Minutes of a regular meeting of the City Council of the City of Leawood, Ks.

A regular meeting of the City Council was held at 7:00 P.M. on Monday, January 5, 1970, in the City Hall, 9615 Lee Blvd., with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Roach, Gray, Weary and Johnson.

Minutes of the meetings of December 15 and 29 will be considered for approval January 19.


Scholarship Fund: Mr. Charles Vile presented a check in the amount of $388.00 to the Leawood Scholarship Fund. The amount was contributed by those entering the Christmas Bowling Tournament at King Louie Ranch Mart Lanes and was presented on behalf of the Bowling Council. Mayor Dostal expressed appreciation to all concerned and immediately transmitted the check to the Rev. Guy Casey for the Scholarship Fund.

REPORTS:

TREASURER: Councilman Blattenberg reported additional encumbrances against the 1969 budget in the amount of $191.00 and the 1969 budget balance to be approximately $1,400+, considering the Social Security payment as a 1970 budget item. Councilman Johnson moved the report be approved; second, Councilman Weary; passed unanimously.

POLICE JUDGE: Judge Ullom reported fines in the amount of $1,747.00; 136 cases docketed. On motion of Councilman Weary, seconded by Councilman Smith, the report was unanimously approved. Councilman Johnson asked the Judge who could represent a client in the City's police court and disagreed with the Judge's answer of "any competent attorney". The City Attorney, at the request of Mr. Johnson, explained the rule applying to the handling of cases in district courts, but said the same did not apply to police courts. In his opinion, this was under the particular judge's jurisdiction in police court matters. Mr. Johnson said he would accept Mr. Bagby's opinion.

Fire Department: Chief Toman reported 23 calls handled during December; fire loss, month, $1,200; fire loss, 1969, $77,667.96. The Chief commended members of the volunteer force, whom he named, as well as their wives. He reported Ray Burchett and Brad Sumner had recently resigned from the force. Further, Mesdames Anselmi, Boschert, Donnelly, Ingam and Toman were being trained in advanced first aid so they will be able to ride in the rescue car during daytime hours when fewer of the volunteer force is available. The report was unanimously approved on motion of Councilman Roach, seconded by Councilman Gray.

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Mayor Dostal complimented Chief Toman on his department on behalf of himself, the Council, and citizens. At the request of the Mayor, Councilman Roach moved letters of appreciation be sent to retiring members Burchett and Sumner; second, Councilman Blattenberg; passed unanimously.

POLICE DEPT: Chief Kelly reported 93 arrests made during December, 194 houses checked periodically, and a record number of 432 calls handled. The report was approved on motion of Councilman Johnson, seconded by Councilman Gray. Mr. Kelly commended Chief Toman for support given the Police Dept. on disturbance calls.

STREET DEPT.: Mr. Myers' report of the department's activities for the month was approved on motion of Councilman Roach, seconded by Councilman Jordan. Mr. Myers was complimented by Councilmen Jordan and Johnson for the appearance of bridge rails recently constructed at 86th Terrace and Lee Blvd., and the team work of this department.

Mr. Bill Judd inquired about a statement made at a recent meeting of property owners, to the effect Leawood was the only taxing unit in the County which had exceeded the state statutory limitation for mill levies because of the resolution adopted relative to financing expansion of City Hall. After discussion, it was decided an article relating to the City's tax structure will be included in the next Newsletter.

COMMITTEE REPORTS:

BUDGET & FINANCE  )
BUILDING CODE  )
INTERGOVT. COOP.  ) No reports
ORDINANCE  )
PARK COMMISSION  )

#1035 PLAN COMMISSION: Councilman Weary reported the Commission had adopted the Master Land Use Plan as recommended by the Council. In addition, Kroh Bros. have indicated they are possibly interested in promoting development of a satellite hospital and additional office type buildings in the area adjacent to their Fox Hill Office Park, south of I 435. Since this would be a deviation from the Master Plan, they were seeking the feeling of the Commission. Although no formal action of any kind was taken, the consensus of the Commission was that such use of the land would be favored because of the resulting increase to the City's tax base.

Mr. Skaptason, Secretary of the Commission, reported J. C. Nichols had presented a preliminary plat for development of a 60 to 80 acre tract in the south part of the City; that Garland Development Co. is considering developing a strip of land from State Line to Mission, 119th Street to 1/4 mile south in the near future; and that Kroh Bros. had asked for the feeling of the Commission relative to possible development of a satellite hospital as discussed by Mr. Weary. In further discussion, Mr. Skaptason said the City had an excellent opportunity at this time, before any development takes place in that area, to create a new image consistent with the area's requirements. He offered the suggestion the Council might consider organizing a group to officially or semi-officially represent the City in well.
selling such an idea for development. Mayor Dostal said he had been impressed by the potential for the City's tax base and asked for Council feelings relative to creation of an economic development commission to assist in guiding the Plan Commission and the Council. After discussion, the Mayor said he would study this idea and perhaps recommend establishment of such a commission, and asked the Council members to feel free to submit any names. He felt the City must go ahead with some plan for that area.

PUBLIC SAFETY: Councilman Roach moved the recommendation of the Commission, with the exception of Mr. Wayne Bonebright who disqualified himself, to purchase three Plymouth Fury I patrol cars with 383 cubic inch engines, equipped per City specifications, from B & G Chrysler-Plymouth Inc. for $6,026.70, be accepted by the Council; seconded, Councilman Blattenberg; passed unanimously after discussion.

Councilman Johnson inquired about the hiring of additional police officers. He felt it would be wise to start taking applications at least, since proper coverage is needed for the south part of the City. Councilman Roach advised the Commission would meet this week to review an applicant.

SAN. SEW. & STORM DRAINAGE: No report.

WAGE & SALARY: No report

Kansas Representative William R. Fish appeared before the Council to answer questions or carry suggestions to the Legislature. He advised the sixty-day tax session would begin January 12. He said tremendous expressions of dissatisfaction were being received about real estate taxes. In his opinion, spending must be brought under control at all levels of government in order to obtain relief. Mr. Fish also discussed a different liquor law approach, taxes for industry and utilities. The possibility of redistributing gasoline tax funds and of the County's maintaining streets in the area was also discussed. Mayor Dostal thanked Mr. Fish for coming before the Council and for efforts expended on the City's behalf.

ORDINANCE NO. 361 (relating to K.C. Power & Light franchise): Since publication requirements had been met, and on recommendation of the Ordinance Committee, Councilman Jordan moved this ordinance, as previously discussed and voted on, be passed. Councilman Johnson said he felt the time period of the ordinance should be limited to a maximum of ten years. Mrs. Jordan explained the mechanical details involved in reconsidering this ordinance. Councilman Blattenberg explained this was not a matter of a great deal of income to the City. After further discussion, Councilman Jordan withdrew her motion to pass this enabling ordinance adopting the franchise as heretofore published in the Johnson County Herald December 10, 17, and 24, to allow further consideration. She will obtain additional information and report at the next meeting.

Permissions granted: To Johnson County Chapter, National Foundation (March of Dimes) to solicit funds in the City January 23 through January 27, subject to compliance with ordinance, on motion of Councilman Blattenberg, seconded by Councilman Jordan.
January 5, 1970

To Kansas Heart Association Inc. to solicit funds February 16 to 22nd, subject to compliance with ordinance, on motion of Councilman Smith, seconded by Councilman Roach.

Annual Audit: The Council authorized the 1969 audit by Troupe, Kehoe, Whiteaker & Kent, on motion of Councilman Blattenberg, seconded by Councilman Johnson.

