

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 Monday, August 1, 2022. Mayor Peggy Dunn presided.

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

Councilmembers Absent: 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	Captain Troy Osborn, Police Dept.
Nic Sanders, HR Director	Captain Brad Robbins, Police Dept.
Fire Chief Colin Fitzgerald, Fire Dept.	Travis Torrez, Bldg/Code Enforcement Dir.
Mark Klein, Planning Services Director	Stephen Powell, City Clerk
Holly York, Cultural Arts Coordinator	Stacie Stromberg, Assistant City Clerk
Mike Pelger, Info. Services Specialist	Mark Tepesch, Info. Services Specialist

Others Present: Chester Moyer, David Arteberry, Ben Thompson, JJ Peters, Kelly Crockett.

Mayor Dunn called the meeting to order at 7:01 p.m.

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

A motion to approve the agenda was made by Councilmember Sipple and seconded by Councilmember Larson. 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.

Councilmember Osman arrived at 7:04 p.m.

Charles R. “Bob” Brettell, 9221 Wenonga Rd., addressed the Governing Body. He spoke about dangerous dog legislation. Mr. Brettell offered a summary regarding Breed Specific Legislation that was handed out to the Governing Body.

Kristi Bond, 9221 Wenonga Rd., addressed the Governing Body. Ms. Bond expressed her concern over a possible citizen survey.

5. PROCLAMATION – None

6. PRESENTATIONS/RECOGNITIONS – None

7. SPECIAL BUSINESS

A. Review of the 2021 Annual Comprehensive Financial Report (ACFR) (F)

Chester Moyer, Audit Partner with RubinBrown, addressed the Governing Body. He stated that he conducted the external audit of the City and provided the Council the Annual Comprehensive Financial Report for the year ending on December 31, 2021. Mr. Moyer explained that 2021 was an unusual year due to the turnover that was experienced in the Finance Department, but he acknowledged the extraordinary effort and excellent cooperation from the staff and management.

He stated that with the required communications that was conducted in accordance of the general auditing standards as well as government auditing standards, their opinion of the financial statements are clean, which is an unmodified opinion of the highest level of opinion that they give. He pointed out that they also issue an internal control of initial reporting. In prior years, there has been nothing to report but this year the letter in the report indicates a significant deficiency or material weaknesses, which is an error that would be found to be greater than 5% of the time. He stated that it can happen but has not with the City of Leawood for many years. This year’s material weakness was found due to the turnover in the Finance Department and the reliance to depend on external auditors to prepare the financial statements and the magnitude of support they needed to provide in the auditing process.

Mr. Moyer stated that he has had extensive discussions with City management and found them to be receptive to the comments. He summarized that the City did receive a clean opinion on the audit.

Mayor Dunn expressed her appreciation of the partnership that the City has had with RubinBrown over the years.

B. Resolution accepting the 2021 Annual Comprehensive Financial Report (ACFR) for the City of Leawood, Kansas (F)

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

C. Resolution prescribing the form and details of and authorizing and directing the issuance, sale and delivery of \$65,900,000 General Obligation Temporary Notes, Series 2022-1, of the City of Leawood, Kansas; providing for the levy and collection of an annual tax, if necessary, for the purpose of paying the principal of and interest on said notes as they become due; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith (FN)

David Arteberry, Stifel, Nicolaus & Co, Inc., recapped the events leading up to the sale of the temporary notes that took place earlier in the day. He stated that in July there were rating calls with Moody’s Investors that went well and that Moody did affirm the City’s rating. Mr. Arteberry explained that since it is a temporary note, Moody’s is not assigning their typical long-term rating of AAA, but rather a short-

term rating of MIG 1 (Moody's Investment Grade One), which is the highest rating they have for short-term borrowings.

He stated that afterwards, the City distributed the offering documents. He stated that the issuance was also advertised through Bloomberg and The Bond Buyer. Mr. Arteberry pointed out that since January 1, interest rates in the bond market have risen quite a bit, but have since dropped slightly since late May. The City received 6 bids, and the best bid was Morgan Stanley and Company. Mr. Arteberry stated that after a review, it met all the bidding parameters and they provided the good faith deposit.

He stated that the final step, if this bidder is chosen, is to adopt the resolution.

Mayor Dunn expressed her gratitude for Mr. Arteberry's assistance and in seeing the low bid.

Councilmember Filla thanked everyone for all the preparatory work that went into the call. Mr. Arteberry extended his compliments to staff, especially those staff who have not been involved in these calls before.

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

- D. Resolution approving and authorizing the Mayor to execute an agreement between the City and Strategic Government Resources ("SGR") in an amount not to exceed \$27,400.00 pertaining to the City Administrator recruitment process (CA)

Nic Sanders, Human Resource Director, addressed the Governing Body. He explained that the agreement before the Council is a result of the discussion from the July City Council meeting, authorizing the staff to conduct extensive research and contract negotiations with SGR. He pointed out that the number of candidates in the agreement to be presented for consideration is outlined as 12 semifinalists that will be narrowed down by a committee or Governing Body to 5 finalists.

