

**City of Westwood, Kansas**  
**City Council Work Session**  
**4700 Rainbow Boulevard**  
**April 14, 2022 – 6:00 PM**

Council Present: David E. Waters, Mayor  
Jeff Harris, Council President  
Andrew Buckman, Councilmember  
Jason Hannaman, Councilmember  
Laura Steele, Councilmember  
Holly Wimer, Councilmember

Council Absent: None

Staff Present: Leslie Herring, CAO/City Clerk  
Curt Mansell, Chief of Police  
John Sullivan, Director of Public Works  
Ryan Denk, City Attorney

**Call to Order**

Mayor David E. Waters called the meeting to order at 6:00 p.m. on April 14, 2022. The evening's meeting was held in a hybrid manner, with attendees joining both in person and via Zoom.

**Discuss Recommended Changes to Westwood Municipal Code Chapter 2 – Animal Control and Regulations**

In light of recent legal challenges to breed specific vicious dog municipal regulations, the Mayor directed staff to work with the City Attorney to propose changes to Westwood's municipal Code removing breed specific provisions from the Code and to bring the matter to the Governing Body. As such, staff prepared a redlined version of the City's current Chapter 2 for discussion purposes and was included in the meeting packet. A general discussion ensued regarding the breed restriction, and the Governing Body came to a consensus to move forward with removing the breed specific restriction in the Westwood Municipal Code. This revision will be considered and voted on during a future regular City Council meeting.

The Governing Body also discussed clarifying the language in the Municipal Code regarding current limits on dogs and cats per household. The Governing Body came to a consensus to direct staff to work with the City Attorney to change the language in the Municipal Code to allow three animals in a home of any combination of cats or dogs over the age of three months and remove the language regarding the special permit requirement.

**Discuss Recommended Changes to Westwood Municipal Code Chapter 5 – Business Regulations**


In 2019, members of the Governing Body began research and conversation around short-term rentals operating within Westwood. Shortly after that work began, the Governing Body's attention and focus was pulled to other matters requiring more immediate attention as the city experienced changes in composition and leadership and the COVID-19 pandemic of 2020 and 2021 dramatically reduced the volume of activity at short term rentals and, as such, the volume of neighbor concerns about their operations and regulation.

More recently, upon direction of the Mayor, this topic is being brought back for discussion amongst the Governing Body. To aid the discussion, the Mayor submitted for reference draft modifications he made to Chapter 5 – Business Regulations during his tenure as City Councilmember.

Mayor Waters led a general discussion regarding short-term rentals in Westwood. The Governing Body agreed to consider an ordinance at its next meeting, accepting the recommended draft changes to Chapter 5 with the exception of the regulation of the number of days a short-term rental could be occupied by renters.

**Adjournment to Regular Meeting**

The work session adjourned at 6:57 p.m. in order to prepare for the monthly City Council meeting at 7:00 p.m.

APPROVED:   
David E. Waters, Mayor

ATTEST:   
Leslie Herring, City Clerk

**City of Westwood, Kansas  
City Council Meeting  
April 14, 2022 – 7:00 p.m.**

Council Present: David E. Waters, Mayor  
Jeff Harris, Council President  
Andrew Buckman, Councilmember  
Jason Hannaman, Councilmember  
Laura Steele, Councilmember  
Holly Wimer, Councilmember

Council Absent: None

Staff Present: Leslie Herring, CAO/City Clerk  
Curtis Mansell, Police Chief  
John Sullivan, Public Works Director  
Ryan Denk, City Attorney

**Call to Order**

Mayor David E. Waters called the meeting to order at 7:00 p.m. on April 14, 2022. The City Clerk called the roll. A quorum was present. The evening's meeting was held in a hybrid manner, with attendees joining both in person and via Zoom.

**Approval of Agenda**

Mayor Waters noted Section 9.A of the evening's agenda would require a Charter Ordinance to be drafted for a future meeting. Motion by Councilmember Harris to accept the April 14, 2022 City Council agenda with the suggested change. Second by Councilmember Steele. Motion carried by a 5-0 voice vote.

