



**MINUTES OF THE
MAY 21, 2024
LENEXA CITY COUNCIL MEETING
COMMUNITY FORUM, 17101 W 87th STREET PARKWAY
LENEXA, KS 66219**

CALL TO ORDER

Mayor Sayers called the meeting to order at 7 PM.

ROLL CALL

Councilmembers Karlin, Eiterich, Charlton, Nicks, Arroyo, Williamson, Denny, and Herron were present with Mayor Sayers presiding.

Staff present included Beccy Yocham, City Manager; Mike Nolan, Assistant City Manager; Scott McCullough, Community Development Director; Sean McLaughlin, City Attorney; Jennifer Martin, City Clerk; and other City staff.

APPROVE MINUTES

Councilmember Denny made a motion to approve the May 7, 2024 City Council meeting draft minutes and Councilmember Karlin seconded the motion. Motion passed unanimously.

MODIFICATION OF AGENDA

There were no modifications to the agenda.

PRESENTATIONS

Stephen Duerst, Federico//Duerst Consulting, introduced the team and talked about how they each live in different areas across the state, making their diversity a benefit to Lenexa when they are working with legislators.

John Federico, Federico//Duerst Consulting, said that this team allows them to cover a lot of things at the state level. He said that in this session, 605 bills were introduced and 104 became law. He talked about the legislature adjourning on May 1st, but said that Governor Kelly intends to call a special session. He said they believe this may occur in June and last for a day or two and that it would be for a new tax bill and perhaps STAR bonds, but the session could include anything.

Mr. Federico talked about the turnover that would be occurring in the legislative body and committee chairs in 2025. He explained the breakdown in the Senate and the House and talked about the 2024 elections.

Mr. Duerst talked about several things they have been monitoring for Lenexa including Revenue Neutral Rate provisions, preemption of laws for plastic bags, KPERS, homelessness, government competition, transportation funding and Eisenhower Legacy Program funding, zoning laws, revising local contracts, incentives, KORA, restrictive

covenants, and lease valuations/dark store theory.

Katy Hoffman, Kansas Silver-Haired Legislature and Johnson County delegation chair, spoke about how this group works with the Area Agency on Aging to advocate for seniors and provide a voice at the state level. She said there are six Johnson County Silver Haired Legislators that are active and meet monthly and they would like to hear from residents about how they can help support aging needs. She can be contacted for more information at kmrhoffman@gmail.com or 913-634-1781.

CONSENT AGENDA

1. Consideration of a final plan for Reserve at Copper Creek Phase 1 and acceptance of utility and drainage easements as shown on Reserve at Copper Creek, First Plat, for a multifamily residential development located at the northwest corner of 89th Street & Woodsonia Drive in the RP-3, RP-4, and RP-5 Zoning Districts
 - a. Approval of a final plan for Reserve at Copper Creek Phase 1
 - b. Acceptance of utility and drainage easements as shown on Reserve at Copper Creek, First Plat

This final plan for Reserve at Copper Creek Phase 1 and the accompanying final plat for Reserve at Copper Creek, First Plat, is for a multifamily residential development located at the northwest corner of 89th Street & Woodsonia Drive ("Project"). The plan is for the first phase of the Copper Creek development, containing 289 units in eight buildings. The Project is zoned within the RP-3, RP-4, and RP-5 Zoning Districts. Each phase will include a clubhouse and pool amenities. The plat includes utility and drainage easements being dedicated to the City.
2. Consideration of two resolutions approving and authorizing the Mayor to execute inspection and materials testing agreements with Olsson, Inc.
 - a. Resolution approving and authorizing the Mayor to execute an agreement with Olsson Associates, Inc. for the Falcon Ridge Estates Street Reconstruction Project

This project consists of pavement removal and replacement, subgrade modifications, major curb and gutter replacement, and sidewalk spot replacement in Falcon Ridge Estates. The City negotiated an agreement in the amount of \$96,655 with Olsson Associates, Inc. for inspection and material testing services. The contract for the construction has not yet been awarded to a contractor.
 - b. Resolution approving and authorizing the Mayor to execute an inspection and materials testing agreement with Olsson Associates, Inc. for the Penny Green Subdivision Street Reconstruction Project

This project consists of pavement removal and replacement, subgrade modifications, sidewalk and curb and gutter spot replacement, and streetlight upgrades within the Penny Green subdivision. The City negotiated an agreement in the amount of \$138,185 with Olsson Associates, Inc. for inspection and

material testing services. The construction contract was awarded to G-B Construction at the April 16, 2024 City Council meeting.