Mayor Dunn recalled the number of finalists was to be 5, according to the last discussion.

Councilmember Larson stated that the agreement gives a bailout that if they chose to have a 6th candidate, it would only cost a reasonable additional fee.

Councilmember Sipple asked for an overview of other projects SGR has had in the Kansas City Metro area. Patrick Geschwind, Interim City Administrator, explained that he had conversations with the former Mayor of Parkville, Missouri and the Mayor of Marshall, Texas who gave high praise. Mr. Geschwind remarked that SGR has been very responsive with Leawood staff, as well as having been told by other cities of their same positive experience. He stated that he also spoke with a former candidate who expressed very positive feedback on SGR.

Mr. Geschwind explained that he, Mayor Dunn, and Mr. Sanders proposed that SGR does all the work. He recommended that the City Council not be part of the selection process until the final candidates are presented, but that the search committee will be the full Council. Mr. Sanders stated that SGR has done a number of processes for the City of Shawnee and the League of Kansas Municipalities, and that SGR will conduct a national search.

Councilmember Rawlings confirmed that he trusts staff and SGR to do the necessary work based on the information they are given.

Mr. Geschwind explained that it may be likely that members of the Council will know a candidate who may or may not make it to the finalists, so "plausible deniability" will allow SGR to handle the work while keeping the Councilmembers out of that process until the end.

Councilmember Filla inquired about language in the agreement regarding seatbelts. Patty Bennett, City Attorney, replied that language is part of the City's standard language in all agreements needed for certain Federal funds, if it were ever used in this case.

Mayor Dunn stated that she has received rave reviews regarding SGR.

Councilmember Larson stated that the term plausible deniability makes her uncomfortable since she is not afraid of explaining difficult choices, but she is in favor of allowing SGR to narrow down a list from 12 to 5 because SGR is experienced. Mr. Sanders added that SGR will have a level of confidentiality that impedes on the process.

JJ Peters, SGR President of Recruitment, addressed the Governing Body via Zoom. She stated that they are excited to work with the City of Leawood. She stated that they take great pride in the work that they do and their reputation of focus to help local governments. Ms. Peters stated that her staff will get to know the Leawood community, staff, and the Council's desires and needs in a City Administrator.

Ms. Bennett suggested leaving the agreement as 12 candidates to be narrowed down to 5, as stated in the contract, and modifying it later, if necessary. Councilmember Cain recommended that the City allows SGR to do their process and not modify later. Mayor Dunn stated that she understood the SGR will have 12 semi-finalists, but that the Council will only cull the 12 to 5. Mr. Geschwind agreed. Councilmember Cain asked if the Council will receive a list of all 12 semi-finalists. Ms. Peters confirmed that there will be a discussion on the 12 semi-finalists and stated that even if the Council does not want to actively be involved in the selection process, she strongly recommends that they go through the steps on the City's behalf.

Councilmember Sipple asked when the Council will start getting involved in the process. Ms. Peters replied that SGR will work with them to determine who the stakeholders are and to have discussions with each of the Councilmembers early in the process.

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

E. Discussion of survey options for Dangerous Animal Ordinance (LG)

Stephen Powell, City Clerk, stated that staff was directed to research survey options at the last Council meeting. He presented a report in the packet of an overview of four options, pros and cons, and what the process would entail. He pointed out that the City of Overland recently conducted a similar survey on the same topic and they used Google Forms. Mr. Powell stated that Survey Monkey is another low cost option and the City already has an account. He stated that neither Google Forms nor Survey Monkey are statistically valid surveys but used more for community sentiment around a certain topic.

He stated that two other options are vendors that both have similar processes. The City would provide the company a list of residential addresses, they would develop a random sample with equal representation across all four wards, and verify the results. Mr. Powell stated that both companies also offer an open online survey but those would not be included in the valid statistical results.

He stated that one of the companies is local and based in Olathe, KS. Mayor Dunn stated that other cities have used ETC and Mr. Powell confirmed that the City of Leawood has also used them several years ago.

Councilmember Filla stated that she would prefer a statistically valid survey.

Councilmember Harrison stated concern of not only the cost but the man-hours of staff going into the process. She expressed concern for spending approximately \$10,000 on a topic that does not seem to be garnering much interest with residents at this time.

Councilmember Larson shares Councilmember Harrison's sentiment but pointed out that the ordinance is from 2003 and times have changed. She stated that she is in favor of a statistically valid survey to be assured that only Leawood residents are responding. She stated that she would lean toward the company based in Olathe in support of a Johnson County business.

Councilmember Cain asked how and when the information gets written. She suggested scheduling a work session to discuss it further. She also agreed on having a statistically valid survey. Councilmember Cain asked if more than one question from another topic could be included on the survey.

Councilmember Filla commented that she has received, although few, more emails in favor of a breed specific ban. She does not believe this is a hot topic for the greater citizenship of Leawood.

Councilmember Larson asked if the companies assist in the wording of the questions. Mr. Powell replied that they will assist staff in crafting questions and only communicate with their clients a few times in order to keep the questions from being compromised. Both companies prefer to have very few people involved in the process of the questions to keep them balanced and fair.

