



**MINUTES OF THE
DECEMBER 17, 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 7:02 PM.

ROLL CALL

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

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

MODIFICATION OF AGENDA

There were no modifications to the agenda.

APPOINTMENTS

Mayor Sayers said that Councilmember Denny would act as Council President from January 1 through June 30, 2025. She thanked Councilmember Arroyo for her service as Council President for the past six months.

Mayor Sayers presented Ellen Foster for appointment to the vacant position on the Building Code Board of Appeals with a term expiring February 28, 2025 and Eric Arner, Rachel Lauren-Parker Mulvihill, and Vanessa Vaughn-West for reappointment to the Police Community Advisory Board with terms expiring December 31, 2027.

Councilmember Denny made a motion to approve the appointment of Ms. Foster and reappointments of Mr. Arner, Ms. Mulvihill, and Ms. Vaughn-West to their respective Boards and Councilmember Nicks seconded the motion. Motion passed unanimously.

CONSENT AGENDA

1. Change Order No. 3 to the contract with K&W Underground Inc. for the Fiber Optic Network Expansion, Upgrade & Repair Project
This change order is for modification and adjustment of fiber optic cable and conduit at various locations throughout the city. The change order amount is \$73,676.
2. Acceptance for maintenance
 - a. Acceptance of the Sar-Ko-Par Trails Park Parking and Pedestrian Project for

maintenance

This project included new parking west of the aquatic facility, trail connections, a new gated entrance off 89th Street, expansion of the skate park parking lot, and a new pedestrian sidewalk along Greenway Lane. The total project cost was \$2,080,000.

- b. Acceptance of the Indian Trails Aquatic Center Improvement Project

This project renovated the old pool, utilizing the existing footprint. The new aquatic center includes a lazy river, zero-depth entry with a kiddie play structure, 25-meter pool, diving boards and slides. The space includes new construction of a guard/admissions building, expansion of a pump house building, and light renovations to existing restroom facilities. The total project cost was \$15 million.

- c. Acceptance of the City Center, Lot A, public improvements for maintenance (Restaurant Row)

This project included a pedestrian amenity zone along eastbound 87th Street Parkway, a 10-foot trail along southbound Renner Boulevard, landscaping, and street lighting. The work was privately funded.

- 3. 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 this revised final plat.
- 4. Approval of an on-call services contract with Musselman & Hall for the 2025-2027 Stormwater Infrastructure Project
This contract will allow staff to have Musselman & Hall on call to address emergency repairs, as well as make repairs to approximately 32 pipes known to be in poor condition. Total estimated expenditures over the two-year contract are \$2 million.
- 5. Approval of an agreement with ServeYouRx for prescription drug coverage
Lockton Companies, the City's benefits broker, re-negotiated the terms of the City's current agreement with ServeYouRx to provide pricing improvements for discounts and rebates. The improved pricing is estimated to save the City \$108,503, or 5.6% annually in prescription costs.
- 6. Approval of Addendum #1 to the contract with Custom Lighting Services, LLC d/b/a Black & McDonald for streetlight maintenance
This addendum updates the unit price schedule and extends the contract with Black & McDonald for an additional one-year term. The proposed 2025 contract amount is \$178,712.07.
- 7. Consideration of a revised preliminary plan for Lenexa Logistics Centre East, Lot 1 located at the southeast corner of 116th Street & Renner Boulevard in the BP-2, Planned Manufacturing District
The applicant proposes a revised preliminary plan for a one-story, 45,000 square foot industrial building on a 4.9-acre lot in the BP-2, Planned Manufacturing District.
- 8. Resolution approving the serving of complimentary alcoholic liquor or cereal malt

beverages at certain events promoting the arts

Governing Body approval is required for non-profit organizations to serve complimentary alcoholic liquor or cereal malt beverages at events promoting the arts. The proposed resolution will approve the serving of complimentary alcoholic liquor or cereal malt beverages at the Lenexa artists' receptions in 2025.