**Public Comment**

No comments were made by members of the public.

**Public Hearings**

No matters were subject to a public hearing for the evening's meeting.

**Presentations and Proclamations**

**Proclamation of National Donate Life Month in Westwood**

Mayor Waters proclaimed the month of April 2022 as Donate Life Month in Westwood.

Nicole Asquith with Midwest Transplant Network thanked the City for supporting National Donate Life Month.

**Proclamation of Arbor Day in Westwood**

Mayor Waters proclaimed Friday, April 29, 2022, as Arbor Day in Westwood.

**Consent Agenda**

All items listed below are considered to be routine by the Governing Body and will be enacted in one motion. There will be no separate discussion of these items unless a member of the Governing Body so

requests, in which event the item will be removed from the consent agenda and considered separately following approval of the consent agenda.

- A. Consider March 10, 2022, City Council Meeting Minutes
- B. Consider Appropriations Ordinance 737

Motion by Councilmember Hannaman to approve the Consent Agenda as submitted. Second by Councilmember Wimer. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

### **Mayor's Report**

Mayor Waters noted the Westwood Foundation approved a \$2,000 grant to the Westwood Women's Club for their Belinder Beautification project. Mayor Waters said the Foundation will be releasing information regarding the 2022 Merit Scholarship program to the public in the coming weeks.

Mayor Waters provided an overview of events he attended and planned to attend as Mayor in the recent and upcoming weeks.

### **Committee Reports**

#### **Administration & Compensation Committee**

Councilmember Hannaman had nothing to report.

#### **Business & Community Affairs Committee**

Councilmember Buckman provided an update on his research on third party delivery fees as requested by a local business owner and offered to discuss further with members of the Governing Body if they are interested.

#### **Parks & Recreation Committee**

Councilmember Wimer noted that the Community Easter Egg Scramble will be held on Saturday, April 16<sup>th</sup>. Councilmember Wimer noted a group of 6<sup>th</sup> grade volunteers will be helping set up the Easter Egg Scramble and thanked them for their efforts.

#### **Public Safety Committee**

Councilmember Harris had nothing to report.

#### **Public Works Committee**

Councilmember Steele had nothing to report.

### **Staff Reports**

#### **Administrative Report**

Mrs. Herring provided an overview of the March 2022 Administrative Report included in the agenda packet and offered to answer questions.

#### **Public Works Report**

Mr. Sullivan provided an overview of the March 2022 Public Works Report included in the agenda packet and offered to answer any questions.

### **Public Safety Report**

Chief Mansell provided an overview of the March 2022 Public Safety Report included in the agenda packet and offered to answer questions.

### **Treasurer's Report**

The March 2022 Treasurer's Report was included in the agenda packet for review. No questions or comments were made about the report.

### **City Attorney's Report**

Mr. Denk provided an explanation of the need for a Charter Ordinance to modify Chapter 1 of the Municipal Code to appoint a City Administrator to carry out certain duties possessed by the Mayor per State Statute.

### **Old Business**

No Old Business items were considered.

### **New Business**

#### **Consider Agreement with Gould Evans for City Facilities Assessment and Feasibility Analysis**

In September 2021, the Governing Body held a work session to discuss a plan of action for determining the future of public lands in Westwood. As a result of that work session the following plan achieved consensus from the Governing Body and provided direction to staff to execute:

1. Engage the Urban Land Institute to conduct a follow-up [to the 2015] Technical Assistance Panel (TAP) to: (a) evaluate highest and best use for the corners of 47th & Rainbow and 50th & Rainbow Blvd. to maximize long-term economic and social impact for the community, (b) recommend the best location of municipal facilities, and (c) recommend ways in which Westwood could further the objectives of providing quality accessible and affordable housing. This was conducted and concluded in Fall 2021.
2. Conduct a City facilities analysis of existing buildings, including an assessment and cost estimate of deferred maintenance and optimal site selection, if different from the current location of City facilities. This expense was budgeted in the City's Capital Improvement Plan (CIP) for 2022 and is prepared for action at today's meeting.
3. Reconvene at the conclusion of the City facilities analysis in the Fall of 2022 to determine strategic direction for the southwest corner of 50th & Rainbow and the southwest corner of 47th & Rainbow.
4. Execute the plan of action, possibly including issuing RFPs for private development opportunities.

