



**MINUTES OF THE
OCTOBER 17, 2023
LENEXA CITY COUNCIL MEETING
COMMUNITY FORUM, 17101 W 87th STREET PARKWAY
LENEXA, KS 66219**

CALL TO ORDER

Mayor Boehm called the meeting to order at 7 PM.

ROLL CALL

Councilmembers Karlin, Eiterich, Nicks, Nolte, Roh, Sayers, and Denny were present with Mayor Boehm presiding. Councilmember Arroyo was absent.

Staff present included Beccy Yocham, City Manager; Todd Pelham, Deputy City Manager; Mike Nolan, Assistant City Manager/Acting City Clerk; Scott McCullough, Community Development Director; Sean McLaughlin, City Attorney; and other City staff.

APPROVE MINUTES

Councilmember Roh made a motion to approve the October 3, 2023 City Council meeting draft minutes and Councilmember Sayers seconded the motion. Motion passed unanimously.

MODIFICATION OF AGENDA

There were no modifications to the agenda.

PROCLAMATIONS

Domestic Violence Awareness Month

Color the World Orange Day (Nov. 6) and AMPS/CRPS Awareness Month (Nov.)

CONSENT AGENDA

1. Acceptance for maintenance
 - a. Acceptance of the Arbor Lake South, 1st Plat storm sewer public improvements for maintenance
This project constructed public storm sewer improvements in the Arbor Lake South, 1st Plat subdivision, located on the northwest corner of Prairie Star Parkway & Shady Bend Road. The work was privately funded.
 - b. Acceptance of the Lenexa Logistics Centre South Building 8 Right-Turn Lane and Traffic Signal Improvements for maintenance
This project included construction of an eastbound right-turn lane on College Boulevard and traffic signal modifications at the College Boulevard and Mill

Creek Road Intersection. This work was privately funded.

- c. Acceptance of the Quivira Road - 75th Street to 87th Street Parkway Project for maintenance
This project consisted of curb repairs and a 2-inch mill and asphalt overlay, storm sewer improvements, street lighting improvements, and modifications to traffic signals along Quivira Road. Other work included construction of bus stops and landing pads, and construction of new turn lanes along 83rd Street and Quivira Road. The total cost of construction was \$3,762,826.06.
2. Acceptance of utility, drainage, landscape, and sidewalk easements and rights-of-way as shown on Stoneridge North, First Plat
Stoneridge North is a two-family residential subdivision on 10.9 acres north of 83rd Street & Cedar Niles Road. Easements and rights-of-way are being dedicated to the City as part of the final plat.
3. Acceptance of utility, drainage, landscape, and trail easements and rights-of-way as shown on Canyon Creek Apartment Homes, Final Plat
Canyon Creek Apartment Homes is a multi-family residential development on 17 acres at the northeast corner of K-10 Highway & Canyon Creek Boulevard. Easements and rights-of-way are being dedicated to the City as part of the final plat.
4. Acceptance of utility, drainage, landscape, and trail easements and rights-of-way as shown on Falcon Farm, 1st Plat
Falcon Farm, 1st plat is a single-family residential subdivision on 14.96 acres at the northeast corner of 101st Street & Lone Elm Road. Easements and rights-of-way are being dedicated to the City as part of the final plat.
5. Acceptance of utility easement and rights-of-way as shown on Westside Family Church, Second Plat
Westside Family Church, Second Plat is a one-lot subdivision on 20.97 acres located at 8500 Woodsonia Drive. A utility easement and rights-of-way are being dedicated to the City as part of the final plat.
6. Resolution calling for a public hearing to consider establishing a Community Improvement District for the Renner 95 Mixed-Use Project
Renner Associates, LLC has petitioned to establish a Community Improvement District (CID). In order to establish a CID, a public hearing must be held. The resolution provides notice of a public hearing to consider the establishment of a CID over property located at the northeast corner of 95th Street & Renner Boulevard.
7. Resolution approving the annual investment policy for operating funds
The Pooled Money Investment Board for the State of Kansas requires government entities with expanded investment powers to review and adopt an investment policy on an annual basis. Staff and the City's investment consultant have reviewed the existing policy and are recommending updates to Section 9.
8. Resolution approving the 2023-2024 insurance program and authorizing the City Manager to execute all documents necessary to procure property and liability insurance and associated lines of coverage

The City performed a comprehensive bid for its entire property and liability insurance program in 2022 and moved from a first dollar insurance program to a self-insured retention program for the 2022-2023 policy year. The proposed 2023-2024 self-insured retention program is substantially similar to the 2022-2023 program, but due to market conditions, the program has increased in cost by 17.33% for a total cost of \$494,688.

9. Resolution approving an addendum to the 2023 Community Development Block Grant Subrecipient Agreement
This addendum adds the requirements of the Build America, Buy America Act to the 2023 Community Development Block Grant Subrecipient Agreement.
10. Ordinance amending Lenexa City Code Section 1-9-B-3 regarding funding public improvements
The proposed ordinance is a cleanup amendment to ensure the language in Section 1-9-B-3 is consistent with Charter Ordinance No. 72 regarding the issuance of general obligation bonds for certain public improvements.
11. Ordinance granting a contract franchise to CenturyLink Communications, LLC
This ordinance will grant a new franchise with CenturyLink Communications, LLC to construct, operate, and maintain a telecommunications system in the city. The franchise ordinance includes a 5% fee on gross receipts and a two-year term with four automatic renewal terms of two years each for a total of 10 years.

END OF CONSENT AGENDA

Councilmember Nicks made a motion to approve items 1 through 11 on the consent agenda and Councilmember Eiterich seconded the motion. Motion passed unanimously.