9. Resolution establishing the fiscal year 2025 Schedule of Fees
Staff has reviewed the 2024 Schedule of Fees to determine if any adjustments are appropriate for fiscal year 2025. Based on this review, staff proposes changes for certain cemetery, parks and recreation, municipal court, planning and development, and fire fees. If approved, the changes will be effective January 1, 2025.

END OF CONSENT AGENDA

Councilmember Williamson made a motion to approve items 1 through 9 on the consent agenda and Councilmember Denny seconded the motion. Motion passed unanimously.

PUBLIC HEARING

10. Public hearing to appear and show cause why the fire damaged structure at 19430 W. 87th Lane should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure - **CONTINUED TO THE JANUARY 21, 2025 CITY COUNCIL MEETING AT STAFF'S REQUEST**
Staff is requesting a continuance of the public hearing to January 21, 2025 to provide the property owner with additional time to complete the repair or removal of the fire-damaged structure.

This item was continued to the January 21, 2025 City Council meeting at staff's request.

BOARD RECOMMENDATIONS

11. Ordinance approving a special use permit renewal for an entertainment, outdoor use for Smiley's Golf Complex and Executive Golf Course, located at 10195 Monticello Terrace, in the AG, Agricultural Zoning District
The applicant requests renewal of a special use permit to continue to operate Smiley's Golf Complex and Executive Golf Course, classified as an entertainment, outdoor use within the AG, Agricultural District, which requires a special use permit.

Stephanie Sullivan, Planning Manager, said this is a special use permit (SUP) renewal request for Smiley's Golf Complex and Executive Golf Course, located in the northeast corner of the K-7 Highway & K-10 Highway intersection, off Monticello Terrace. She presented a location map of the 68-acre site.

Ms. Sullivan said that staff reviewed the SUP criteria, which is detailed in the staff report to the Planning Commission. She said the property is zoned AG and the future land use map designates Business Park. Although this is more of an entertainment type use, the Comprehensive Plan contemplates redevelopment in the area including

industrial uses, logistics and office; several different types of uses allowed.

Ms. Sullivan said the applicant has requested a five-year SUP extension to align with the property's lease. She said both staff and the Planning Commission recommend approval.

The applicant was present.

Mark McFarland, Hinkle Law Firm, said he is representing Smiley's on this SUP and thanked Scott McCullough, Community Development Director, Ms. Sullivan, and staff for the very streamlined process, noting that they completed a thorough analysis. He talked about Smiley's being a good corporate citizen in the city and the various activities and programs they offer.

Mr. McFarland addressed the parking conditions and said they have already begun the work on the site and intend to finish in the spring.

Councilmember Eiterich made a motion to approve Item 11 and Councilmember Arroyo seconded the motion. Motion passed unanimously.

12. Consideration of a preliminary plan for Renner 87, a mixed-use development in City Center, located at the northeast corner of 87th Street Parkway & Renner Boulevard in the CC, Planned City Center District
The applicant proposes a mixed-use development known as Renner 87 located at the northeast corner of 87th Street Parkway & Renner Boulevard in the CC, Planned City Center Zoning District. The preliminary plan includes two buildings totaling 215 dwelling units and 9,858 square feet of commercial space on 7.06 acres.

Ms. Sullivan said this is a revised preliminary plan for a mixed-use development called Renner 87, located at the intersection of 87th Street Parkway & Renner Boulevard. She said the property is zoned City Center and the future land use map designates it as City Center Core, which are consistent with each other and the proposed use.

Ms. Sullivan reviewed the previous plans proposed for this on this site in 2018, 2021, and 2024, pointing out slight changes. However, she said they have all been pretty consistent with each other.

Ms. Sullivan presented the proposed revised site plan reflecting mixed-use space in two buildings, 215 dwelling units, 333 parking spaces, and 9,858 square feet of commercial space. She pointed out the parking along Renner Boulevard and on the site. There is also a gas line easement along Renner Boulevard, she said, that prevents the building from being built any closer to Renner Boulevard than proposed.

Ms. Sullivan presented the landscape plan and pointed out the various plantings along the building frontage, as well as the stormwater area. She then presented renderings of the proposed buildings on the seven-acre site, saying the applicant has done a nice design incorporating City Center design guidelines while managing the challenges with the easement and the grading.