Councilmember Sipple inquired if a survey is needed and suggested that the City reach out to HOA Boards to test the water before proceeding. He stated that the conversations he has had with residents in his ward is that everyone is comfortable with the current ordinance as is.

Councilmember Rawlings considered how much of an issue this ordinance is and echoed Councilmember Sipple's conversations with residents. He opined that a survey would be looking for an answer to a problem that the City does not have. He concurred with Councilmember Cain to schedule a work session.

Mayor Dunn asked to clarify if the topic of the work session is whether or not to have a survey. Councilmember Cain stated that the work session would be to discuss the topic and if a survey is warranted. She asked what would happen next after the survey, if one was conducted.

Councilmember Osman stated that there are many factors to consider. He stated that if they decide to move forward, it does merit a survey. He pointed out that to make changes to an ordinance or the LDO (Leawood Development Ordinance) it can take many times to revise it before it reaches the Council. He expressed support of scheduling a work session. Councilmember Osman stated that the topic of the work session would be to discuss which survey company to use, what questions to ask, and is this a topic worthy of moving forward.

Councilmember Cain asked if the Council could see the questions that the City of Overland Park used on this topic.

Mr. Powell stated that he has a copy as well as some examples from one of the companies on an issue survey that he will provide for the work session.

A motion to schedule a Work Session on September 19, 2022 at 6:00 p.m. to discuss the Dangerous Animal Ordinance and statistical analysis was made by Councilmember Osman and seconded by Councilmember Cain. Motion was approved by a unanimous vote of 7-0.

8. CONSENT AGENDA

Consent agenda items have been studied by the Governing Body and determined to be routine enough to be acted upon in a single motion. If a Councilmember requests a separate discussion on an item, it can be removed from the consent agenda for further consideration.

- A. Accept Appropriation Ordinance Nos. 2022-27, 2022-28, 2022-29 and 2022-30
- B. Accept minutes of the June 6, 2022 Governing Body Work Session
- C. Accept minutes of the June 6, 2022 City Council meeting
- D. Accept minutes of the June 21, 2022 Governing Body Work Session
- E. Accept minutes of the June 21, 2022 City Council meeting
- F. Accept minutes of the July 5, 2022 City Council meeting
- G. Accept minutes of the June 8, 2022 Public Works Committee Meeting
- H. Accept minutes of the June 9, 2022 Parks & Recreation Advisory Board meeting

- I. Resolution approving final plan for Oxford Hills West Homeowners Association – Monument Sign, located south of 119th Street and east of Mission Road (PC Case 60-22) (PL)
- J. **Item pulled by Councilmembers Harrison and Osman**
- K. Resolution accepting a Temporary Construction Easement from Grantors Raymond V. D’Amico and Tia S. D’Amico for property located at 12305 Mohawk Lane, pertaining to the Metal Pipe Replacement Project [Project #80256]
- L. Resolution accepting a Temporary Construction Easement from Grantors Robert E. Pollock and Marie K. Pollock for property located at 12300 Mohawk Lane, pertaining to the Metal Pipe Replacement Project [Project #80256]
- M. Resolution accepting a Temporary Construction Easement from Grantors Marjorie J. Dattel and Frederick M. Dattel, Co-Trustees of the Marjorie J. Dattel Trust for property located at 12639 Pawnee Lane, pertaining to the Metal Pipe Replacement Project [Project #80256]
- N. Resolution accepting a Temporary Construction Easement from Sloane E. Heller and Daniel J. Videtich for property located at 12304 Overbrook, pertaining to the Metal Pipe Replacement Project [Project #80256]
- O. Resolution accepting a Temporary Construction Easement from Grantors Marie McGraw and Thomas F. McGraw III, Co-Trustees of the Thomas F. McGraw III Trust for property located at 12623 Pawnee Lane, pertaining to the Metal Pipe Replacement Project [Project #80256]
- P. Resolution accepting a Sidewalk and Permanent Utility Easement from Grantor Blue Valley Unified School District No. 229 for property located at 13200 Mission Road, pertaining to the Mission Road, 127th – 133rd Project [Project #72076]
- Q. Resolution accepting a Sidewalk Easement from Grantor Blue Valley Unified School District No. 229 for property located at 13200 Mission Road, pertaining to the Mission Road, 127th – 133rd Project [Project #72076]
- R. Resolution accepting a Temporary Construction Easement from Grantor Blue Valley Unified School District No. 229 for property located at 13200 Mission Road, pertaining to the Mission Road, 127th – 133rd Project [Project #72076]
- S. **Item pulled by Councilmembers Filla and Harrison**
- T. Resolution approving and authorizing the Mayor to execute an Addendum to the Artwork Commission and Ownership Agreement between the City and Rock Cottage Glassworks, Inc. dated June 21, 2021 in an amount not to exceed \$958.00 pertaining to a public art installation at the Leawood Aquatic Center (PR)
- U. Resolution approving and authorizing the Mayor to execute a Services Agreement between the City and NUCO Pump Sales & Service in an amount not to exceed \$179,817.00 pertaining to the installation of a custom pump system at Ironhorse Golf Course (PR)
- V. **Item pulled by Councilmember Sipple**
- W. Resolution approving and authorizing the Mayor to execute an Agreement between the City and PGAV Architects in the amount not to exceed \$15,000.00 pertaining to the renovation design of the Public Works Maintenance Facility (PW)
- X. Resolution approving and authorizing the Mayor to execute a Utility Agreement between the City and Evergy Metro, Inc. in an amount not to exceed \$1,736,885.40 pertaining to the improvement of Mission Rd, 127th-133rd Project [Project #72076] (PW)
- Y. Resolution approving and authorizing the Mayor to execute Change Order No. 2 to the Agreement between the City and StructSure Projects, Inc. dated December 6, 2021 in an amount not to exceed \$200,000.00 pertaining to the Fire Station No. 1 Project [Project #80158] (PW)