APPROPRIATION ORDINANCES: Nos. 272A and 265S in the amounts of $19,424.04 and $138,858.11 (including $93,154.05, U. S. Treasury Bill purchase), providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved by unanimous voice vote, on motion of Councilman Weary.

The meeting adjourned to January 19, 1970, 7:00 P.M., on motion of Councilman Johnson, seconded by Councilman Blattenberg.

Stop
#1600

[Signature]
Mayor

[Signature]
City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 P.M. on Monday, January 19, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Roach, Gray, Bruns, Johnson and Jordan.

Minutes: Councilman Weary entered during discussion of the minutes of the meeting of December 15, 1969, which were unanimously approved as submitted on motion of Councilman Roach, seconded by Councilman Bruns.

On motion of Councilman Bruns, seconded by Councilman Roach, the minutes of the meeting of December 29, 1969 were unanimously approved as submitted.

The minutes of the meeting of January 5, 1970 were unanimously approved as submitted on motion of Councilman Roach, seconded by Councilman Gray.

Visitors: The presence of Mrs. Bessier and William S. Morris was acknowledged by the Mayor. Mr. Ralph Cowan entered later.

Proclamation: The Mayor reported he had signed a proclamation regarding the Community Blood Bank of the K. C. Area, Inc. Signatures of all mayors in the area were requested.

Special permission: On motion of Councilman Roach, seconded by Councilman Bruns, permission was granted Mrs. Raymond C. Roberson to keep a third dog on the premises at 9441 Manor Road.

Resolution No. 203, relating to the Kansas City Chiefs football team, was adopted on motion of Councilman Gray, seconded by Councilman Weary. A copy is attached hereto as part of the record. The original was forwarded to the Chiefs' business manager.

City election: Mayor Dostal discussed the 1970 calendar which had been distributed earlier. An effort is being made to have the monthly newsletter mailed earlier than normally scheduled in an effort to disseminate this information.

Trash and garbage pick up: Councilman Bruns expressed disapproval of a new requirement of one of the City's homes associations, whereby items to be disposed of must be placed outside garages and in front of residences. During the discussion which ensued the problems encountered by the associations were acknowledged; however, Mr. Bruns was of the opinion some action should be taken to correct the situation and that there should be uniform charges and methods of handling. Mayor Dostal appointed Councilmen Gray and Johnson Council representatives to meet with representatives of the homes associations. The City Clerk was asked to notify the proper individual of each group; the meeting to be held Thursday, January 22, 7:00 P.M. at the Fire Station for the purpose of discussing this subject. If the individual notified is unable to attend, he will be asked to delegate someone to appear as representative for his association.
#1790 Economic Development Committee: This committee was created, at the request of the Mayor, on motion of Councilman Johnson, seconded by Councilman Gray. The vote was unanimously in favor.

Councilman Blattenberg entered.

K. C. Power & Light franchise ordinance: Mr. Blattenberg reported he had been unable to contact Mr. John Kramer but would attempt to do so prior to the next meeting.

The City Attorney entered.

#1815 Tax structure: Councilman Blattenberg distributed copies of a report he had prepared from information contained in the January 1970 edition, "Kansas Government Journal". His report included the following facts:

City tax levies: Roeland Park Lowest Prairie Village Second lowest Leawood Third lowest of all cities in the State; second lowest of second class cities.

Leawood's mill levy was 7% of the total tax for all tangible taxes. With an assessed valuation of $24,982,000 and a population of 11,748, Leawood's valuation per person is $2,127, approximately.

Johnson County has the lowest county levy of the three largest counties in the State; the sixteenth lowest of one hundred five counties in the State.

Shawnee Mission School District had the fifth highest levy of three hundred twelve districts in the State.

Councilman Roach moved information from the report be summarized and put in the next newsletter; second, Councilman Weary; passed unanimously. Mr. Blattenberg was commended for this presentation.

#1920 Deed - right of way - entrance to 89th St. at State Line: The City Attorney asked the Council to approve acceptance of this deed from Kroh Bros. This is necessitated by the relocation of the street. Councilman Bruns moved it be accepted; second, Councilman Roach; passed unanimously. The deed will be recorded. Another right of way change will be presented after it has been checked by the City Engineer.

#1930 Mayor Dostal called a short recess after which the Council met in executive session. When the Council reconvened to regular session, Councilmen Blattenberg, Roach, Gray, Bruns, Johnson, Jordan and Weary were present.

#1940 Wage and Salary: On motion of Councilman Johnson, seconded by Councilman Roach, the following were approved:

Richard E. Blakey; employment, St. Dept., Laborer, $2.95 per hr. eff. 1/5/70
Robt. Edward Maddex, Jr.; Reserve Patrolman, $3.25 per hr., eff. 1/1/70
A1 R. Sellers and Wayne Sharp; promotion to Sgt., Police Dept., $550 per mo., eff. 2/1/70
Robert Shanahan; reinstatement as Patrolman 1st Cl., $590 per mo., eff. 1/15/70
January 19, 1970

Ardyce Yeager; Police Clerk-Police Matron, Commissioned, $450 per mo., eff. 1/1/70; changed to $425 per mo. because maximum increase for employees with less than 1 year of service is limited to $25.00 increments; increase to $450 per mo., eff. 2/1/70

The meeting adjourned on motion of Councilman Bruns, seconded by Councilman Blattenberg.

Mayor

City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 P.M. on Monday, February 2, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Roach, Weary, Bruns, Johnson and Jordan.

Minutes of the meeting of January 19, 1970 were unanimously approved as submitted on motion of Councilman Bruns, seconded by Councilman Johnson.

Visitors: Judy Goodman; Messrs. Campbell, Judd and Cowan, and Elaine Bessier entered later.

REPORTS:

TREASURER: Mr. Jack Weltsch reported as of January 31, 1970, revenue received totaled $116,888.03; expenditures as of Ordinance 273A, $61,889.20; total balance, all funds, $92,926.91. He reported $330.15 to be the unexpended balance, 1969 budget, as of this appropriation ordinance. Report unanimously approved on motion of Councilman Johnson, seconded by Councilman Jordan.

Legislation - 5% limit on budgets: Mayor Dostal informed the Council of the possibility of such legislation and urged members to contact representatives in opposition to the proposal, since it would reward those who have had high budgets in the past and would seriously limit those who have consistently held budgets low. Representative Fish will keep the City advised.

FIRE DEPARTMENT: Chief Toman reported 34 calls made during the month of January; fire loss, $5,300. Report approved on motion of Councilman Blattenberg, seconded by Councilman Jordan.

POLICE DEPARTMENT: Chief Kelly explained the Alpha System recently put into effect by the department; Sgt. Sharp and the Police Clerk, Mrs. Selsor, were sent to the City of Gladstone to learn the system. He reported 150 arrests, 134 calls handled, 317 HBO calls handled, and 144 house checks during the month of January. Report unanimously approved on motion of Councilman Johnson, seconded by Councilman Roach.

STREET DEPARTMENT: Commissioner Bruns' report of this department's activities for the month was approved on motion of Councilman Roach, seconded by Councilman Blattenberg.

POLICE JUDGE: Chief Kelly submitted Judge Ullom's report for January: $3,114 in fines; 196 cases docketed. Approved on motion of Councilman Bruns, seconded by Councilman Smith.

Councilman Johnson said he felt the Judge should be reminded he should be at the first Council meeting of each month; further, he was of the opinion use of the term "police court" should be discontinued and the City's
February 2, 1970

court referred to as municipal court. He moved that, effective immediately, only qualified attorneys licensed to practice in the State of Kansas be permitted to represent clients in Leawood's Municipal Court. There being no second, the motion died.

