next step will be for consultant (Willoughby) to present the first round of brand identity design concepts to the group. This is tentatively scheduled for the week of July 25.