

Minutes

DVD No. 379

The City Council of the City of Leawood, Kansas, met for a Special Call session in the Council Chambers, 4800 Town Center Drive, 7:30 P.M. on Monday, October 24, 2016. Mayor Peggy Dunn presided.

Councilmembers Present: Jim Rawlings, Andrew Osman, Debra Filla, Chuck Sipple, Julie Cain, Lisa Harrison, James Azeltine and Dr. Steven Kaster

Councilmembers Absent: None

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| Staff Present: Scott Lambers, City Administrator | Patty Bennett, City Attorney |
| Joe Johnson, Public Works Director | Dawn Long, Finance Director |
| Chief Troy Rettig, Police Department | Nic Sanders, Human Resources Director |
| Mark Andrasik, Info. Services Director | Chief Dave Williams, Fire Department |
| Chris Claxton, Parks & Recreation Director | Mark Klein, Planning Official |
| Richard Coleman, Comm. Dev. Director | Cindy Jacobus, Assistant City Clerk |
| Debra Harper, City Clerk | |

Others Present: None

1. **PLEDGE OF ALLEGIANCE** – Lead by Webelos Scouts from Troop 3385, Den 12, Mission Trail Elementary.
2. **APPROVAL OF AGENDA**

A motion to approve the agenda was made by Councilmember Rawlings; seconded by Councilmember Sipple. The motion was approved with a unanimous vote of 8-0.

3. **CITIZEN COMMENTS** – None
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 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.**
4. **PROCLAMATIONS** – None
5. **PRESENTATIONS/RECOGNITIONS** – None
6. **SPECIAL BUSINESS** – None

7. CONSENT AGENDA

Consent agenda items have been studied by the Governing Body and determined to be routine enough to be acted on 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. 2016-37, 2016-38, 2016-39, 2016-40 and 2016-41
- B. Accept minutes of the September 19, 2016 Governing Body meeting
- C. Accept minutes of the September 19, 2016 Governing Body Work Session meeting
- D. Accept minutes of the September 13, 2016 Parks & Recreation Advisory Board meeting
- E. Accept minutes of the September 8, 2016 Sustainability Advisory Board meeting
- F. Accept minutes of the August 18, 2016 Leawood Foundation meeting
- G. Accept minutes of the August 3, 2016 Bicycle Friendly Committee meeting
- H. Accept minutes of the July 26, 2016 Arts Council meeting
- I. Approve Mayoral Appointment of Dan Schaeffer, to the Bicycle Friendly Committee to fill Pete Stover 2018 unexpired term
- J. Approve NJPA Co-op Bid in the amount of \$35,007.00 for purchase of [1] Asphalt Box from Stepp Manufacturing Company, Inc.
- K. Approve First and Final Pay Request in the amount of \$74,419.00 to McAnany Construction, Inc., pertaining to the Ultra-thin Bonded overlay located in Steeplechase Subdivision
- L. Approve Change Order No. 3 in the amount of \$30,000.00 to Phoenix Concrete & Underground, LLC, pertaining to the 2016 Curb Rehabilitation and Mill & Overlay Program [Project # 80253]
- M. **Resolution No. 4692**, approving and authorizing the City's consent for the enlargement of Consolidated Main Sewer District of Johnson County by the Board of County Commissioners of Johnson County, Kansas [BOCC], pursuant to Johnson County Charter Resolution No. 29-92, for property located in the vicinity of 137th & Mission Road
- N. **Resolution No. 4693**, approving and authorizing the Mayor to execute an Inter-local Agreement between the City and City of Overland Park, pertaining to the Mission Road Partial Depth Repair Project, between 103rd Street and Indian Creek [Project # 72052]
- O. Approve Change Order No. 1 in the amount of \$120,000.00 to Realm Construction, pertaining to the Mission Road Partial Depth Repair Project, between 103rd Street and Indian Creek [Project # 72073]
- P. **Resolution No. 4694**, approving and authorizing the Mayor to execute an Architectural Service Agreement in the amount of \$249,170.00 between the City and Degasperri & Associates Architecture, for architectural services on Fire Station No.1, located at 9609 Lee Boulevard [Project # 80158]
- Q. **Resolution No. 4695**, approving and authorizing the Mayor to execute a Service Agreement in the amount of \$28,634.50, between the City and Air Cleaning Technologies, Inc., pertaining to the Diesel Exhaust System Upgrade Project on Fire Station No. 3, located at 14801 Mission Road
- R. **Resolution No. 4696**, approving a Final Sign Plan for Forsa Technologies – Monument Sign, located east of Ash Street and south of College Boulevard. (PC Case 136-15) [*from the September 27, 2016 Planning Commission meeting*]
- S. **Resolution No. 4697**, approving a Final Plan for Leawood Estates Lot 110 – Residential Emergency Generator, located south of 95th Street and east of Lee Boulevard. (PC Case 58-16) [*from the September 27, 2016 Planning Commission meeting*]