In executing this plan of action, the Mayor convened a steering committee of eight (8) individuals to:

- a. Review and approve a study scope and Request for Qualifications (RFQ), as prepared by City staff;
- b. Serve on the professional services firm interview and selection committee; and
- c. Guide the work of the retained professional services firm and provide input on their questions throughout the study period.

This steering committee is comprised of Westwood Mayor Waters, Councilmember Wimer, Planning Commissioner David Kelman, Westwood Foundation member Sean O'Brien, Westwood community at-large Lisa Fielden, Mrs. Herring, Mr. Sullivan and Chief Mansell.

A timeline of the steering committee's work to-date is as follows:

- February 4 – Convene to review draft RFQ and to provide direction to staff
- February 8 – Publish RFQ and invite respondents
- February 22 – Hold RFQ pre-proposal meeting to respond to questions from potential respondents
- March 2 – Host pre-proposal facilities tour for benefit of potential respondents
- March 11 – RFQ response period closes
- March 14 – Convene steering committee to review responses and to determine who to invite for interviews
- March 31 and April 4 – Hold firm interviews
- April 4 – Steering committee determines which firm to recommend to the City Council for consideration

In total, eight (8) responses to the RFQ were received and four (4) teams were interviewed. The entire process was conducted in a manner that encouraged competitive bidding, certainty and transparency, and structured analysis of each team's qualifications, experience, and approach to the objectives of the project. Ultimately, the steering committee recommends Gould Evans to the City Council for consideration of an agreement to perform the work to achieve the Governing Body's stated objective in the adopted plan of action and to build upon the work of the 2015 ULI TAP, the 2017 Master Plan, and the 2021 ULI TAP.

Gould Evans firm representatives were present at the Council meeting and Dennis Straight, Principal, introduced the team selected to work on the Facilities Assessment to the Governing Body and provided an overview of their qualifications and approach to the project. Upon consent of the Governing Body, City staff and the City Attorney will negotiate terms of an agreement for execution by the Mayor.

Gould Evans' fee proposal, included in its response to the RFQ, is within the project budget of \$75,000 as budgeted in the 2022 Capital Improvement Plan. They provide a couple optional additional services should the Governing Body or the steering committee wish to pursue them, and additional optional services may be requested as they are desired by us as the client.

Motion by Councilmember Wimer approve a services agreement with Gould Evans to perform a City Facilities Assessment and Feasibility Analysis in an amount not to exceed \$80,000, conditioned upon such agreement's approval by the City Attorney. Second by Councilmember Harris. Motion carried by a 5-0 voice vote.

#### **Announcements/Governing Body Comments**

Councilmember Wimer stated that the Consolidate Fire District #2 will be providing a hands only CPR training in the Community Room on June 1<sup>st</sup> at 6:30 pm.

Councilmember Hannaman noted that the Westwood View FUNnel Ball Event will be held on April 30<sup>th</sup>.

### **Executive Session**

#### **Preliminary Discussions Relating to the Acquisition of Real Property**

Motion by Councilmember Harris to recess into Executive Session for a preliminary discussion relating to the acquisition of real property. Second by Councilmember Buckman. The Governing Body recessed at 8:00 pm to reconvene at 8:50 pm.

The Governing Body reconvened at 8:50 pm. Motion by Councilmember Hannaman to recess into Executive Session to continue a preliminary discussion relating to the acquisition of real property. Second by Councilmember Harris. The Governing Body recessed at 8:50 pm to reconvene at 9:20 pm.

No action by the Governing Body was taken.

The Governing Body reconvened at 9:20 pm.

### **Adjournment**

Motion by Councilmember Harris to adjourn the meeting. Second by Councilmember Steele. Motion carried by a 5-0 voice vote. The meeting adjourned at 9:20 pm.

APPROVED:   
David E. Waters, Mayor

ATTEST:   
Leslie Herring, City Clerk