



Agenda

**REGULAR MEETING
GOVERNING BODY
CITY OF LENEXA, KANSAS
17101 W. 87th STREET PARKWAY**

**September 18, 2018
7:00 PM
COMMUNITY FORUM**

CALL TO ORDER

7:00 PM

ROLL CALL

Councilmembers Karlin, Lemons, Nicks, Nolte, Hunt, Roh and Huckaba were present with Mayor Boehm presiding; Councilmember Stuke was absent.

APPROVE MINUTES

August 21, 2018 City Council Meeting Minutes [Approved](#)

MODIFICATION OF AGENDA

[Item 15 added under New Business.](#)

PROCLAMATIONS

Diaper Needs Awareness Week 2018
National Suicide Prevention Month (Located in the Appendix)

CONSENT AGENDA

Items 1 through 9

All matters listed within the Consent Agenda have been distributed to each member of the Governing Body for review, are considered to be routine, and will be enacted by one motion with no separate discussion. If a member of the Governing Body or audience desires separate discussion on an item, that item may be removed from the Consent Agenda and placed on the regular agenda.

1. Acceptance of public right-of-way, drainage easements, utility easements, and landscape easements for Prairie View at Creekside Woods, 4th Plat

This final plat is for the Prairie View at Creekside Woods Subdivision, 4th plat. Public right-of-way, drainage easements, utility easements, and

landscape easements are being dedicated to the City of Lenexa as part of the Prairie View at Creekside Woods, 4th Plat. PT18-13F

2. Accept for maintenance public improvements at Prairie View at Creekside Woods, 2nd Plat

This project constructed public street, storm, and street lighting improvements related to the Prairie View at Creekside Woods, 2nd Plat Subdivision.

3. Resolution further amending the 2018-2022 Capital Improvement Program to provide funding for the previously unfunded Sar-Ko-Par Trails Park and Bois D'arc Tennis Court Project.

[Resolution 2018-95](#)

This amendment to the 2018-2022 Capital Improvement Program (CIP) provides funding for the previously unfunded project for renovations to the Sar-Ko-Par Trails Park and Bois D'Arc tennis court facilities. The proposed resolution will amend the 2018-2022 CIP to provide funding for the project and authorize the transfer \$1,220,000 of excess sales tax collections received in 2018 from the General Fund into the Capital Improvement Fund for the project.

4. Resolution approving and authorizing the Mayor to enter into an Agreement with Voya Financial to provide Retirement Services for the City's supplemental retirement plans.

[Resolution 2018-96](#)

On June 18, 2018, the City published a Request for Proposals seeking proposals from qualified firms to provide retirement services for supplemental employee retirement plans. After a thorough selection process, staff recommends entering into an agreement with Voya Financial. The cost of services is \$49,321 per year for each of the five years of the agreement.

5. Resolution to approve Addendum Four to City Administrator Employment Contract

[Resolution 2018-97](#)

Addendum Four to the City Administrator's Employment Contract extends the term of the City's agreement with Eric Wade from December 31, 2018 to his retirement date of June 21, 2019 and adjusts his base pay by applying the same formula utilized by Human Resources to implement the Salary Administration Guidelines approved by the City Council earlier this year for all other employees.

6. Resolution of intent to issue industrial revenue bonds in the approximate principal amount of \$2,700,000 to finance the costs of acquiring, constructing and equipping a retail/office project for the benefit of AC City Center Lenexa, LLC (the "Tract E Project").

[Resolution 2018-98](#)

The developer, AC City Center Lenexa, LLC has requested the City issue its Industrial Revenue Bonds in the approximately amount of \$2,700,000 (the "Bonds") to finance the construction of a multi-story, multi-tenant retail/office building to be located at the southwest corner of Renner Boulevard and Scarborough Street. There is no abatement associated with this Bond issue, but the project is included in an approved TIF project plan.