- T. **Resolution No. 4698**, approving a Revised Final Plan for Town Center Crossing – Trader Joe’s (Retail: Grocery) Metal Canopy, located south of 119th Street and east of Roe Avenue. (PC Case 98-16) *[from the September 27, 2016 Planning Commission meeting]*
- U. Declaration of Surplus Property: [1] 1991 Centrifugal Water Pump last 4 SER/1307; [1] Hot Patch Unit, Unit # 490, last 4 SER/6355; and 2011 Dodge Charger, Unit 9100, last 4 VIN/2360
- V. Fire Department Monthly Report
- W. Municipal Court Monthly Report
- X. Police Department Monthly Report

Councilmember Filla requested Consent Agenda Items 7.A. and 7.P. be pulled.

Councilmember Sipple requested Consent Agenda Item 7.P. be pulled.

A motion to approve the remainder of the Consent Agenda was made by Councilmember Azeltine; seconded by Councilmember Sipple. The motion was approved with a unanimous vote of 8-0.

- A. Accept Appropriation Ordinance Nos. 2016-37, 2016-38, 2016-39, 2016-40 and 2016-41

Councilmember Filla asked for additional information regarding Check #86021 to payee “Artists Helping the Homeless” from the Alcohol Tax Fund Allocation on Appropriation Ordinance No. 2016-37. Ms. Long stated she would need to research, but assumed the payee would be a non-profit organization selected by United Community Services [UCS]. Mayor Dunn stated Leawood has a Drug and Alcohol Council representative with UCS that affords a level of confidence that the City’s Alcohol Tax Fund Allocation is appropriately spent. Councilmember Filla stated she is acquainted with Leawood’s representative and would contact her directly.

Councilmember Filla took the opportunity to remind that the City budget includes funding for school crossing guards, a value provided to citizens. This past school year, two additional guards were added.

A motion to approve Consent Agenda Item 7.A. was made by Councilmember Filla; seconded by Councilmember Cain. The motion was approved with a unanimous vote of 8-0.

- P. **Resolution No. 4694**, approving and authorizing the Mayor to execute an Architectural Service Agreement in the amount of \$249,170.00 between the City and Degasperi & Associates Architecture, for architectural services on Fire Station No.1, located at 9609 Lee Boulevard [Project # 80158]

Councilmember Sipple inquired about the process for selection of the architecture firm. He noted the service agreement amount was nearly one-quarter of a million dollars and there was no write-up as to whether the City entertained bids. Mr. Lambers stated the firm had been working with the City for the last couple of years on the fire station concept. The Governing Body had expressed at the Work Session on the redevelopment of the property that the process for the fire station be expedited, so the service agreement amount had been negotiated. The negotiated service agreement price was fair, and both money and time would be saved through negotiation rather than the bid process.

Councilmember Filla noted the agreement includes site work on the 2.86 acres and layout will evaluate the impact on current Fire Station No. 1 and old City Hall.

She inquired if layout evaluation would provide viability to use of the footprint of the original fire station and keep original City Hall there or move on to slab. She recalled at the Work Session she wanted to look at keeping old Fire Station No. 1 as a two-bay building, storing the antique 1940's fire truck as currently, and City Hall would move to slab, as part of the best use of the site. She stated this should be included in the agreement to maintain the historic nature of the site, and that site parking and drainage need to be looked at overall. Mr. Lambers recalled her discussion point at the Work Session, but there was no further support and discussion ceased. He stated disagreement that the old fire station was worth saving. The consensus at the Work Session was the original City Hall would remain at its present location and the old fire station would be removed to proceed with priority work on construction of new fire station. The service agreement is just for the new fire station on half-tract to the south. Design of the entire site has not been contracted. Mr. Johnson stated the service agreement scope includes looking at the site plan and setting the new fire station, its parking needs and how it impacts the land. With that information, the City can proceed to review the rest of the site in Phase 2 and move forward at a future date.