Mr. Johnson instructed the City Clerk to write the State Attorney General for a ruling on this. Discussion followed. The City Attorney commented, then said he would assist Mr. Johnson as much as he could in writing the letter, when Mr. Johnson asked for his guidance. Mr. Johnson is to tell Mr. Bagby what he wants in the letter. Councilman Weary said he felt the Council should not get involved in a matter of this kind; he felt such a decision should be made by the Judge. Councilman Bruns agreed. There was further discussion.

Mayor Dostal said he talks to many people in the course of his duties and is highly impressed with the excellent relationship all citizens seem to feel toward employees of the City's various departments.

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Roach moved Allied Exterminators be authorized to carry out the City's rodent control program for 1970, as proposed in their letter of January 21, to cover creeks, draw areas and storm sewer openings in all platted residential areas, including Leawood South, all areas north of I-435 and the Leawood Park, the work to be done during February, March and April, baitings to be repeated until no further evidence of infestation; second, Councilman Johnson; passed unanimously.

Radar purchase: Councilman Roach described the equipment, included in the 1970 budget. The cost will be $400 more than originally anticipated. On motion of Mr. Roach, seconded by Councilman Bruns, the purchase was approved.

Proposed computer system: Councilman Roach submitted more detailed information about the "Consolidated Report Information Effort". He reported the following to be the total cost to the City: Terminal 2740 Model II, $211.50 per month, leased from IBM; Paper, $55 per year; Ribbons, $13.50 per year; Paper rack, $50; Terminal transportation, $50; Receptacle installation, $10; cost of branch circuit not known. In the discussion, Councilman Blattenberg suggested it would be more economical to purchase the equipment than to lease it. Mr. Roach will obtain further details which will be submitted to the Council.

Tomahawk Reservoir: Mayor Dostal said conflicting statements had been made as to whether or not the overall Blue River Flood Basin plan would be feasible without this reservoir. He said Mr. Barber, Corps of Engineers, has said the plan would be feasible without Tomahawk. With it, a major flood which would occur once in every 135 years could be avoided; without it, a major flood which would occur once in every 85 years could be avoided. To stress the extreme importance of sedimentation and the proper use of soil above a reservoir, the Mayor said a Kansas project which had originally been 40 ft. deep, had a maximum depth of 6 ft. when tested for sedimentation 13 years later. Councilman Blattenberg said ground will
transmit sedimentation at the rate of 2 and 1/2 acre feet per sq. mi. per year from undeveloped land; these figures are increased to 5 to 6 feet from land under construction. Sediment is sterile; nothing can grow. The State has turned two lakes back to the counties in which they were located because nothing could be done with them as the result of sedimentation. He said engineers try to protect 75% of the land above a reservoir by conservation measures.

Mayor Dostal said Tomahawk would not be kept at a constant level; its fluctuation is planned. A mud flat will result. He urged the Council to keep these facts in mind when discussing the matter.

COMMITTEE REPORTS:

BUDGET & FINANCE: No report
BUILDING CODE: No report

Trash & Garbage pick up: Councilman Johnson reported that at the meeting January 22, held with representatives of the homes associations, all appeared to be satisfied with these services. He did not feel the City should enter into the matter at this time.

INTERGOVT. COOP. ETC: No report

ORDINANCE: Councilman Jordan reported the Committee was planning a meeting with Mr. Wendell Yockey, League of Kansas Municipalities in Topeka, by the middle of February relative to recommendations for proposed ordinances.

PARK COMMISSION: No report

PLAN COMMISSION: Councilman Weary reported the Commission had approved J. C. Nichols' Plat 1, Verona Gardens, subject to the City Engineer's approval of streets, sanitary sewers and storm drainage. He said the developer had objected to paving 119th Street to a width of 36 feet as requested by the City. Councilman Bruns moved the Council approve the plat subject to the City Engineer's approval of streets, sanitary and storm sewers, and to 119th Street being paved to a width of 36 ft. at expense of the developer, and contingent on the developer obtaining proper sewage facilities and connections; second, Councilman Johnson; passed unanimously.

SANITARY SEWER & STORM DRAINAGE: No report

WAGE & SALARY: Councilman Johnson moved the employment of Robert E. M addex, Jr., Reserve Patrolman, $3.25 per hour, effective January 1, 1970, be approved; second, Councilman Blattenberg; passed unanimously.

Mr. Ralph Cowan, a visitor, objected to the 7:00 P.M. time set for Council meetings. The reasons for establishing this hour were explained to Mr. Cowan in detail. He was assured there had been no effect on visitor attendance as a result of the time set.

Ordinance No. 361 - K. C. P. & L. franchise: Councilman Blattenberg reported he had been in contact with Mr. John Kramer about additional information relative to the period of time involved. Of 118 cities and counties served by the Company, the minimum period is 20 years; some are perpetual. In further discussion, Mr. Blattenberg said he could not
see a great deal of reasoning in trying to reduce the period to 10 years. Councilman Jordan said her investigation revealed that 20 years in public utilities was generally considered to be a feasible minimum because of capital investments required for extension of service to outlying areas. Since the City is faced with extreme expansion she felt it would be unwise to limit the period to 10 years. Mrs. Jordan moved Ordinance 361, providing for a franchise grant to the K. C. Power & Light Company for a period of 20 years, be passed as published according to requirements of Kansas law; vote: Nay, Councilman Johnson; Ay, all others; passed.

Permission granted: On motion of Councilman Johnson, seconded by Councilman Bruns, permission was unanimously granted the K. C. Association for Retarded Children Inc. to conduct a door to door sale of jars of honey in the City March 20, 21 and 22, 1970, subject to compliance with ordinance.

Appropriation Ordinances: Nos. 273A and 2666 in the amounts of $42,565.16 and $2,933.01, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously on motion of Councilman Blattenberg, seconded by Councilman Johnson.

Ordinance No. 367, relative to acceptance of deed: The City Attorney explained Kroh Bros. wished to deed a strip of land (140 ft. by 50 ft.) to the City; the location is at 83rd St. and Meadow Lane, where 2 separate plats met. Mr. Bagby advised the deed was in his possession, and presented the required ordinance. On motion of Councilman Bruns, the ordinance passed unanimously.

Ordinance No. 369: This ordinance relates to a strip of land located at 86th St. and Meadow Lane, where the same 2 plats met. Kroh's presented the deed to the City Attorney. The ordinance was presented, and passed unanimously on motion of Councilman Johnson.

Ordinance No. 369: Mr. Bagby explained the old right of way at the intersection of 89th St. at State Line was previously vacated by ordinance; acceptance of the deed to the tract for the new, or present, location of the street is necessary to complete the agreement made with Kroh's several years ago. He presented the required ordinance which was passed unanimously on motion of Councilman Bruns.

A motion to adjourn to February 16, 1970, 7:00 P.M. was made by Councilman Johnson, seconded by Councilman Bruns, and passed unanimously.

V. M. Dozal
Mayor

T. M. Anderson
City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 P.M. on Monday, February 16, 1970, in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Roach, Weary, Bruns, Johnson, and Jordan.

Minutes of the meeting of February 2, 1970, were unanimously approved as submitted on motion of Councilman Johnson, seconded by Councilman Bruns.

Visitors: Reporters Elaine Bessier and Paul Campbell, and Mr. Ralph Cowan.

Traffic control; intersection, 95th & Mission Road: Mr. Bruns explained the matter of left turn traffic at this location had arisen sometime ago, and that the Public Safety Committee had suggested Leawood cooperate with Overland Park in an effort to solve the problem.