Ms. Sullivan said that both staff and the Planning Commission recommend approval.

Councilmember Eiterich asked if the drive off Renner Boulevard is a one-way and Ms. Sullivan said it would be a two-way drive with angled parking. She said vehicles would be able to turn around at the end, including emergency vehicles, and that it meets the required sizing.

Councilmember Eiterich asked if the spaces on the southwest corner above the commercial space would be apartments or shared amenities. Ms. Sullivan said the applicant would have to speak to that.

Councilmember Charlton asked Ms. Sullivan to talk more about the parking and she said that in City Center, general parking is considered urban because there is parking within walkable distance, so not as many parking spaces are needed. Staff finds the parking deviation to be acceptable.

Councilmember Williamson asked if the parking deviation has been routine with other City Center developments and Ms. Sullivan said yes.

Councilmember Nicks shared concerns with existing garages in City Center not being accessible to this development like they are to others. Ms. Sullivan said that on-street parking is taken into consideration, in addition to the proximity of garages. She also said the new hotel in the mid-block would have dedicated public parking and some public parking just does not exist yet. She noted the parking is considered walkable from an urban perspective, although that may not be what we would consider walkable elsewhere.

Councilmember Arroyo said she would like to see more places for people to congregate on this plan. Ms. Sullivan said this is only a preliminary plan that will be refined and there are still opportunities to make some changes. She noted that the turnaround area has to remain open with non-permanent fixtures, but said staff can look into how to make it have more of a sense of place.

Mr. McCullough said this has been designed such that the parking area could be closed off for special events.

Ms. Sullivan talked about other development in the vicinity, including the Advent Hospital campus under construction to the west across Renner Boulevard.

The applicant was present.

Justin Berry, Price Development Group, said he is a Shawnee Mission Northwest graduate that grew up in Lenexa, so he has a personal connection to this project. He reviewed an aerial map showing the property and the surrounding area and talked about how the project adds to the civic, cultural, residential and commercial components of City Center. He reviewed the building details and discussed the request for reduced parking, as well as the use of the topography. He said the southwest corner plaza has enhanced hardscape and decoration to compliment City

Center activated space with benches and bike racks and there would be a resort-style swimming pool area.

To answer Councilmember Eiterich's earlier question, Mr. Berry said the southwest corner 5th floor would be an indoor/outdoor sky lounge amenity, with an apartment on the 4th floor below, and high-ceiling commercial space on the 2nd and 3rd floors. He added that they would also have an anchor commercial tenant in the northwest corner. He reviewed the building renderings and proposed materials.

Councilmember Denny commented that this is an extremely difficult site to develop, complementing the team on this project.

Councilmember Eiterich said she liked the thoughtfulness of the parking lot screening and the storefront glass. She emphasized the importance of making the plaza a welcoming and engaging space, particularly because it serves as a gateway to the city. She talked about the need for an inviting design that encourages people to visit and explore, suggesting that the commercial space or plaza should offer something unique or exciting to draw people in. Additionally, she proposed incorporating public art or distinctive features to make the prominent corner more appealing and memorable, transforming it into a vibrant focal point of the city. Mr. Berry explained that there are some limitations due to the gas easement, but they have looked at many different things and do want to dress it up.

Councilmember Nicks asked if the final plan would come to the Governing Body for approval since this is in City Center and Mr. McCullough said yes.

Councilmember Charlton pointed to the design of the southeast corner, noting that while other elevations look impressive and well-detailed, this particular area feels overly monochromatic and mundane due to its large, uninterrupted expanse of a single beige or white color. He suggested adding a pop of color or some design variation to break up the mass and make the corner more visually appealing, particularly since it is a prominent and significant view of the structure. Mr. Berry replied that they can address the colors in that stucco area.

Mayor Sayers asked about the nature of potential tenants and if there were any ideas or goals for tenants. Mr. Berry said they are working with retail brokers on the possibilities, some of which could be a gourmet pet store/wash, businesses that would be attractive to medical employees, coworking spaces, and studio fitness.