Councilmember Osman took the opportunity to express support and encourage voters to vote "yes" on the upcoming Johnson County Public Safety ballot. If the ¼ cent sales tax is passed by voters on November 8, Johnson County cities would receive a portion of the tax collected by Johnson County to use for their own purposes. A new fire station is desperately needed in north Leawood and it was his understanding that some of the Johnson County Public Safety tax could be used for this. He encouraged voters to tour the current Johnson County Courthouse in Olathe to see all it lacks, and to also tour the City's fire station on Lee Boulevard.

Mayor Dunn and Councilmember Azeltine agreed with Mr. Lambers' statement that majority consensus at the Work Session had been to expedite the fire station as first priority, then address and plan the remainder of the site. Mayor Dunn stated no additions to the proposed service agreement scope would be needed. She recalled discussion at the Work Session to have future review by someone with parks expertise of the full site once the fire station is built. Fire Chief Williams did not have any comments to add at this time.

Councilmember Filla stated she supports the primary objective and her comments did not intend otherwise. She wanted to ensure her comments are included at this time if appropriate or if not, to be included later, and to ensure nothing related to the fire station precludes other options talked about. As long as it is not a foregone conclusion that we are going to demolish the current fire station and we are not going to move placement of the new station or other logistics not being influenced by looking at the entire site, if that does not make sense to look at upfront, she just wanted to ensure we are doing this smart.

A motion to approve Consent Agenda Item 7.P. was made by Councilmember Sipple; seconded by Councilmember Harrison. The motion was approved with a unanimous vote of 8-0.

8. MAYOR'S REPORT

- A. I had the pleasure of recently leading a delegation to our Sister City, I-Lan, Taiwan. We have had this meaningful relationship for 28 years, and our last visit was in 2004 for the dedication of the Leawood Bridge. Several pictures of the bridge were provided by former librarian Terence Chin. I-Lan Mayor Chiang and his colleagues provided incredibly gracious and generous hospitality. My thanks to all delegation members which included Councilmembers James Azeltine, Julie Cain and Chuck Sipple, City Administrator Scott Lambers and I-Lan Sister City Committee Chair Bette Monson. Former City Councilmember and current Mayor Pro Tem of Diamond Bar, California, Jimmy Lin, also assisted with the visit. Jimmy was the individual who spearheaded the relationship in the beginning. The travels were instrumental in strengthening our ties of friendship. We are very grateful for their incredible hospitality.

Please see the book published by Jhong Shan Elementary School Principal Chen where Leawood resident Thomas Brentano donated 1,600 books for his Eagle Scout project in 2015.

- B. Our condolences to our friends in the Gezer Region of Israel, our other Sister City, regarding the passing on September 28, 2016, of former Israeli President Shimon Peres. He was the last leader from Israel's founding generation, and he sought peace with the Palestinians and never stopped seeking to advance Israeli-Arab reconciliation. He was noted for saying, *"It's better to be controversial for the right reasons, than to be popular for the wrong reasons."* In his eulogy, President Obama urged Israelis to continue Peres' legacy of seeking reconciliation.
- C. Participated in the Leawood Chamber ribbon cutting for BRGR Restaurant located at 135th and Nall. We wish them much success with this second Johnson County location.
- D. My thanks to Councilmember Lisa Harrison for standing in for me at the recent Leawood Chamber of Commerce "New Member Debut."
- E. Thanks to the Art in Public Places Initiative [APPI] and Chair Anne Blessing, as well as Parks & Recreation Director Chris Claxton, for organizing the dedication of our newest art on loan, "Point Defiance," by Beth Nybeck. Nearly all City Councilmembers, Department Heads and City Administrator Scott Lambers attended. Ms. Nybeck is the first female artist to render a piece of public art for Leawood.
- F. Reminder that the "Leawood Memories" history presentation and sharing lecture by Cultural Arts Coordinator April Bishop will be Sunday, November 6, 2016, beginning at 2:00 P.M. in the one-room historic Oxford Schoolhouse in Ironwoods Park.
- G. It is no surprise that Police Departments across the United States, including Leawood, have recently struggled with recruitment. It is not as popular to be an officer as it once was. Police Chief Troy Rettig has been creative, to start the effort earlier in a candidate's life. A video from a local television station of five-year old Leawood resident "Officer Oliver" was shown. "Officer Oliver" spends his days and nights on his miniature motorcycle, armed with handcuffs and a real radar gun. He advises speeders to slow down and issues citations, which require payment by a kiss on the cheek. He lives each day in uniform and spends time with officers across the metro area, recently attending the Leawood Police Department Open House where he stole the show. Thank you to City Attorney Patty Bennett, Police Chief Troy Rettig, Public Works Director Joe Johnson and Information Services Director Mark Andrasik for providing the video.