He advised the Council of the proposal made by the engineering firm of Johnson, Brickell, Mulcahy and Associates, Inc. to provide the necessary traffic planning to develop intersection geometrics and recommend signalization to serve existing and future traffic demands. The maximum cost to Leawood would be $300; Prairie Village would pay a like amount; Overland Park, $600, or half the total cost. The "Proposal Acceptance" was presented to the Council. Discussion followed. Mr. Bruns then moved the Council accept the proposal; second, Councilman Weary; passed by vote of six to one, Councilman Johnson being opposed. There was further discussion.

Street Lighting: Councilman Johnson said all of the street lighting on Mission Road from 95th Street to 83rd Street is paid for by the City of Leawood. He felt that one half should be paid for by Prairie Village. He said he would like to have a letter directed to the Kansas City Power & Light Co. so this would be a matter of record. He felt a letter should also be written to Prairie Village. In the discussion which ensued, Mayor Dostal said he would not want to sign such a letter.

95th Street: Mr. Johnson moved that a letter be directed to Overland Park to find out what that city is going to do about repairing 95th Street east of Mission Road. Mr. Bruns said although Overland Park's portion of the street is in poor repair, he did not feel Leawood was in a position to demand anything from them or even to ask what they plan to do. He felt this would be more properly handled by a phone call. Councilman Jordan suggested the conflicting speed limit and installation of a traffic control light...
on the Overland Park side of the street should also be considered, since all things are interdependent. She suggested a spirit of cooperation should be generated in order that all the problems which exist in this general area might be solved. Mr. Johnson's motion died, there being no second. The Mayor recommended the Street Commissioner and Superintendent talk to their counterparts in Overland Park. Councilman Johnson requested comments about this at the next meeting.

#230
Resolution No. 204, relative to the National Awareness Week Program sponsored by the Shawnee Mission South Student Congress, was unanimously adopted on motion of Councilman Roach, seconded by Councilman Blattenberg. The resolution is attached hereto as part of the record.

#245
Human Relations: The proposed ordinance, approved by the State Attorney General and distributed previously, was discussed. Councilman Blattenberg was concerned with what he felt to be inconsistencies in the ordinance: In Article II, "treatment" was not defined; he objected to the exception to "discrimination", feeling it should be stricken. In Article III, he believed "disorder" should be defined so long as "discrimination" was defined.

Councilman Jordan said she would obtain information from the Attorney General's office and work up a history for presentation to the Council as soon as possible.

#285
Resolution - K. C. Chiefs: Mayor Dostal read a letter from the team's business manager, expressing appreciation for the resolution passed by the Council.

#295
Economic Development Advisory Committee: Mayor Dostal distributed copies of the roster of those appointed to this committee; copy attached as part of the record. He reported that without exception those asked to serve were in accord with the purpose of the group and will cooperate fully. He is hopeful an organizational meeting can be held soon, in conjunction with the City Council and the Plan Commission, after which the Committee will proceed as a separate unit. He expressed his appreciation of the spirit shown, and the feeling that development of the southern part of the City can be very dynamic. Notices of the first meeting will be mailed to all concerned.

#320
Opening of bids - Station Wagon - Fire Dept.: Councilman Roach informed the Council the department's 1963 panel truck would be used as a trade-in on this purchase, and opened the three bids received:

<table>
<thead>
<tr>
<th>Company</th>
<th>Without trade-in</th>
<th>With trade-in</th>
</tr>
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<tbody>
<tr>
<td>Ray Smith Ford</td>
<td>$3,625.18</td>
<td>$3,275.18</td>
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<tr>
<td>Schlozman Motor Co.</td>
<td>3,593.36</td>
<td>3,218.36</td>
</tr>
<tr>
<td>Mission Motor Sales</td>
<td>3,550.56</td>
<td>3,100.56</td>
</tr>
<tr>
<td>Name</td>
<td>Business Affiliation</td>
<td>Home Phone</td>
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<td>-------------------------</td>
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</tr>
<tr>
<td>Max Bagby</td>
<td>Attorney</td>
<td>642-3351</td>
</tr>
<tr>
<td>Lynn W. Bauer</td>
<td>President, Crown Center</td>
<td>523-5212</td>
</tr>
<tr>
<td>Robert C. Flattenberg</td>
<td>Vice President-Actuary</td>
<td>648-5256</td>
</tr>
<tr>
<td>Wayne Bonebright</td>
<td>President</td>
<td>642-6184</td>
</tr>
<tr>
<td>William S. Brownfield</td>
<td>President</td>
<td>649-1775</td>
</tr>
<tr>
<td>Joseph A. Cameron</td>
<td>Retired - President</td>
<td>648-5487</td>
</tr>
<tr>
<td>W. Jerome Dano</td>
<td>Vice President</td>
<td>362-8789</td>
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<tr>
<td>V. M. Dostal</td>
<td>Claims Attorney</td>
<td>649-8451</td>
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<tr>
<td>William R. Fish</td>
<td>Attorney</td>
<td>648-7772</td>
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<tr>
<td></td>
<td>Member of Kansas House of Representatives</td>
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</tbody>
</table>
February 16, 1970

After discussion, and on motion of Councilman Roach seconded by Councilman Johnson, the low bid of Mission Motor Sales was accepted. It was agreed after further discussion that Chief Toman could sell the trade-in vehicle outright since he had a buyer who would pay more than the trade-in allowance of Mission Motors.

Wage & Salary: On motion of Councilman Johnson seconded by Councilman Smith, the following was unanimously approved: Gerald S. Stipancich, Asst. Street Supt.; salary increase to $625 per month, effective March 1, 1970.

Saddle & Sirloin Club proposal to Fire and Police Depts.: Councilman Roach asked that the record show he was heartily in favor of accepting the proposal of this organization whereby uniformed members of these departments would have sold tickets and advertising for the club's horse show, although his was the minority vote in reaching the decision of non-participation.

He felt such participation would inure to the benefit of the departments involved. It was generally concluded a proposal of this kind should merit Council attention in the future.

Councilman Bruns discussed the use of federal funds by police departments for additional personnel, and other items. The City of Overland Park is taking advantage of these funds which, according to his understanding, are available to cities of a lesser class. Chief Kelly commented.

Committee organization: Councilman Johnson said he was of the strong opinion the councilman member of the Board of Public Safety Commissioners should chair the group. Mayor Dostal heartily agreed, saying he had already suggested this policy be mandatory in a new ordinance, unless there would be a conflict with state statutes.

He felt the councilman member of any committee served should chair the group, although this is not possible with Plan Commission organization since state statute requires the Commission elect its own chairman. Mayor Dostal said he had suggested to the Commission it would perhaps be more expedient if they would elect the councilman member as their chairman, although they chose to organize otherwise.

Councilman Roach moved the Council adjourn to March 2, 1970, 7:00 P.M.; second, Councilman Bruns; passed.

Mayor

City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 P.M. on Monday, March 2, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Roach, Weary and Johnson.

Councilman Jordan entered during discussion of the minutes.

Councilman Johnson requested a change in line 6, paragraph 1, page 1004, minutes of the Council meeting of February 16, 1970: the word "opposites" changed to "counterparts". He then moved the minutes be approved; second, Councilman Roach; passed unanimously.

Visitors: Ralph Cowan, Dick Underwood, Bill Judd, Paul Campbell, Vernon Voorhees and Elaine Bessier.