- Z. Approve 1st and Final payment to Habitat Architects, Inc. in the amount an amount not to exceed \$23,410.00 pertaining to the Dykes Branch Clean Up – South of the 86th Street Bridge (PW)
- AA. Approve the purchase of replacement holiday lights for City Hall from Creative Displays in an amount not to exceed \$19,970.33 (PR)
- BB. Approve the purchase of soccer uniforms for the fall 2022/spring 2023 soccer league season from Challenger Teamwear in an amount not to exceed \$50,000.00 (PR)
- CC. Declaration of surplus equipment - Police Vehicles (140, 143, 145, 174) (PW)
- DD. Declaration of surplus equipment - Parks maintenance equipment (PR)
- EE. Approve the purchase of a ProGator 2020A and TX Gator from Deere & Company in an amount not to exceed \$38,392.27 (PR)

A motion to approve the remainder of the Consent Agenda was made by Councilmember Rawlings and seconded by Councilmember Sipple. Motion was approved unanimously by a vote of 7-0.

Discussion of Item 8J - Resolution approving a final plan for Leawood Plaza – Dan and Cassidy Towriss Idea Space KC – Wall Sign, located north of 123rd Street and west of State Line Road (PC Case 64-22) (PL)

Councilmember Harrison asked about the name, as it is listed as Idea Space KC in some places and not in others. Mr. Klein replied that KC is not part of the name. Councilmember Harrison suggested a shorter name. Mayor Dunn added that it was a naming opportunity for the family.

Kelly Crocket, Barstow School, added that the full family name was a specific request by the donor. Councilmember Harrison asked if it would be shortened. Ms. Crocket replied that it would be referred to by its full name initially and could be shortened thereafter.

Councilmember Osman recused himself from the voting, as his children attend Barstow School.

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

Discussion of Item 8S - Resolution approving and authorizing the Mayor to execute an Amendment to the Agreement between the City and Mark Andrasik dated March 21, 2022 in an amount not to exceed \$150,000.00 pertaining to Consulting Services and Implementation of Technology Plan (CA)

Councilmember Filla wondered if a search for Director of IT would be delayed as long as Mr. Andrasik was in the midst of the implementation and asked about a timeline. Ms. Bennett responded that Mr. Andrasik would appreciate time to work with the new person so the new systems could be implemented smoothly. The pricing is currently underway for the systems, the largest of which is the financing.

Councilmember Harrison asked if the consulting is for a number of months. Ms. Bennet replied that it is an amendment, with a rate of \$125 per hour with an estimate of 20 hours per week. This adds 6-8 months, but the \$150,000 is a cap.

A motion to approve Item 8S was made by Councilmember Harrison and seconded by Councilmember Filla. Motion was approved unanimously with a vote of 7-0.

Mayor Dunn expressed appreciation for the value of the service.

Discussion of Item 8V - Resolution approving and authorizing the Mayor to execute a Services Agreement between the City and Westnet, Inc. in the amount not to exceed \$107,647.03 pertaining to the installation of a first-in fire station alerting system at Fire Station No. 1 [Project #80158] (PW)

Councilmember Sipple imagined that the equipment and software could be transferred from the old station to the new station. He asked why they bought new. Chief Fitzgerald responded that the control hub would be transferred. The amount is for conduit, wiring, switches, and lights. The new system is robust and heavily automated, and the bid is not unusual. Councilmember Sipple asked if the other stations would have the same level of system. Mr. Fitzgerald responded that they would not because the systems were preexisting. Councilmember Sipple asked if the existing stations would be upgraded to the same extent. Mr. Fitzgerald responded that they would continue to use them as they currently are. Councilmember Sipple asked how many stations in the county have the upgraded system. Chief Fitzgerald estimated that the stations built in the last five years could be similar. Councilmember Sipple asked if it helped with the accreditation. Chief Fitzgerald responded that it keeps response times down. Technology integration is a consideration, so it could help. Councilmember Sipple was uncomfortable with the number.

A motion to approve Item 8V was made by Councilmember Sipple and seconded by Councilmember Larson. Motion was approved unanimously with a vote of 7-0.