Mr. Berry said they intend to submit the final plan for the March 3rd Planning Commission meeting and come back to Council on March 18th. He added that this would be phased construction beginning on the north end in phase one, anticipating 16 months construction for phase one and 10 months for phase two.

Councilmember Eiterich made a motion to approve Item 12 and Councilmember Charlton seconded the motion. Motion passed unanimously.

NEW BUSINESS

13. Resolution authorizing the transfer of funds from General Fund reserves to the Capital Improvement Fund in fiscal year 2024
Staff proposes transferring \$8 million from General Fund reserves to the Capital Improvement Fund to cash finance capital projects.

Nate Blum, Chief Financial Officer, explained that the transfer of \$8 million in General Fund reserves to the Capital Improvement Fund for financing capital projects is outlined in the 2025-2029 Capital Improvement Plan (CIP). He said the transfer is enabled by strong financial performance in 2023, driven by sales and use taxes, investment income, and building permits. He noted that the transfer aligns with the City's Reserve Policy, which permits excess reserves (over 35% of budgeted revenues) to be used for one-time capital expenditures. He added that this transfer has been discussed during recent budget and CIP planning sessions.

Mayor Sayers asked Mr. Blum to confirm that this is not for a specific project and Mr. Blum said that is correct, the funds go into the Capital Improvement Fund.

Councilmember Williamson made a motion to approve Item 13 and Councilmember Denny seconded the motion. Motion passed unanimously.

OLD BUSINESS

14. Resolution adopting the fiscal year 2025-2029 Capital Improvement Program
The recommended fiscal year 2025-2029 Capital Improvement Program (CIP) is approximately \$208.6 million and includes funding for 54 capital projects.

Beccy Yocham, City Manager, said that the proposed Fiscal Year (FY) 2025-2029 Capital Improvement Program (CIP) is a \$208.6 million plan encompassing 54 capital projects, of which 16 are new. The CIP focuses primarily on streets, bridges, and traffic (61% of funding), facilities (13%), and stormwater (16%). Major funding sources include General Fund revenue (35%), a 3/8-cent sales tax (20%), and GEO bonds (13%).

Ms. Yocham stated that the plan has been extensively reviewed, including public meetings and hearings, with significant community feedback on projects like the Lone Elm & K-10 Interchange and the 83rd Street Project. Concerns raised include pedestrian and cyclist safety, buffering from neighborhoods, and project schedules. She said approval of the CIP will establish project funding for each year, with opportunities for annual reviews and amendments. For the Lone Elm Interchange, the approval reaffirms the City's commitment of \$11.4 million and moves the project into the design phase, incorporating public input.

Ms. Yocham said that staff recommends approval.

Mayor Sayers talked about the action before the Council being the approval of the

full FY 2025-2029 CIP, marking the third public meeting on the proposal. She said previous discussions included a public hearing and a neighborhood meeting, where feedback was received, particularly on the Lone Elm Interchange and 83rd Street projects. She discussed the importance of safety and stressed that CIP approval is an early step in a longer process. She added that approval establishes project funding and allows each project to move into the design phase, providing opportunities for further public feedback and stakeholder engagement.

Councilmember Herron made a motion to approve Item 14 and Councilmember Williamson seconded the motion.

Mayor Sayers asked if there was any discussion.

Councilmember Nicks expressed surprise and concern about not discussing this item before the motion, saying he felt the process was out of sync and he had much to share, in addition to making an amendment to the motion.

Councilmember Nicks expressed his concerns about the inclusion of the Lone Elm Interchange in the FY 2025-2029 CIP. He talked about the interchange being in the CIP for decades and how the City has projected future traffic needs, the potential safety risks associated with increased traffic in a residential area near schools, as well as all the resident feedback and concerns about the project heard at the public hearing and the neighborhood meeting. He stressed prioritizing safety and community well-being over remaining committed to something that was proposed decades ago.