REPORTS:

TREASURER: Mr. Jack Weitsch reported as of February 28, 1970, revenue received totaled $128,840.28; expenditures as of Ordinance No. 274A, $121,989.01; total balance, all funds, $54,590.81. He reported the present unexpended balance of the 1969 budget to be $34,60. He will contact the County to ascertain whether tax protests filed will affect City finances adversely. Mayor Dostal said all departments should be solicitous about spending money, since the budget will no doubt be very tight. He briefly discussed the proposed legislation which would set a limit on budget increases.

POLICE JUDGE: Mr. Ullom reported fines in the amount of $3,146.00; 231 cases docketed, during February. Mr. Johnson questioned the Judge about no-shows, then moved the report be approved; second, Councilman Weary; passed unanimously.

FIRE DEPARTMENT: Chief Toman reported 25 calls made during February; fire loss, $200; fire loss, year to date, $5,500. Approved on motion of Councilman Roach, seconded by Councilman Blattenberg.

POLICE DEPARTMENT: Chief Kelly reported 157 arrests, 351 calls handled and 121 houses checked periodically, during February. Report approved on motion of Councilman Roach, seconded by Councilman Smith. Councilman Johnson asked about the procedure followed in handling breathalyzer tests.

STREET DEPARTMENT: Paul Myers report of activities for the month was approved on motion of Councilman Smith, seconded by Councilman Blattenberg. Lining of 103rd Street between State Line and Lee Boulevard was discussed. Councilman Johnson agreed to contact the homes association about replacing dead Pin Oak trees on State Line, after discussion.
Committee Reports:

Budget & Finance: No reports
Building Code: No reports
Intergov't. Coop. Etc.: No reports

Ordinance: Councilman Jordan reported this committee would resume periodic meetings the following week. Further, some ordinances relative to public offenses now being prepared would have to be revised, since it appears new state legislation relative to criminal procedure will be enacted. A heavier load will be imposed on municipal courts as a result.

The Committee has forwarded the 1970 BOCA code to the Building Code Committee for study and recommendation relative to adoption.

The Committee is presently working with the Plan Commission on an ordinance relative to a Planned Industrial District, and on an ordinance containing additional definitions.

The ordinance relating to human relations will be on the next agenda.

Park Commission: Councilman Weary reported approximately $1,000 of this budget would be expended for seeding and fertilizing the Leawood Park.

Plan Commission: No report

Public Safety: No report. Councilman Roach said a wage and salary matter would be discussed later, in executive session. Mayor Dostal explained the purpose of these sessions to the visitors present.

Sanitary Sewer & Storm Drainage: No report. Mayor Dostal informed the Council plans for the development proposed by the J. C. Nichols Company were being reviewed.

Wage & Salary: Councilman Johnson requested an executive session at the proper time.

95th Street: Councilman Bruns' scheduled report relative to repairs will be heard at the next meeting.

Opening of bids for lawn maintenance:

<table>
<thead>
<tr>
<th>Company</th>
<th>City Hall</th>
<th>Brook Beatty Memorial Park</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suburban Lawn &amp; Garden Inc.</td>
<td>$125.00</td>
<td>$85.00</td>
</tr>
<tr>
<td>Early spring work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular maintenance</td>
<td>115.00 mo.</td>
<td>65.00 per mo.</td>
</tr>
<tr>
<td>Fall work</td>
<td>125.00</td>
<td>85.00</td>
</tr>
<tr>
<td>Spraying for insect control, ea. time</td>
<td>37.50</td>
<td>27.50</td>
</tr>
<tr>
<td>Hook Maintenance Co.</td>
<td>60.00</td>
<td>35.00</td>
</tr>
<tr>
<td>Early spring work; City to furnish seed and fertilizer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular maintenance, 4/1 to 11/1</td>
<td>65.00 mo.</td>
<td>45.00 mo.</td>
</tr>
<tr>
<td>Fall work</td>
<td>Approx. same as in past</td>
<td></td>
</tr>
<tr>
<td>Spraying; weed &amp; insect control</td>
<td>$6.50 per hr. plus cost of matl.</td>
<td></td>
</tr>
</tbody>
</table>
March 2, 1970

After consideration of the bids, Councilman Johnson moved the Hook Maintenance Company bid be accepted; second, Councilman Blattenberg; passed unanimously. "The Park Comm. chairman and the City Clerk are to cooperate in supervising performance of the contract."

Proclamation: Mayor Dostal read the proclamation designating March 17, 1970 as Shawnee Mission Scholastic Journalism Day, and presented it to student representative Bob Shinn. Councilman Roach heartily endorsed the Mayor's action.

Budget: The Mayor said that although he would like to commence preparation of the 1971 budget at this time, he would wait for the result of the proposed legislation relative to tax limits.

Appropriation Ordinances: Nos. 274A and 267S in the amounts of $144,684.78 (including $84,584.97, U. S. Treasury Bills) and $44,902.08, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously on motion of Councilman Blattenberg.

The Council met in executive session for the purpose of discussing wage and salary matters, following a brief recess called by the Mayor.

The Council reconvened to regular session. Councilmen Blattenberg, Smith, Roach, Weary, Johnson and Jordan were present. Councilman Johnson moved the following be approved:

Harry E. Shaughnessy, Patrolman; discharge, effective 2/21/70
Robert A. Shanahan, Patrolman; resignation, effective 2/18/70; accepted on that date
Merle V. Ganaden; transfer from Reserve Patrolman status to full time Patrolman, effective 3/1/70; $615 per month
Richard Lee Cunningham; status change from Probationary Patrolman to Patrolman, effective 4/1/70; $525 per month
Jerry R. Goodwin; status change from Probationary Firefighter to Firefighter 1st Class, effective 3/1/70; $520 per month.

Motion seconded by Councilman Blattenberg and passed unanimously, there being no one opposed to any of the above, either individually or collectively.

The meeting was adjourned to March 16, 1970, 7:00 P.M. on motion of Councilman Johnson, seconded by Councilman Blattenberg.

Mayor

City Clerk
WHEREAS, it becomes ever more important, as the world's affairs assume increased complexity, that the Leawood news media be prepared to fulfill journalism's traditional obligation of keeping it's citizenry fully and accurately informed; and

WHEREAS, it is vital to the people's welfare that those who enter the profession of journalism do so imbued with the journalist's credo of the public journal as a public trust, accepting a full measure of responsibility as trustees for the public; and

WHEREAS, the metropolitan Shawnee Mission schools play an increasingly important role in the selection and preparation of young men and women who take up the study of journalism in institutions of higher education; and

WHEREAS, scholastic journalism also continues to serve as an immediate training ground for youth in the exercise of the highest type of responsible citizenship through the opportunities afforded for the inculcation of American ideals of democracy and international good will on them:

NOW, THEREFORE, I, V. M. Dostal, Mayor of the City of Leawood, do hereby designate March 17, 1970 as

SHAWNEE MISSION SCHOLASTIC JOURNALISM DAY

to acquaint the Leawood public with the purposes, achievements, and goals of scholastic journalism and I call upon all appropriate agencies and officials of the City government to cooperate in preparing and carrying out programs for the appropriate observance of this week.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of Leawood this second day of March, A.D., 1970.

V. M. Dostal
MAYOR

ATTEST:

City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 P.M. on Monday, March 16, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Roach, Weary, Bruns, Johnson and Jordan.

Minutes: Councilman Jordan requested these additions to the minutes of the meeting of March 2, 1970: Page 1006, last paragraph, insert after third line "and will be tabled until the State action relative to the intersection at 103rd & State Line is final." Page 1008, first paragraph, insert at third line "The Park Commission chairman and the City Clerk are to cooperate in supervising performance of the contract." Councilman Johnson moved to approve the minutes as submitted, with the above additions; second, Councilman Bruns; passed unanimously.