Councilmember Osman asked if there were seats for the residents who came to talk. Mayor Dunn proposed to move Item 13 up for discussion; there was no dissention.

13. COMMITTEE RECOMMENDATIONS

From the July 6, 2022 Public Works Committee Meeting:

- A. Recommendation for adoption of Pedestrian Crossing Treatment Installation Policy & Guidelines

Councilmember Cain pointed out that this is an example of Leawood and the citizens working together in three complete meetings. The residents brought the request for Lee Boulevard and 93rd Street in the last meeting. She appreciated both citizens, staff, and the Public Works Committee. Mayor Dunn asked if the current format is what needs to be approved. Mr. Ley replied that it is and that it includes the comments from the Public Works Committee highlighted. Legal reviewed it as well.

A motion to approve Item 13A was made by Councilmember Rawlings and seconded by Councilmember Osman. Motion was approved unanimously with a vote of 7-0.

- B. Recommendation of Crosswalk and Rectangular Rapid Flashing Beacons Installation on Lee Blvd at 93rd Street

Mayor Dunn indicated that there have been numerous communications between the Mayor and Councilmembers and the community. Councilmember Cain commented that many emails have been received. She referred to 13A, which stated that the new policy provided an appeal process to the City Administrator for requests that meet 3 of 4 unique characteristics. The request for the marked crosswalk on Lee Boulevard and 93rd Street met all 4 characteristics. She indicated that it was clear the crosswalk was needed. Councilmember Cain indicated that Mr. Ley would give further details on the crosswalk and that the committee had unanimously decided to move forward with the crosswalk.

Mr. Ley commented that there are currently no sidewalks on 93rd Street nor on the east side of Lee Boulevard, so he recommended installing sidewalks on the east side with ramps and continental striping with high visibility. He also mentioned installing a rapid-fire beacon. The estimated cost would be \$65,000-\$75,000. Mr. Ley suggested doing a change order with the contractor scheduled to do the RFBs but indicated a need to get the cost from then. He estimated that everything would be done by late October. Mayor Dunn asked about a funds source, and Mr. Ley replied that he would show one.

A motion to approve Item 13B was made by Councilmember Filla and seconded by Councilmember Cain.

Mayor Dunn expressed gratitude for the residents for their involvement and for being respectful advocates.

Councilmember Harrison asked if other nearby locations were considered. Mr. Ley pointed out that there were no sidewalks on the east side of Lee Boulevard, so sidewalks would need to be added. Councilmember Harrison also asked about the surrounding residents and if they have any complaints. Mr. Ley assured her there have been no complaints.

Motion was approved unanimously with a vote of 7-0.

9. MAYOR'S REPORT

- A. I would like to offer our sincere sympathies to the family and friends of Harry Malnicof who passed away in early July at the age of 86. You may remember that Mr. Malnicof was a former Director of Finance for the City of Leawood as well as a former Leawood Lions Club member. He was a wonderful person.
- B. Condolences also to the family and friends of Leawood resident and Corinth Elementary fifth grader, Olivia Paige Bloomfield, who passed away on July 5th. She was born with congenital muscular dystrophy and she made it her superpower. A quote from the Shawnee Mission Post said, "In her ten years she accomplished a lifetime of work and service locally, nationally, and globally. She was a fearless and tireless advocate for accessibility and inclusion championing inclusive playgrounds throughout Kansas City and beyond because, as she pointed out, 'Everybody deserves a chance to play'." She was very close to the executive director of Variety KC who was our major sponsor of our all-inclusive playground in Leawood City Park.
- C. Rabbi Steve Burnstein from our Sister City in Israel, the Gezer Regional Council, made a visit to Leawood to share news and updates. I would like to thank Gezer Sister City Committee Chair Andrew Osman, and Vice Chair Mary Larson and their committee for meeting with Rabbi Burstein when I was out of town. I want to also thank City Clerk Stephen Powell, who is now the staff liaison to that committee, for making all the arrangements.

10. COUNCILMEMBER REPORTS

- A. Councilmembers Harrison and Sipple E-recycling and shred event report

Councilmember Harrison publicly thanked those that worked behind the scenes on July 23rd to make the Sustainability Advisory Board's Second Annual E-recycling Event a huge success. She appreciated the partnership with Town Center Plaza. She mentioned that half a dozen Leawood Rotarians volunteered to be traffic monitors and the Leawood Police Department volunteered to oversee traffic management. She pointed out that the number of attendees doubled from last year.

- B. Councilmember Cain Request to schedule Work Session on August 15, 2022 to discuss Cultural Arts proposal for 2023 budget

Councilmember Cain requested a Work Session to discuss the additional \$2 that was proposed in the 2022 budget. She mentioned that she has been in contact with all the staff involved. Mayor Dunn pointed out that she needed to request a 45-minute Work Session.

A motion to schedule a 45-minute Work Session on August 15th, 2022 at 6:00 p.m. to discuss Cultural Arts proposal for the 2023 budget was made by Councilmember Cain and seconded by Councilmember Filla. Motion was approved unanimously with a vote of 7-0.