7. Consideration of ordinances revising the Stormwater Code
 - a. Ordinance amending City Code Section 4-1-D-3 regarding flood prevention, Article 4-1-N regarding land disturbance, Article 4-1-O regarding stream setbacks, and Section 4-3-D-1 regarding special definitions for floodplain regulations - all part of the Unified Development Code (UDC). **Continued from the August 7, 2018 City Council Meeting.**

[Ordinance 5677](#)

- b. Ordinance amending City Code Article 4-5-E regarding stormwater management regulations, Article 4-5-F regarding stormwater management definitions, Article 4-5-G regarding stormwater management and the stormwater management service fee, Article 4-5-H regarding stormwater management systems and the stormwater system development charge, and Article 4-5-J regarding illicit discharges.

[Ordinance 5678](#)

These two proposed ordinances adopt revisions to the City's stormwater regulations in the Unified Development Code ("UDC"). The proposed revisions are primarily technical, but include minor formatting, clarification, and other revisions to keep the City's stormwater regulations up-to-date.

8. Resolution authorizing the execution of documents in connection with the assignment and assumption of the Base Lease, Lease and Payment in Lieu of Tax Agreement, and transfer of the bonds related to the City's Industrial Revenue Bonds (taxable under federal law) Series 2017 (Waterside

Residences at Quivira Road - Phase 1).

[Resolution 2018-99](#)

On December 22, 2017, the City issued its Industrial Revenue Bonds in the approximate amount of \$47 million (the "Bonds") to finance the construction of Phase I of a multi-family commercial development and authorized a tax abatement for the project as set forth in a PILOT Agreement. The Developer is refinancing the project and has requested the City consent to the assignment and assumption of the Base Lease, Lease and PILOT to the new, related entities created by the Developer and the transfer of the Bonds to one of the new entities.

9. Ordinance consenting to an assignment and assumption of the Payment In Lieu of Tax Agreement, the benefits and obligations arising under the City's resolution of intent to issue its Industrial Revenue Bonds (taxable under federal law) Series 2018 (the "Bonds"), and authorizing execution of certain documents associated with the issuance of the Bonds (Waterside Residences at Quivira Road - Phase 2).

[Ordinance 5679](#)

On May 16, 2017, the City adopted Resolution No. 2017-59 declaring its intent to issue Industrial Revenue Bonds in the approximate amount of \$14.5 million (the "Bonds") on behalf of Developer to finance the construction of Phase 2 of a multi-family commercial development and authorizing the execution of a Payment in Lieu of Tax (PILOT) Agreement setting forth a tax abatement for the project. The Developer is conveying the property to three new companies, all of which are also Ken Block companies and tenants in common. The Developer has requested the City consent to the resolution of intent and PILOT being assigned to the new entity and the issuance of the Bonds authorized in the proposed ordinance.

END OF CONSENT AGENDA

[Items 1-9 approved](#)

BOARD RECOMMENDATIONS

10. Preliminary plan for City Center Residences, located west of Renner Boulevard and north of Elmridge Street.

[Approved](#)

This application is to allow for the construction of a building with structured and garage parking on the ground level, four stories of multi-family units and

a commercial component at the street level within Lenexa City Center, located west of Renner Boulevard and north of Elmrige Street. The multi-family component is to consist of 211, one and two bedroom apartments and the commercial component will consist of 1,800 square feet. PL18-16P

11. Rezoning, companion concept plan and preliminary plan for The Vistas at Canyon Creek, located at the northwest corner of Canyon Creek Boulevard and Highway 10. **Remanded to the Planning Commission at the July 17, 2018 City Council meeting.**

- a. Ordinance rezoning property located at the northwest corner of Canyon Creek Boulevard and Highway 10 for The Vistas at Canyon Creek Development from AG, CP-O, and CP-2 to CP-2 and RP-4.

Denied

- b. Concept plan for The Vistas at Canyon Creek convenience store.

Denied

- c. Preliminary plan for The Vistas at Canyon Creek multi-family complex.