Visitors: Mr. and Mrs. John F. McDonnell, Mr. and Mrs. Dan Martin, Elaine Bessier, Paul Campbell, Ralph Cowan, W. R. Judd, Ben Rockey, V. H. Pollock, Dick Underwood, Dave Whyte.

Public Safety - Flashing signal on 95th Street, Bagby School zone: Mr. and Mrs. McDonnell, 3224 West 95th Street, each addressed the Council, protesting the positioning of this equipment in front of their residence and requesting Council reconsideration of the matter.

During the long discussion, the McDonnells were assured this action had been well thought out, was not taken hastily or rashly, and had been approved by experts in this field. Technical reasons for placing the signal in the particular location were explained in great detail. Pressure exerted on the City by the Bagby School PTA was noted.

Councilman Roach said the Public Safety Commission recommended, and he so moved, that this signal be relocated 25 feet to the east; second, Councilman Bruns. The vote: Councilman Johnson abstained; all others voted "Ay"; motion carried. Mayor Dostal thanked the McDonnells for appearing before the Council.

95th Street - Repairs - Overland Park portion: Councilman Bruns reported he had been in contact with Mr. Jack Saunders of Overland Park, who had advised that City wanted to spend as little as possible on repairs. Mr. Bruns asked him to have the holes filled and requested reduction of the speed limit in the Bagby School zone. Mr. Bruns was later advised the repairs would be made immediately, and that Overland Park wanted Leawood to raise its speed limit to 25 mph in the school zone. Mr. Saunders advised Mr. Bruns still later that he was going to check the area to be certain the holes had been filled.

Since the repairs were not made, Mr. Bruns said he felt the situation indicated either a tremendous lack of cooperation or that Overland Park was purposely doing this. Mayor Dostal said Leawood would con-
March 16, 1970

continue to cooperate; if the officials of Overland Park do not, their citizens may choose to elect some who will.

Councilman Johnson moved his original suggestion that Mayor Dostal write a letter relating what has occurred to Mayor Enoch be followed; second, Councilman Roach; the vote: Councilman Bruns abstained; all others, "Ay"; motion carried.

Ordinance No. 371: Councilman Jordan presented the ordinance, relating to revision of parking regulations - specifically, angle parking at the Leawood Shops. She explained the sketch submitted, the measurements having been verified by the Police Department. This had been discussed with the Public Safety Committee. She moved the ordinance be passed, which it was, by vote of unanimous "Ays".

Request for permission to solicit funds: It was moved, seconded, and passed unanimously that the Kansas City Chapter of CARIH be granted permission to conduct its solicitation campaign May 1 through May 7.

Newsletter: Mayor Dostal asked the Council to consider the possibility of sending the Leawood Letter only every other month. He felt the $300 cost per issue saved might very well be helpful in solving possible budget problems later in the year. He did not ask for a decision. Councilman Roach said he felt it important to keep citizens advised of the City government's activities and believed it would be wrong to eliminate something which has had such a fine beginning.

Ordinance No. 373: Human Relations Commission: Councilman Jordan's report relating to the definitions and inconsistencies of this ordinance, previously discussed, included background information obtained from the secretary of the committee which drafted it. In her opinion, the ordinance follows the intent and wording of state statutes and would be interpreted by whatever definitions are laid down by case law in state decisions. Further, the Human Relations Commission would be an advisory board only.

Councilman Blattenberg said he still felt the ordinance, as written, to be inadequate and contradictory, but agreed after discussion that it could perhaps be modified from within the Commission.

On motion of Councilman Johnson, seconded by Councilman Roach, the Council voted unanimously to join this Commission with other area cities. Councilman Jordan moved to adopt Ordinance No. 373 providing for the membership of the City in the Johnson County Human Relations Commission; passed unanimously. Mayor Dostal said he would appoint the Leawood representatives to this Commission after publication and approval of Attorney General. A copy will be forwarded to the Council of Mayors.

Ordinance No. 370: Councilman Jordan presented this ordinance, explaining the technicalities involved to update all ordinances relating to the Kansas City Power & Light Company. The ordinance passed unanimously on her motion.
March 16, 1970

#1590 Ordinance No. 372: Mrs. Jordan suggested tabling the ordinance until the April 6th Council meeting, since there had not been sufficient time to meet with the Public Safety Committee and get a recommendation to the Ordinance Committee.

Ordinance Codification: Councilman Jordan said her Committee had set a target date of June 1, 1970.

She recommended that henceforth all ordinances proposed be submitted to the Council in final draft form one meeting prior to the meeting at which a motion for adoption is to be made. Discussion of the ordinances will be held at the meeting at which the draft is submitted; action will be taken at the following meeting, unless an emergency situation arises.

#1635 Verona Gardens - Sanitary Sewers: Mr. Dave White, member of the Sanitary Sewer Committee, explained the function of this Committee at the time new developments are proposed. He reported that members of the Committee and the City Attorney had met with Mr. Glen Hopkins, Pollution Control Dept., Kansas City, Missouri, several weeks ago to review this matter, since the proposed development will need sewer connections and there is a limitation on the number of connections which Leawood can make to the Kansas City system.

Mr. Whyte said the concerns of the Committee were tying into the Kansas City system, the area being developed as a total drainage area and not just of the particular plot of land involved, and that the lines be sized in such a manner that future connections could be made without having to replace the lines with those of a larger size. As a result of the meeting with Mr. Hopkins, he will recommend to this council that the number of connections now permitted Leawood be increased by an amount sufficient to serve the entire drainage area now under consideration.

In the Nichols development there are approximately 48 acres; immediately north, in the Hall property, approximately 13 acres; in the total drainage area, an additional 55 acres, all totaling approximately 116 acres. Mr. Phil Kline, Shafer, Kline & Warren, the City's consulting engineers, has confirmed that this is in fact the total drainage area, and that approximately 291 lots could be developed under present residential zoning. In discussions with Mr. Hopkins, it was suggested the total number of connections authorized in the increase be sufficient for maximum development - 350 - so that the total of 291 is comfortably under the maximum.

That part of the new line to be installed which would serve the Nichols portion of the drainage area, would connect to the east to Kansas City and would be a separate connection, the main to be developed on to the east through some portion of Kansas City, Missouri, would make the actual tie-in with the existing Kansas City system. It is significant that this would not be on either the present Dykes or Indian Creek Branch of the present Leawood Sewer
System. It would become a part of the overall Leawood System to administer and to maintain, since Kansas City insists that it deal with the City of Leawood and not with an individual developer.

Mr. Whyte said it was his understanding Nichols' is willing to size this new line to accommodate the future maximum total of connections in this entire drainage area. Since the fee for future connections payable to Kansas City, Missouri would be $250 each, the Committee proposes that Nichols' be charged $300 per connection, leaving the City of Leawood the difference for administration and inspections. Leawood would, of course, be responsible for ascertaining that the connections made were consistent with and met all of our requirements, but would not be responsible for sharing financially in any expense of Kansas City treatment expansion. The $800 presently charged for connections to the Dykes and Indian Creek Branches of the Leawood Sewer System was explained.

In summary, Mr. Whyte said the Committee recommended that the City of Leawood initiate action with the City of Kansas City, Missouri leading to an amendment or supplement to its present agreement, covering the proposed development by increasing the number of connections by 350, and that the connection charge per unit payable to Kansas City would be limited to $250, and that subject to their agreement, this would relieve Leawood from any future financial responsibility from any contract leading to expansion of their treatment facilities as far as connections onto this proposed portion of the Leawood Sewer System, which is a separate system.