11. INTERIM CITY ADMINISTRATOR'S REPORT

Mr. Geschwind commented that there is a search firm ready to start the hiring process. It will be about 4 months before they come up with an actual candidate. He commented about bridge work. He proposed to mentor new department heads.

12. STAFF REPORTS

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

Mayor Dunn asked if there were any changes. Ms. Claxton replied that there were project updates and added information about the golf course and branding. She mentioned that the first round of branding identity design went underway. There were 2 concepts that were favorable and she commented that there will be another meeting August 15th to gain consensus on the 2 concepts. She mentioned that the Work Session is planned for Tuesday, September 6th. Mayor Dunn pointed out that Ms. Claxton should talk about Olson determination about Mission and Lee Boulevard not being a wetland. Ms. Claxton said that it is not designated as a wetland, which means they don't need a permit or any credits from the bank. She said the next step would be to work with Olson and determine what to do next. She mentioned that the lead time is 30 weeks for the golf course and they don't anticipate any problems. She also said that the golf course needs to do a preliminary engineering study to determine which future projects need to be prioritized and see how much they would cost. Ms. Claxton said that the 2 entries into the storefront are on the way and should be installed in the next few weeks. She mentioned the kitchen expansion getting approved.

Councilmember Osman asked about the reference regarding the Olson determination. Ms. Claxton responded that if they were determined to be a wetland, it would require further action. Councilmember Osman indicated a change of heart and was in support of the location of the art piece. He is concerned about the lack of visibility at the current location. Ms. Claxton pointed out that the piece is 23-feet-tall and would be able to be seen. Councilmember Osman replied that the visibility is still an assumption, not a guarantee, so relocation might be a good idea. Councilmember Harrison said that she saw the new furniture and it looked terrific. She also mentioned that the kitchen renovation has gone very well. She wondered what the plan with the old furniture was, and Ms. Claxton replied that it will be taken away soon. Councilmember Sipple mentioned the need for a shelter for the outside equipment and asked about the options they've considered. Ms. Claxton replied that they haven't gone forward with that yet and they need to talk to Mr. Ley.

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

Mr. Ley showed a map and showed that the waterline installation is on schedule to be completed in September. On Mission Road from 85th to 92nd, staff is going to bring a proposal to hire a consultant to uphold the easements to you. He updated the council on the progress of Fire Station 1 and by the end of August, the foundation walls and basement floor should be completed. He also said that the Water 1 Project on 103rd Street is completed and the Leawood South will be completed in 2 weeks also. The Mission Road from 127th to 133rd project will be bid in November. Mr. Ley said that the 133rd to 143rd project has had tree clearance and there are a few large trees that need relocated and that project will be

bid by the end of September. Highlands Ranch was done last week and the 143rd Street pedestrian signal is attempted to be completed by mid-August. Councilmember Sipple asked about anything happening on 133rd and Mission. Mr. Ley pointed out that the project will be bid next year. Mayor Dunn expressed gratitude to Mr. Ley and his work.

C. Colin Fitzgerald, Fire Chief – Report on Projects in Progress

Mr. Fitzgerald said that they will start concrete on Wednesday and there are structural steels on sight. Councilmember Sipple asked when staff was expected to move in, and Mr. Fitzgerald replied that it was expected to be completed in March.

D. Capt. Brad Robbins, Police Dept. – Report on Use of Social Media

Mr. Robbins commented that they are launching a social media presence for the police department. They will be using Facebook and Twitter, both with the username “Leawood Police”. He mentioned that there are 1,100 followers on Twitter and many more people checking their Facebook. They have to check with legal to ensure safety, but Mr. Robbins is sure that it will be a positive addition. Councilmember Cain mentioned that they should set up an Instagram account as well, as she followed one after seeing it on the police car wrap. Mr. Robbins said they were exploring the cost of putting accounts as a wrap on the police cars. Mayor Dunn expressed her gratitude for the work done on this.

14. OLD BUSINESS – None

15. NEW BUSINESS

Schedule Governing Body meeting on Monday, August 15, 2022 at 7:00 P.M.

A motion to approve the Governing Body meeting on Monday, August 15, 2022 at 7:00 P.M. was made by Councilmember Filla and seconded by Councilmember Sipple. Motion was approved unanimously with a vote of 7-0.

Councilmember Osman mentioned that they learned about the Gezer region and speaker Pelosi announced that she was going to go to Taiwan in the next day. He asked Mayor Dunn to check up with the sister city.

Meeting was adjourned at 9:18 p.m.