Denied

This development application will rezone 25 acres of property located at the northwest corner of Canyon Creek Boulevard and Highway 10 from AG, Agricultural, CP-O, Planned General Office, and CP-2, Planned Community Commercial Zoning Districts to CP-2, Planned Community Commercial and RP-4, Residential Planned (High-Density) Zoning Districts. The companion concept plan would allow for the construction of a convenience store, approximately 4,800 square feet in size, with gas pumps. The companion preliminary plan shows the development of 294 multi-family units in 12 buildings, 3- and 4-stories in height. RZ18-05, PL18-04CP & PL18-11P

12. Final plan and final plat for Midwest Sikh Gurudwara located at the northeast corner of 101st Street and Lone Elm Road.

- a. Final plan for Midwest Sikh Gurudwara Temple.

Approved

This application is to allow for the construction of a place of worship on the northeast corner of 101st Street and Lone Elm Road. The place of worship will be approximately 13,736 square feet in size with a main hall having capacity for 324 seats. PL18-17F

- b. Acceptance of right-of-way and easements within the final plat for Midwest Sikh Gurudwara Temple.

Approved

This final plat is for Midwest Sikh Gurudwara Subdivision. Public right-of-way, utility easements, and landscape easements are being dedicated to the City of Lenexa as part of the Midwest Sikh Gurudwara plat. PT18-14F

NEW BUSINESS

13. Consideration of establishing the City Center North Street Extension Special Benefit District

- a. Resolution determining the advisability of authorizing certain municipal improvements and establishing a special benefit district to finance them (City Center North Street Extension SBD).

Resolution 2018-100

- b. Resolution authorizing Mayor to execute an agreement with Renaissance Infrastructure Consulting to perform engineering and design services for the public improvements associated with the City Center North Street Extension Special Benefit District.

Resolution 2018-101

The City received a petition to establish a special benefit district ("SBD") in accordance with K.S.A. 12-6a01 et seq. to finance the construction of Elmridge Street and Scarborough Street as well as related public improvements to complete the public street system in City Center North located in the northwest corner of 87th Street Parkway and Renner Boulevard. The petition was signed by 100% of the land proposed to be included in the SBD and notice and hearing was waived. The maximum estimated cost for the SBD is \$3,565,000. This resolution will establish an SBD for this project and waive the sealed bid process for construction of the improvements. Renaissance Infrastructure Consulting will perform engineering and design services associated with construction of the SBD for \$313,713.

14. Consideration of establishing the Scarborough/Hampton Street Special Benefit District

- a. Resolution determining the advisability of authorizing certain municipal

improvements and establishing a special benefit district to finance them (Scarborough/Hampton Street SBD).

[Resolution 2018-102](#)

- b. Resolution authorizing Mayor to execute an agreement with George Butler Associates, Inc to perform engineering and design services for the public improvements associated with the Scarborough/Hampton Street Special Benefit District.

[Resolution 2018-103](#)

The City received a petition to establish a special benefit district ("SBD") in accordance with K.S.A. 12-6a01 et seq. to finance the construction of Scarborough Street and Hampton Street as well as related public improvements to complete the public street system in City Center located in the southwest corner of 87th Street Parkway and Renner Boulevard. The petition was signed by 100% of the land proposed to be included in the SBD and notice and hearing was waived. The maximum estimated cost for the SBD is \$2,100,000. This resolution will establish an SBD for this project and waive the sealed bid process for construction of the improvements. George Butler Associates, Inc. will perform engineering and design services associated with construction of the SBD for \$109,050.

15. Resolution authorizing the Mayor to execute a conditional right-of-way clearance form for the Renner Boulevard mixed-use trail project.

[Resolution 2018-104](#)

The conditional right-of-way clearance form certifies the city acquired all right-of-way and easements in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970.

BUSINESS FROM FLOOR

Comments will be accepted from the audience on items not listed on the agenda. Please limit remarks to a maximum of five (5) minutes per person/issue.

**COUNCILMEMBER
REPORTS**

STAFF REPORTS

ADJOURN

9:40 PM