Councilmember Nicks said he wanted to remove the interchange from the CIP while keeping the overpass project, proposing the exploration of alternative traffic routes that avoid disrupting local subdivisions and the school environment.

Councilmember Nicks made a motion to amend the motion on the table.

Mayor Sayers asked if a motion with a second could be amended.

Sean McLaughlin, City Attorney, said that only the current, seconded motion could be voted on or withdrawn at this time.

Councilmember Nicks said he felt the motion and second were made too quickly, before there was any discussion. He expressed his disappointment regarding communication and transparency.

Councilmember Herron withdrew the motion on the table.

Councilmember Nicks made a motion to pull the interchange, keep the overpass, and explore different traffic options. Motion failed due to lack of a second.

Councilmember Herron made a motion to approve the FY 2025-2029 CIP and Councilmember Denny seconded the motion.

Mayor Sayers asked if there was any further discussion.

Councilmember Charlton asked Ms. Yocham to explain how the Council would have the chance to come back and look at the design and interact with the staff and KDOT on this project in the future.

Ms. Yocham explained that the motion approves the funding for a 2027 project, specifically a proposed full interchange which is KDOT's preferred option. While staff supports this option based on comprehensive traffic and land use analysis, staff acknowledges that the Governing Body has final say and that dialogue with KDOT and the community is essential. She emphasized that approving the CIP does not commit the City to the exact proposal and there is room allowed for adjustments. The project leverages significant KDOT funding and has been in development for 20 years. She said staff recommends keeping the project in the CIP, addressing neighborhood concerns, and maintaining ongoing discussions with stakeholders as it moves forward.

Councilmember Eiterich asked about the timeline for discussions and the process for the CIP again next year. Ms. Yocham explained how the project would begin moving forward with design, ongoing through the year with staff, the public, and the City Council involved.

Councilmember Herron thanked Ms. Yocham and staff for the explanations and history on the project. He emphasized that safety is always the top priority and dismissed suggestions otherwise as misplaced. He argued that interchanges near neighborhoods are not new to Lenexa, citing local examples. He expressed strong support for the interchange project, viewing it as vital for Lenexa's long-term growth and future development, particularly in his ward, where such opportunities are limited. He talked about valuing the City's forward-thinking approach and seeing the interchange as crucial to sustaining growth and supporting commercial development.

Councilmember Arroyo validated the residents' emotions about the proposed interchange. She said she initially believed the interchange was desired by residents for driving convenience and student safety, but acknowledged the feedback opposed it, with residents preferring alternative routes. While expressing flexibility and openness to public input, she said she does not have a firm position at this time due to incomplete information. Her vote in favor of the CIP is primarily to allocate funding for all of the projects in it.

Councilmember Eiterich emphasized her commitment to school safety and understanding residents' concerns about the proposed interchange. She talked about the need for flexibility and further information before final decisions are made. She argued that allocating funds now allows time to explore design options and address future traffic challenges due to expected population growth. She stressed the importance of long-term planning to accommodate growing neighborhoods, mitigate future traffic issues, and maintain safety for students. By supporting the CIP, Councilmember Eiterich aims to ensure that stakeholders can collaboratively find the best solutions while considering changing school policies, demographics, and community needs.

Mayor Sayers invited the City of Olathe, the Olathe School Board, and other stakeholders to collaborate and address community feedback regarding the proposed project. She stressed the importance of prioritizing safety, traffic management, and growth in the design process. She believes a solution that works for everyone is achievable but notes that such collaboration has not yet occurred.

Motion passed 6-1 with Councilmember Nicks voting against.

COUNCILMEMBER REPORTS

Councilmember Denny recognized the passing of City Councilmember Joe Karlin.

Mayor Sayers announced that there would be a ceremony celebrating Councilmember Karlin's service at the January 7 City Council meeting.

STAFF REPORTS

Ms. Yocham said this would be the last meeting of the year, acknowledging that it has been both a great and a difficult year.

END OF RECORDED SESSION

BUSINESS FROM FLOOR

There was no business from the floor.

ADJOURN

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

The meeting adjourned at 8:18 PM.

/s/ Jennifer Martin
City Clerk