- H. Reminder to exercise your right and privilege to vote in the November 8, 2016 election. The next Governing Body meeting is scheduled for the evening before the election. Another reminder to vote will be given at the meeting on November 7, 2016.

9. COUNCILMEMBERS' REPORT – None

10. STAFF REPORT

Mr. Lambers reported that during the recent visit to Taiwan, the City presented several gifts every day. Two of these gifts were polo shirts and eleven baseballs signed by Royals Pitcher Chien-Ming Wang which were well-received. Mayor Dunn stated Chien-Ming Wang is considered a star in Taiwan and his cut from the Royals distressed Taiwan citizens. Mayor Dunn had the opportunity to present one of the autographed items to the Taiwan President, who was elated to receive. The meeting with the first female Taiwan President was by happenstance, during the President's visit at a senior citizen event that the Leawood delegation also attended. Councilmember Cain added the President's Secret Service was extremely diligent, quickly removing Mayor Dunn's hand placed innocently on the back of the President during a photograph. Mayor Dunn stated the photograph would be shared at a future meeting.

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[from the September 27, 2016 Planning Commission meeting]

- A. **Ordinance No. 2808**, amending Section 16-3-4 of the Leawood Development Ordinance entitled "Development Plan Approval Process" and repealing existing Section 16-3-4 and other sections in conflict herewith. (PC Case 103-16) [ROLL CALL VOTE]

Mr. Klein stated the Planning Commission and staff recommend approval of the proposed amendment to add clarification as to when an Amended Preliminary Plan and Final Plan is required for an overall development, as opposed to a single property or subset of properties within the development application. If the development application proposes changes to parking, pedestrian way, amenities or is a use not included in the original Final Development Plan, than an Amended Preliminary Plan and Final Plan would be required. The amendment also addresses when approval signatures of adjacent property owners are required for new development application for changes. Approval signatures of adjacent property owners would not be required if the applicant has applied for Community Improvement District [CID] financing and also has received Governing Body approval to move forward without the signatures.

Mr. Klein confirmed to Councilmembers Sipple and Cain that the need for the amendment become apparent related to an application delayed by a nearby adjacent pad site. The amendment should make the process smoother and quicker for any new applications and one current application in process.

A motion to pass the ordinance was made by Councilmember Filla; seconded by Councilmember Cain. The motion was approved with a unanimous roll call vote of 8-0.

- B. **Ordinance No. 2809**, amending Article 4 of the Leawood Development Ordinance [LDO] by amending Sections 16-4-12.3, 16-4-12.3A, and 16-4-12.4, pertaining to Wireless Communication Facilities and repealing existing Sections 16-4-12.3, 16-4-12.3A, 16-4-12.4 and other sections in conflict herewith (PC Case 104-16) [ROLL CALL VOTE]

Mr. Klein stated the amendment was needed to come into compliance with Kansas House Bill 2131 effective July 1, 2016, impacting what cities can approve for wireless communication facilities and providing City approval timelines. New towers must be reviewed/approved within 150 days, substantial changes within 90 days, non-substantial changes within 60 days, and there is a tolling requirement to notice the applicant within 30 days for an application reviewed and deemed incomplete, which would then start the clock of other timelines.

Per Councilmember Sipple's inquiry, Mr. Klein stated the most significant changes or limits to City authority imposed by the Kansas House Bill was removal of requirements for co-location on towers over 75 ft. in height, construction bonds for tower or antennae removal [City had collected] and buffering of 500 ft. from residential districts.

Mayor Dunn noted the ongoing work on the cell tower at 135th and Nall. That tower's appearance is quite different from the cell tower located at City Park. Mr. Klein stated this is due to state legislation allowing far greater diameters, but City Staff and Legal had worked diligently with the 135th and Nall tower applicant on concealment efforts. At 135th and Nall, the applicant agreed to a diameter of only 11 ft. when legislation would have allowed a diameter of 20 ft. The applicant agreed to paint the tower the same as equipment and also to internal rather than external wiring. The diameter of the City Park cell tower is only 2 to 4 ft., so it is trim in comparison. Mayor Dunn expressed appreciation for the concealment efforts.