In answer to a question, Mr. Whyte said the normal life of a line of this type in that particular area could well be fifty years, assuming care in construction. Councilman Johnson said he would insist this new line be the responsibility of the City of Leawood. Mr. Whyte said it was proposed that it be. He explained there would be no financial liability on the part of Leawood for the pro rata portion of expansion of Kansas City's treatment facilities, but that Leawood would be responsible for the line, once it is completed, the same as for other parts of the Leawood Sewer System, since it would be a part of the Leawood Sewer System. Mr. Whyte said the annual assessment would be the same for all parts of the Leawood Sewer System, since the cost to Leawood from Kansas City would be the same per connection.

Mr. Whyte said the important factor is that this proposed new line be sized to the City's satisfaction to accommodate the flow which would be expected in the maximum development of the entire drainage area under discussion. Mr. Pollock, J. C. Nichols' representative, said the size proposed was 10" and has been designed to meet the criteria set forth by the Pollution Control Department of Kansas City, Missouri. Nichols' plans for 1800 feet of line to built on the Missouri side of State Line are presently being checked out by Kansas City. Plans and specifications for the line proposed to be built in Leawood are nearing completion and will be submitted to Leawood's sewer committee for consideration.
March 16, 1970

Pollock felt the proposed line in Leawood would not be of sufficient capacity to handle requirements of any intensive apartment development, but that the 350 connections mentioned would suffice for the residential zoning presently in this area or as proposed in the City's master plan.

In answer to questions, Mr. Whyte said his concern was to be certain the proposed line is sized to serve all ultimate development of a proposed drainage area - he feels they have covered the entire drainage area not only for Nichols but for any other development in that region. To further clarify, he said there are other undeveloped areas in the vicinity, but they are not in the same drainage area - they would not be tied into the same line even in their potential development. It was explained the Nichols development would use only 123 connections of the 350 discussed.

Councilman Jordan expressed the opinion a 10" line would not have a capacity of 350 connections. Mr. Whyte said he did not mean to propose what size the line be - rather, that the drawings be subject to the City's approval. Further, we are talking about 3,3 or 3,4 connections per acre, which is rather heavy according to Leawood standards; however, if this line is sized to suit that, he felt it would be comfortable throughout the entire development. He had not expected we would be permitting any high rise developments. Mr. Johnson interjected he felt a high rise would take all or a good portion of available connections. Mayor Drostal explained that Johnson County will eventually create a sewer district in this undeveloped part of the City and that by routing sewage from this specific area being discussed to Kansas City, development of the overall area could begin. Mr. Whyte assured Mr. Johnson Leawood's responsibility stopped at State Line; the Nichols' connections to the proposed line on the Missouri side has no association whatsoever with the City of Leawood.

Mr. Pollock showed the location of a 10" line on the Missouri side which extends to the east approximately 1800 feet and explained the flow through the line. It was explained why there was no relation between connection limitation on Dykes Branch and the proposed line. The route of sewage from the proposed line to the Blue River was explained, in an effort to emphasize the fact this new line had absolutely no connection with the Dykes or Indian Creek branches of the Leawood Sewer System.

Councilman Bruns moved Leawood submit a letter to the Director of Pollution Control, Kansas City, Missouri, confirming informal discussions, and requesting a supplemental agreement to the contract covering the extension of sewer service to this new drainage area being developed in Leawood; second, Councilman Roach. Councilman Johnson objected to presentation of the motion at this time. There was discussion, after which Mr. Bruns was requested to restate his motion. Councilman Jordan then objected to being asked to take action on the matter, and asked that it be tabled until the next meeting so that further consideration could be given all phases involved. Councilman Worthy commented, reiterating the belief the proposed line had no relation whatsoever to the Dykes and Indian Creek branches of the System. Mrs. Jordan said for an area of 115 acres at a density of 3,4 houses per acre, the total connections required would be 391, not 291.
The Mayor said failure to put this matter on the agenda was a technical one for which he apologized. He said he hoped the Council realized this has involved a great deal of time on the part of knowledgeable individuals, but in view of some feelings expressed, asked that the motion and second before the Council be withdrawn. Mr. Pollock said the delay would be somewhat disappointing, and hoped the matter could be brought to a conclusion at the next meeting. Mr. Weary suggested a draft as recommended could be worked on unofficially during the interim, so that no time would be lost.

Mrs. Jordan said her objection was based strictly on the matter of internal procedure. Mr. Whyte suggested she talk to Mr. Hopkins. Mr. Weary urged something be done to speed up action of Kansas City which would allow Leawood to build the Dykes Branch Relief Line. Mrs. Jordan said she welcomed the opportunity given her for an opening wedge on the Dykes Branch. Mayor Dostal said he had the highest regard for the opinion and recommendation of Mr. Whyte, as did Mr. Bruns, who then regretfully withdrew his motion. Councilman Roach withdrew his second.

Mrs. Jordan moved this matter be given further study and discussed at the next Council meeting; second, Councilman Johnson; passed unanimously.

Mr. Whyte said he had felt it important to an orderly process to facilitate the City's administration to prepare a memo setting forth the salient points of this proposed line. He had directed this memo to the chairman of the Sanitary Sewer Committee. He had concluded some discussion would follow, and that the next action would appear to be that the Council should consider a motion. This was done to try to assist the Council in developing this proposal, which would be for the supplemental agreement, requiring approval of the councils of both Kansas City and Leawood. He suggested the City Clerk make copies of his report for distribution to the Council.

Budget & Finance: Councilman Blattenberg reported the City Treasurer had been in contact with County officials, who had advised tax protests filed will not be resolved until mid or late summer. The number of protests registered is relatively minimal - approximately 85 for the entire County; whatever effect they may have on City finances will not be a major consideration.

Public Safety - School Crossing Guard Program: Councilman Roach reported a letter had been received from the Brookwood School, naming seventeen eligible students who have expressed a desire to participate in this program. Chief Kelly will contact the parents this week. The training program will get under way by the end of the week.

Wage & Salary: Councilman Johnson said he was very happy to report two additions to Police Department personnel, which he believed brought the force up to the requirements planned for 1970, and moved the following be approved:

- Employment of Gale Kenneth Welch, Patrolman; $500 per mo.; eff. 3/10/70
- Employment of Veldon DeRoss Prince, Patrolman; $500 per mo.; eff. 3/10/70

Second, Councilman Blattenberg; passed unanimously.
March 16, 1970

Councilman Roach moved the Council adjourn to executive session; second, Councilman Johnson; passed. An executive session was held.

The Council reconvened to regular session. Councilman Blattenberg, Roach, Weary, Bruns, Johnson and Jordan were present.

Public Safety - School Crossing Guard Program: Councilman Roach moved the safety patrol program undertaken by the City of Leawood and accepted by the Brookwood School, be offered to the Cure of Ars School; second, Councilman Bruns; passed unanimously.

After discussion, it was the consensus of the Council the Public Safety Committee should instruct the Police Chief that, so far as police assistance at the Bagby School crossing is concerned, priority must be given to the over-all welfare of the City, and that when one patrol car is out of service, the other car must be in a position to receive orders dispatched. Mayor Dostal asked that a record be made that a patrol car was withdrawn from the crossing because an emergency had arisen, should this ever occur.

On motion of Councilman Johnson, seconded by Councilman Blattenberg, the meeting adjourned to April 6, 1970, 7:00 P. M.