3. Resolution approving the possession and consumption of alcoholic liquor during Maps Coffee and Chocolate special event in Old Town Lenexa
Maps Coffee and Chocolate ("Maps") will sponsor a customer appreciation event in Old Town Lenexa on Friday, May 31, 2024. Maps has applied for a Temporary Permit to sell alcoholic beverages at the event. The sale, possession, and consumption of alcohol at the event requires City Council approval, as well as designating the event's boundaries and identifying the public streets to be closed.
4. Resolution approving and authorizing the Mayor to execute an agreement with Encompas Corporation for the furniture at the Lenexa Old Town Activity Center
Workstations and furniture in private offices, conference rooms, and public gathering spaces have been selected for the Lenexa Old Town Activity Center. The total agreement amount is \$182,461.61.

END OF CONSENT AGENDA

Mayor Sayers said she would abstain from voting on item 4 due to a potential conflict of interest.

Councilmember Denny made a motion to approve items 1 through 3 on the consent agenda and Councilmember Nicks seconded the motion. Motion passed unanimously.

Mayor Sayers left the room.

Council President Nicks invited Logan Wagler, Parks and Recreation Director, to explain more about this item and the process for determining the company to provide this product and service.

Mr. Wagler said that the request for proposals followed the same process staff would use for any project and he explained that process. He said each of the three proposals received were evaluated and met all of the criteria, and Encompas submitted the lowest priced proposal.

Councilmember Arroyo asked about the Mayor's potential conflict of interest and Mr. Wagler said that the Mayor is part-owner of Encompas, the chosen proposal for the project.

Councilmember Denny made a motion to approve item 4 on the consent agenda and Councilmember Eiterich seconded the motion.

Councilmember Arroyo shared her concerns with Mayor Sayers' connection to this project and said she would be voting against approving this item.

Beccy Yocham, City Manager, asked Sean McLaughlin, City Attorney, to explain the City's conflict of interest code and how the Mayor's abstaining from this item complies.

Mr. McLaughlin explained how abstaining from a vote completely removes the conflict of

interest. He noted that an explanation of why one is abstaining is not required.

Motion passed 7-1 with Councilmember Arroyo voting against.

PUBLIC HEARINGS

5. Consideration of an ordinance vacating a portion of the Shady Bend Road right-of-way located north of Prairie Star Parkway and repealing Ordinance 5843

- a. Public hearing to consider a request to vacate public right-of-way located north of Prairie Star Parkway at Shady Bend Road and retaining a utility easement

- b. Ordinance vacating public right-of-way north of Prairie Star Parkway at Shady Bend Road and retaining a utility easement

This vacation request is to remove the original right-of-way for Shady Bend Road into the Arbor Lake subdivision. A vacation was considered in August 2021 but was never completed by the Johnson County Register of Deeds finalizing the process. This vacation will remove that original portion of Shady Bend Road that is not required for the current alignment into the subdivision. The realignment of Shady Bend Road is an improved street pattern and discourages cut-through traffic in the new Arbor Lake South subdivision.

Scott McCullough, Community Development Director, said this request to vacate a portion of right-of-way for Shady Bend Road in the Arbor Lake subdivision. He said that this vacated previously, but due to a sequencing issue with the County, the recording did not become effective so it must be approved again. He explained that this will replace that previously approved ordinance.

Mayor Sayers opened the public hearing at 7:30 PM.

There was no public comment.

Councilmember Eiterich made a motion to close the public hearing and Councilmember Arroyo seconded the motion. Motion passed unanimously.

The public hearing closed at 7:31 PM.

Councilmember Eiterich made a motion to approve Item 5b and Councilmember Nicks seconded the motion. Motion passed unanimously.

NEW BUSINESS

There was no new business.

COUNCILMEMBER REPORTS

Councilmember Eiterich said that the Sar-Ko-Par Aquatic Center pool looks great and was packed for tonight's event. She thanked everyone for their work on the project and said she is looking forward to spending time there.

Mayor Sayers said that the Art Fair last Saturday was successful.

STAFF REPORTS

There were no staff reports.

END OF RECORDED SESSION

BUSINESS FROM FLOOR

There was no business from the floor.

ADJOURN

Councilmember Eiterich made a motion to adjourn and Councilmember Williamson seconded the motion. Motion passed unanimously.

The meeting adjourned at 7:33 PM.

/s/ Jennifer Martin
City Clerk