Issue	BSL Adoption (2003)	BSL Reinstatement* (2022)	BSL Repeal (TBD)
Placed on Agenda?	Yes Placed on Agenda by GB/CC upon 1 st request by Councilmember	Yes Placed on Agenda by GB/CC upon 1 st request by City Attorney after loss in court	No Citizen request for GB/CC to put on Agenda denied (at least 6 times)
Discussed by Council?	Yes Discussed as an Agenda item but 0 citizens were present and 0 citizens commented in writing	Yes GB/CC meeting recessed for discussion and action in Executive Session	No Discussed under "Citizen Comments" because GB/CC refuses to put on Agenda
Citizen Input?	No 0 citizens present/commenting at meeting and 0 citizens commented in writing prior to meeting	No Citizens were precluded from even knowing it was going to be discussed/considered as not on original agenda and was not discussed in CC session	N/A GB/CC refusing to put it on an Agenda
Relaxed Formalities, Standards, etc.?	Yes Limited prior public notice Voice (roll call) vote only	Yes No prior public notice No opportunity for citizen input allowed	No GB/CC requiring every process step be fully followed including some they're just making up, like requiring a citizen survey
Citizen engagement requirement before addressing?	No	No	Yes GB/CC has indicated it will require a positive result from a citizen survey to allow for discussion
Raised by City?	Yes Councilmember	Yes City Attorney	No Citizen
Citizens appearing personally to request GB/CC action	0	0	3
GB/CC Discussion	Vigorous Minutes show it was an unpopular topic among the GB/CC even then with lots of horse trading required to get it passed	Limited Minutes make it appear it was more rubber-stamped rather than considered in spite of the constitutional violation involved	None GB/CC has totally refused to engage with discussion of this issue
Supported by Animal Control Lead/Staff	No	No	Yes Mayor unable to identify AC Lead but at least 1 ACO, Carla Lewis, has publicly denounced it
GB/CC Vote	6-1 (1 absent)	Unanimous	N/A Refuse to Consider
Total GB/CC Discussion Time	30 minutes	3 minutes	N/A Refuse to consider

* 2003 law stricken as Unconstitutional (City of Leawood vs. Kristi Bond, District Court of Johnson County Kansas - Criminal Department, No. 20CR2516, Judge Sutherland, Presiding).



■ **STAFF REPORT** ■ **COUNCIL MEETING** ■ **AUGUST 1, 2022**

Aquatic Center

- Week of August 15 - pool hours decrease as normal when school starts
 - Tuesday & Thursday 4:00-7:00, Saturday & Sunday 11:00-6:00, Labor Day 12-6:00
 - Doggie Dunk – Tuesday, Sept. 6 5-7:00
 - Some of the larger items include installation of the roll down doors for the breezeway, men’s and women’s locker rooms and window roll-downs in the concessions area.
- Flooring has been installed in the Event Space.
- The fence panel for the multi-purpose space patio can be install.
- Masonry work for the bike/walk hub is planned to begin this week.
- The contractor has been given the punch list items for the all the buildings and landscaping that they will be working on.

Ironwoods Pond and Trail Improvements

- The contractor has successfully graded out the silt on the eastern portion of the park and will be seeding in September. Everything else is complete.

Roe to Tomahawk Creek Parkway Trail Extension [KDOT Grant]

- Contractor is continuing to pour trail segments this week.
 - They removed forms around the “Skywriting” sculpture base and will be backfilling around it this week.
 - They are also planning to start the storm drain work in the Tomahawk Parkway island and will start on the trail in the island next week.

Park Maintenance Facility

- Land grading is ongoing.
- Contractor anticipates starting the building footings next week.
- Park staff will need to relocate stored equipment from the public works site to the Justice Center parking lot so grading and construction work can begin on that portion of the public works site.

Cultural Arts

“Skywriting I”

- Mega KC has installed footing and base.
- Installation is still planned for September and should take 2-3 weeks to complete depending on weather.

The Art on Loan piece "Purple Twist" (by Jessie Cargas) is scheduled to be installed on Tuesday, August 16. Parks Maintenance has created a base to elevate the sculpture. The sculpture is on loan for one year and if APPI chooses, maybe be extended for another year or purchased.

Pool Art Pieces

- Dierk Van Keppel will likely install the monument piece of "Reflections" in the breezeway at the Aquatic Center in mid-September.
An Open House to celebrate the space and art will happen in late September.
- Mega KC has poured the footing and base for "Skywriting I" on Tomahawk Creek Parkway.
- Olsson has determined that the area at Mission and Lee is not a designated wetland. This means no credit will need to be purchased.
Olsson will be starting the second phase of their study with HDR
- The sculpture is currently stored at the former Parks Maintenance Shop. Dedication date TBD.

75th Anniversary Branding

- Willoughby presented the first round of brand identity design concepts to the group last Thursday, July 28th. Two concepts were identified as "favorable" and another meeting will take place the week of August 15th to gain consensus.
- Minutes of previous meetings will be placed on the August 15 Council agenda to be "accepted".
- Work session for presentation by Willoughby Design is planned for Tuesday, September 6 at 6:00 p.m.

IRONHORSE Golf Course

- Approval of pump station purchase will allow staff to generate Purchase Order tomorrow, August 2. Lead-time is 30 weeks (end of February).
- James Kennedy (Golf Course Superintendent) toured the course with Continental Engineers for future potential projects (creek erosion, grading work, and ponds on 6 & 11). A contract will be forth coming with CCE to determine costs by project for future CIP.
- All furniture has been delivered and installed as part of phase I clubhouse remodel. Storefront is anticipated to arrive and be installed in the next two weeks.
- Clubhouse grill kitchen expansion project was approved at the April 18th work session. Staff is working with architect on contract to prepare plans to get project bid in next two months. Hoping to begin project in late November or December.