Ms. Bennett confirmed to Councilmember Filla she had heard back from only one of companies with the last expiring antennae lease on the tower at 96th and Lee Boulevard. That company's lease is set to expire in 2018 and this company has requested to extend to July 2019, same as the when the tower lease expires.

A motion to pass the ordinance was made by Councilmember Filla; seconded by Councilmember Osman. The motion was approved with a unanimous roll call vote of 8-0.

- C. **Ordinance No. 2810**, amending Article 9 of the Leawood Development Ordinance [LDO] by amending Section 16-9-90(A) entitled, 'Distributed Antenna System, or (DAS)' and repealing existing Section 16-9-90(A) and any provisions in conflict herewith (PC Case 105-16) [ROLL CALL VOTE]

Mr. Klein stated the proposed amendment would revise the City's current definition for Distributed Antennae [DAS] to match the more detailed DAS definition in the Kansas House Bill.

A motion to pass the ordinance was made by Councilmember Rawlings; seconded by Councilmember Osman. The motion was approved with a unanimous roll call vote of 8-0.

- D. **Resolution No. 4699**, approving the 2016 updates to the Comprehensive Plan of the City of Leawood, Kansas, Johnson County, Kansas. (PC 78-16)

Mr. Klein stated this year's annual review and update of the Comprehensive Plan was made by Planner Michelle Kriks. Plan changes include revision of demographic information from the American Communities Survey, which is performed yearly as a supplement to the 10-year Census. Information on developments in the City was updated. Land use map amendments include the addition of two historic districts in north Leawood [one previous for a total of three]; Medium Density Residential and Office changed to Mixed Use at 89th Street and State Line Road; alignment of an upward bow in 137th Street; corrected Mixed Use to Medium Density Residential for small section north of 137th Street near Lord of Life Lutheran Church; Medium Density Residential to High Density Residential for a piece of property located just south of the intersection at 135th Street and State Line Road, near Madden-McFarland, as the City has received an expression of interest for apartments; and addition of street alignment at 151st and Mission Road for The Glen of Leawood.

Mr. Coleman clarified the Comprehensive Plan is a land use direction document for City goals. Adoption does not result in an automatic zoning change. Any zoning change would require application.

Mr. Klein confirmed to Councilmember Osman, who expressed concern about the proposed land use at 89th Street and State Line Road, that the site contains the parking lot across from Ward Parkway Shopping Center. The boundary of the proposed land use runs along the northern boundary of the parking lot, the eastern boundary of Leawood Estates, and then cuts across to State Line Road. Mixed Use would require a minimum of 10% retail, 20% office and 10% residential. The location of the percentages within the site may be flexible. Mr. Lambers stated the City has received numerous development inquiries for the site, including a developer who wants to remove all existing structures and put in a Mixed Use with all percentage types. The parking lot is owned by Ward Parkway Shopping Center and tied to the shopping center for overflow parking, which is no longer needed even during the holidays. Kansas City, Missouri, has jurisdiction over the parking lot and is now considering zoning change for institutional use, such as independent living, and small retail.

Councilmember Harrison inquired if the City has an obligation to notify home owners along the boundaries of the site at 89th Street and State Line Road if the Comprehensive Plan was adopted. Long-term residents have had a parking lot in their backyards for 20 years. Mr. Klein stated that if an application is received for the land, notices would be required to those within 200 ft. by certified mail and 500 ft. through Interact Meeting, and to appropriate home owner associations [HOAs]. Mr. Coleman added the Comprehensive Plan is published in the City's official newspaper and notification obligation is triggered by rezoning applications or new applications.

Councilmember Kaster requested the reason for two Planning Commission members abstaining from vote. Mr. Klein stated their reasons related to land use at 89th Street and State Line Road. Mayor Dunn added the members were uncomfortable with the proposed Mixed Use land designation of that site. No other reason had been expressed.

Mayor Dunn asked that Mr. Klein and Mr. Coleman give her compliments to Ms. Kriks for her detailed modifications to the plan.