BOARD RECOMMENDATIONS

12. Consideration of a rezoning and preliminary plat/plan known as Viscek Estates to split a parcel into a single-family residential lot and an undeveloped lot, located at 25925 W. 83rd Street
 - a. Ordinance rezoning property from the AG, Agricultural Zoning District to the RP-1, Planned Residential (Low-Density) Zoning District
 - b. Approval of a companion preliminary plat/plan for Viscek Estates
The applicant is requesting approval to rezone the property located at 25925 W. 83rd Street from the AG, Agricultural Zoning District to the RP-1, Planned Residential (Low-Density) District, and approval of a companion preliminary plat/plan for an agricultural and single-family residential use known as Viscek Estates.

Scott McCullough, Community Development Director, said this is a rezoning and preliminary plat/plan for about 40 acres located at the southeast corner of 83rd Street & Cedar Niles Road.

Mr. McCullough said the De Soto School District wants to purchase the entire property for the development of a school in the future, but there is a home on two acres of the property that will need to be zoned and platted so that it can be sold back to the owner.

Mr. McCullough talked about development in the area including both single- and multi-family, as well as suburban density. He said the school district has a campus to the northeast. He added that the property is currently zoned Agricultural and much of the surrounding area is as well, noting that the Comprehensive Plan designates the area suburban residential.

Mr. McCullough said the house site is proposed for rezoning to RP-1 with the remainder of the property remaining AG. He said the full analysis of the rezoning criteria is contained in the Planning Commission Staff Report.

Mr. McCullough talked about the preliminary plat and how it reflects all future dedications for 83rd Street and Cedar Niles Road, as well as a new future road. He said there is a floodplain to the northwest and an electrical easement diagonally cutting through the property where staff is planning for a trail. He presented a graphic detailing the existing house lot and said there would be a plat note to record the expectation that the drive to 83rd Street gets relocated upon future development. He added that when sewer becomes available this lot may be divided future with another house constructed.

Mr. McCullough talked about street alignments and access management.

Mr. McCullough said that both staff and the Planning Commission recommend approval.

Councilmember Denny made a motion to approve Item 12a and Councilmember Karlin seconded the motion. Motion passed unanimously.

Councilmember Roh made a motion to approve Item 12b and Councilmember Sayers seconded the motion. Motion passed unanimously.

NEW BUSINESS

- 13 Resolution approving and authorizing the Mayor to execute an agreement with Spaces, Inc. for the furniture at the Lenexa Justice Center
Workstations and furniture in private offices, conference rooms, and public gathering spaces have been selected for the Lenexa Justice Center. The total agreement amount is \$1,689,251.85.

Todd Pelham, Deputy City Manager, said this procurement package is for all the furniture for the entire Lenexa Justice Center and the team has spent a lot of time over the last several months analyzing the specs of the facility to reach this point. He said that the 24/7 facility needs durable furniture and the package also includes the courts and community room seating.

Michelle Kaiser, CBC Real Estate, explained the procurement process and timeline. She said that due to the nature of the building, the team invited Scott Rice, Encompass, John Marshall Company, and Spaces to bid on the package. She said the team has selected Spaces for the lowest, yet most complete bid. She added that Spaces has been able to negotiate with their suppliers to ensure price holding to allow purchase of materials when needed instead of early.

Ms. Kaiser said the City has used Spaces in the past and is who the City used for City Hall.

Councilmember Nolte made a motion to approve Item 13 and Councilmember Eiterich seconded the motion. Motion passed unanimously.

- 14 Resolution approving and authorizing the Mayor to execute Amendment #1 to the Agreement with CBC Real Estate Group, LLC for Owner's Representative services for the Lenexa Justice Center

This request would add an additional four months of Owner's Representative services and provide funding for additional procurement services for fixtures, furniture, and equipment (FFE) for the Lenexa Justice Center. Funding for this amendment has been included in the overall project budget and does not require additional funding.

Mr. Pelham said this request is to extend the contract for owner's representative services with CBC Real Estate Group, LLC ("CBC") for an additional four months. He said the initial 32-month contract was for Bill Crandall and Michelle Kaiser to provide project management services, accounting services, assistance with selection of the construction manager, monitoring of the project schedule and budget, subcontracts, and monitoring of project contingencies for the Lenexa Justice Center for a negotiated price.

Mr. Pelham said there is a negotiated fixed fee price of \$76,000 for additional services to assist with the procurement process, which was just discussed. He said this fee needs to be increased for the contracts, an additional four months of services to get through to the substantial completion date of June 18, 2024, putting them under contract until July 15, 2024 to close out the project. He added that CBC will also negotiate for the City on warranty work.

Mr. Pelham said that as an extension of staff, CBC has also coordinated work throughout the buildings, including refrigerators, stoves, and other things, and needs to complete everything and be present for the critical moving component of the project when furniture arrives to be sure products procured are received.

Mr. Pelham said that this is an amendment to the contract, extending it by four months, and the funding has been included in the project budget.

Councilmember Denny made a motion to approve Item 14 and Councilmember Nicks seconded the motion. Motion passed unanimously.

STUDENT INTRODUCTIONS

Jesse Shackelford, Nick Speckman, Skylar Storey, Jay Shadonix, Kessler Cash, Lily Heffner, and Faith Scott, Shawnee Mission West students, attended the meeting for Government class.

COUNCILMEMBER REPORTS

Councilmember Sayers and Roh, as well as Mayor Boehm thanked Parks staff and all other involved departments and employees for putting on a great Chili Challenge event last weekend.

STAFF REPORTS

There were no staff reports.

END OF RECORDED SESSION

BUSINESS FROM FLOOR

There was no business from the floor.

ADJOURN

Councilmember Nolte made a motion to adjourn and Councilmember Roh seconded the motion. Motion passed unanimously.

The meeting adjourned at 7:30 PM.

/s/ Jennifer Martin
City Clerk