Memo

To: Mayor Peggy Dunn and Councilmembers
Patrick Geschwind, Interim City Administrator

From: Loretta Morgan, Interim Finance Director

Date: August 1, 2022

Re: Approval on sale of 2022-1 temporary notes in the amount of \$65,900,000

Recommendation:

Staff recommend the Governing Body approve the sale of \$65,900,000 General Obligation Temporary Notes, Series 2022-1 to Morgan Stanley & Co., LLC.

Background:

Bonds were sold at 11:30 a.m. on Monday, August 1, 2022. There were 6 bids on the 2022-1 temporary notes as shown below. Morgan Stanley & Co. LLC had the lowest Net Interest Cost.

Bidder	Net Interest Cost (%)
Morgan Stanley & Co. LLC	1.796461
BofA Securities	1.856408
J.P. Morgan Securities LLC	1.933619
Jefferies LLC	1.989544
Wells Fargo Bank, National Association	2.057158
Oppenheimer & Co., Inc.	2.167158

July 31, 2022

Dear Mayor Dunn and Council Members,

I am writing you in regards to the safety issues I see when crossing Lee Blvd. from Lee Court. I live at 9323 Lee Court and am 65 years old. Weather permitting; I walk my dog every day to the neighborhood across the street. It has definitely become more dangerous in doing so over the years. Since the widening of the street, I feel driving speeds have increased considerably. With the hill, it is difficult to see cars approaching from the north. Also, the cars turning left from the west side of 93rd St. onto Lee Blvd. are another safety problem. I have had some near misses. The drivers often take the turn very fast and don't appear to see me already crossing the street.

Our neighborhood, myself included, would definitely benefit from having a SAFE pedestrian crosswalk with Rapid Flashing Beacons to connect us to the community across the street. With your support of a Rapid Flashing Beacon Crosswalk, my neighbors and I will be able to cross Lee Blvd. safely in the future.

I thank you for your time and appreciate you taking this request of support into consideration. If you have any questions, please feel free to contact me.

Regards,

Michele Fischer
9323 Lee Ct.
Leawood, KS 66206

Dear Mayor Dunn and Council Members,

As Old Leawood neighborhoods become more and more populated with young home owners, there is an increasing number of young children navigating our streets and intersections. These kids are traveling on scooters, bikes, skates, and boards. We all know that kids are not always attentive to traffic; and no matter how much supervision or instruction parents give, there will be lapses in their judgment. That is why I think it is of the utmost importance to create a safe environment in which these kids can navigate. Crossing Lee Boulevard has always been an issue of concern. Traffic is often moving much too quickly and the elevation changes make for a number of difficult intersections to traverse. The addition of cross walk at 89th St. & 85th Ter have been great additions to the safety of Lee Blvd. However, currently there is an almost 1-mile stretch between 95th & 89th along Lee without a protected cross walk. It is my opinion that the addition of a safe cross walk with Rapid Flashing Beacons at 93rd st would greatly increase the safe travel of children and young families throughout the neighborhood.

Thank you,
Eric DeRoo
2918 W. 92nd Ter

Aug 1, 2022

Dear Leawood City Council:

We want to express our support of the crosswalk that is being considered tonight at the City Council meeting for the intersection of 93rd and Lee Blvd. We live on the northeast corner of the intersection and have been here for 28 years.

We witnessed the aftermath of the boy who was struck last year at it was horrifying.

As well, we have two of our adult children who live on the west side of Lee Blvd (9133 Manor Road and 9217 Manor Road) and have a total of 5 grandchildren there. They all walk across the intersection regularly as well as we walk over to their houses.

From our vantage point on the corner, we have seen that this community is one that values the ability to walk and ride bikes safely for leisure and transportation. A crosswalk at this intersection would allow a designated spot for pedestrians to cross, as well as a designated spot for cars to see pedestrians.

In addition, this intersection is at a school bus stop. There are many families with children that utilize the bus or plan to, in the future.

We hope that each of you will approve a crosswalk with rapid flashing beacons at 93rd and Lee Boulevard. The justification is consistent with the recently established crosswalk policy. A crosswalk at this intersection will improve the safety for all residents, but especially our youngest residents.

Thank you,

Jack and Kim Bastable

9251 Lee Blvd, Leawood, KS 66206

Dear Mayor Dunn and Council Members,

I am writing to show my support for a crosswalk installation near 93rd and Lee Boulevard in order to increase pedestrian safety around our neighborhood. The families in our neighborhood value being able to access the community safely by foot and bike and we currently do not feel our city offers that reassurance at this time. A crosswalk at this intersection is a beginning step and is essential in keeping pedestrians and cyclists safe, especially our youngest citizens.

I support a crosswalk with Rapid Flashing Beacons in order to alert drivers of pedestrians. Thank you for considering this enhancement to the safety of our neighborhood to help prevent future accidents or tragedies.

Thank you,

Nicole Leggio
8919 Cherokee Ln.
Leawood, KS 66206