A motion to approve Agenda Item 11.D. was made by Councilmember Cain; seconded by Councilmember Sipple. The motion was approved with a unanimous vote of 8-0.

12. **OLD BUSINESS** – None

13. **OTHER BUSINESS** – None

14. **NEW BUSINESS**

- A. **Ordinance No. 2811C**, granting a contract franchise to Extenet Systems, Inc., a Delaware Corporation, its successors and assigns, to construct, operate and maintain a telecommunications system as a competitive infrastructure provider in the City of Leawood, Kansas and prescribing the terms of said contract franchise and repealing Ordinance No. 2580 [ROLL CALL VOTE]

Ms. Bennett stated this was a renewal of an expiring existing contract franchise granted several years ago.

Mr. Timothy Asta, Director, External Relations, ExteNet Systems Inc., stated since early 2013, the company has been using 25 City street light and Kansas City Power & Light [KCPL] utility poles, to provide telecommunication infrastructure to service providers Sprint and Verizon. Any future increase in the number of poles would be driven by requests for coverage and capacity issues from telecommunication providers, but nothing is scheduled yet for 2017. ExteNet was not impacted by the Kansas legislation because it does not build cell towers. Their equipment is co-located on existing infrastructure. Moving forward, when KCPL utility poles are removed, equipment would be located on street lights. He thanked City staff for working with ExteNet to facilitate deployment. ExteNet would pay the City approximately \$15,000 per year for use of City street lights.

A motion to pass the ordinance was made by Councilmember Azeltine; seconded by Councilmember Osman. The motion was approved with a unanimous roll call vote of 8-0.

- B. **Ordinance No. 2812C**, granting a contract franchise to Mobilitie, LLC, its successors and assigns, to construct, operate, and maintain a telecommunications system as a competitive infrastructure provider in the City of Leawood, Kansas [ROLL CALL VOTE]

Ms. Bennett stated this was a new contract franchise. Mobilitie may have waited until now for the October 1, 2016 effective date of the Kansas legislation.

Mr. Cory Mofield, Chicago-based Attorney, Mobilitie, LLC, stated the company was relatively new, providing telecommunication infrastructure to wireless service providers, using KCPL structures until phased out and then City structures. Mobilitie currently services one provider and has no equipment on City poles, but have been working with Public Works on a design similar to ExteNet for 15 to 20 proposed sites. Typically, equipment communicates with a larger tower, but it can either relay or communicate with a tower. Spacing is dependent on pole height and type of communication, and Mobilitie equipment would need to be on the top of a pole for omni-directional antennae coverage; ExteNet and Mobilitie equipment would not piggyback. The number of any future facilities would be based on the coverage needs expressed by service providers. He displayed a picture of equipment at the top of a street light.

Councilmember Harrison inquired if sites would be limited to main street thoroughfares or in a subdivision, if the subdivision was located on a hilltop. Mr. Mofield stated Mobilitie is focusing on locations in congested industrial and commercial areas, where there are a large number of users. Mobilitie understands and is sensitive to neighborhoods and would seek sign-off from residents. Mobilitie complies with all Federal Communication Commission [FCC] requirements.

Ms. Bennett stated the City is prohibited by Federal and State law to discuss wireless transmissions in regard to EMF health concerns. She added recent legislation about DAS did not differentiate; small cell equipment of companies such as Mobilite and ExteNet could go in the right-of-way, so residential right-of-way would not be excluded. Ms. Bennett stated ExteNet and Mobilite had been a pleasure to work with. Mayor Dunn stated she felt residents would want this type of equipment rather than a cell tower.

Mr. Lambers confirmed to Councilmember Sipple that attachments to City street lights would be on a first-come, first-serve basis. Co-location would not occur, but rather second requestor would move to the next available pole.

A motion to pass the ordinance was made by Councilmember Filla; seconded by Councilmember Osman. The motion was approved with a unanimous roll call vote of 8-0.

- C. **Resolution No. 4700**, approving and authorizing the Mayor to execute a master license agreement between the City of Leawood and Mobilite, LLC, [Mobilite] for attachments to City Facilities

A motion to approve Agenda Item 14.C. was made by Councilmember Azeltine; seconded by Councilmember Kaster. The motion was approved with a unanimous vote of 8-0.

ADJOURN

There being no further business, the meeting was adjourned at 8:36 P.M.

Debra Harper, CMC, City Clerk

Cindy Jacobus, Assistant City Clerk