End of Side 1, Tape 4

Mayor

City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 P.M. on Monday, April 6, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Roach, Johnson and Jordan.

On motion of Councilman Johnson, seconded by Councilman Blattenberg, the minutes of the meeting of March 16, 1970 were unanimously approved as submitted.

Visitors: Don Ballard, Tom Jay, Bill Judd, Elaine Bessier, Dave Whyte, Phil Kline, Wayne Harrison, Virgil Pollock, Wilbur Van Blaricum, Joseph Barker, John Ruddy, Roy Lutes, Mrs. F. Wade, Dr. and Mrs. Bartlett, Inez Holte and Louisa Johnston.

Raymer Hodson was introduced to the Council as the considered appointee for the position of City Treasurer, since Mr. Jack Weltsch has indicated he must resign.

Proclamations: The Mayor signed this document, proclaiming the week of April 19, 1970 Welcome Wagon Week, and presented it to Mrs. Wade, area representative.

Daniel Weary entered during the above.

A proclamation designating April as Cancer Crusade Month was read by the Mayor, and will be properly forwarded.

REPORTS:

FIRE DEPARTMENT: Chief Toman reported 36 calls made during the month of March, fire loss for the month, $100; fire loss, year to date, $5,600. Report approved on motion of Councilman Roach, seconded by Councilman Blattenberg.

TREASURER: Councilman Blattenberg reported as of March 31, 1970, revenue received totaling $134,719.49; expenditures as of Ordinance No. 275A, $158,733.25; total balance, all funds, $31,525.58. He said the budget appeared to be in good shape at this point.

Councilman Johnson commented. The report was approved on motion of Councilman Smith, seconded by Councilman Weary.

POLICE JUDGE: Mr. Ullom reported fines in the amount of $2,313 for the month; 221 cases docketed. The report was unanimously approved on motion of Councilman Johnson, seconded by Councilman Roach.

POLICE DEPARTMENT: Chief Kelly reported 171 arrests, 357 calls handled, and 231 homes checked periodically during the month of March. He advised of the status of special training being received by certain personnel in the Department. Report approved on motion of Councilman Roach, seconded by Councilman Weary.
April 6, 1970

STREET DEPARTMENT: Mr. Myers' report of Departmental activities during the month was approved on motion of Councilman Weary, seconded by Councilman Smith.

After discussion, it was decided a centerline would be placed on 86th Street at Ensley Place, since the curve at this location presents a traffic hazard.

There was discussion of a means of securing street marker and traffic signs more substantially in order to prevent removal by anyone other than City personnel. Councilman Jordan asked whether they could be welded. Mr. Myers said he was at a loss as to a solution.

Bill No. S 3013: Miss Louisa Johnston discussed this Bill which would establish a program for the preservation of additional historic properties throughout the nation, if passed. She said it would be helpful for citizens to write congressmen and senators.

COMMITTEE REPORTS

BUILDING CODE: No report.

BUDGET & FINANCE: Councilman Blattenberg reported Representative Bill Fish had consented to attend the April 20 Council meeting to present information about the recently enacted tax lid bill.

INTERGOVERNMENTAL COOPERATION & COMMUNITY AFFAIRS: No report.

ORDINANCE:

Ord. No. 372 - First reading: Copies of this proposed ordinance had been distributed to the Council previously. It was explained in detail by Councilman Jordan who said it would be introduced for passage at the meeting of April 20. She requested the recommendation of the councilmanic representative to the Board of Public Safety, who commented, then moved this ordinance be presented for passage at this meeting. There being no second, the motion died. Councilman Johnson and Roach commented further. Mayor Bostal asked that the Council consider the ordinance and the comments made between now and the next meeting.

Resolution relative to uniform traffic control signs other than lights - first reading: Copies were distributed previously. Mrs. Jordan submitted background information and explained the purpose of the resolution and the proposed maps prepared by Sgt. Ozorkiewicz in conjunction with the resolution. Final maps will be presented at the next meeting. There will be three official copies: one in the City Clerk's office, one in the Police Department, one in the Street Department. This resolution provides that all future resolutions for the erection of any traffic control signs will be incorporated in this map, together with the date of the adoption, so that this map will become the master plan for the City under the Uniform Traffic Ordinance of 1968 which was adopted under Ord. No. 362. The manner in which this will be done was explained by Mrs. Jordan.
April 6, 1970

Councilman Roach asked whether the traffic sign which has been removed so many times was an "enforceable" one, approved by the Council. Mrs. Jordan answered in the affirmative. Mr. Roach said he felt it incumbent the Council enforce it and if it is removed again, the City should find out who is removing it. Mrs. Jordan explained enforcement in such a situation is covered by the Standard Traffic Ordinance and requires no further action by the Council. The Mayor asked the Council to further consider the Resolution proposed; action will be taken at the next meeting.

PARK COMMISSION: No report.

PLAN COMMISSION: No report.

PUBLIC SAFETY: No report. Ross Roach will ask for an executive session later.

SANITARY SEWERS & STORM DRAINAGE: No report.

Leawood Sewer System: Mayor Dostal reported he had discussed certain matters with this committee. Kroh Bros. wish to cease furnishing manpower for sewer maintenance and inspections. Mr. Dave Whyte suggested the City think about hiring a supervisor and two competent men to be in a Sewer Dept. — completely separated from any other department. They would acquaint themselves with connections and maintenance problems and would be available to citizens to handle problems as they arise. The Mayor asked the Council to consider this for discussion at the next meeting.

WAGE & SALARY: Matter to be discussed in executive session.

Verona Gardens Subdivision - Sanitary Sewers: After brief comments by Dave Whyte, Councilman Jordan expressed her appreciation for the opportunity afforded her to investigate this matter. She said she was satisfied that the application for the 350 sewer connections, previously discussed, should be approved.

In answer to comments from Councilman Johnson, Mr. Whyte gave a detailed explanation, the essence being there will be no flow of sewage from Missouri into Leawood and back into Missouri.

Mr. Pollock assured those present there were no other connections to be hooked to these proposed lines, which will drain sewage through the City of Leawood. He explained the drainage area under discussion. He said there are sewers such as Mr. Johnson asked about, however, this is not one of them. 

Mr. Whyte explained this proposed main would require a supplemental agreement to our present agreement with Kansas City. The other issue is design considerations. He reviewed the present limitations under the present agreements and the process which will follow if this matter is approved. It was later agreed that Shafer, Kline & Warren, consulting engineers, will be requested to consider these plans and give their approval, in addition to that of the City Engineer.
There was further discussion of the amount to be established as a connection fee, i.e., $300 as opposed to the present fee of $800, and further explanation by Mr. Whyte of the reasons for the proposed difference.

Mrs. Jordan expressed the feeling Leawood should consider building some kind of reserve fund, toward development of the southern part of Leawood. After more discussion, Councilman Weary moved Leawood submit a letter to the Director of Pollution Control, Kansas City, Missouri, confirming informal discussions, and requesting a supplemental agreement to the contract covering the extension of sewer service to this new drainage area being developed in Leawood, so as to add this third branch at 119th and State Line to serve a district of about 113 acres, and charging $300 per connection, with the understanding this third area would not be subject to the pro rata charge for the increase, if any, in the Missouri facilities.

Second, Councilman Roach.

There was further discussion about the amount to be established for a sewer connection. Councilman Weary said he did not see why Nichols should be penalized by connection fee in order to help future developers of this area and felt Council action should be taken at this time. Councilman Blattenberg said it is relatively common to have varying charges based on the facts involved - there is nothing illogical to establishing a fee of $300. Mayor Dostal later said he believed this had all been explained thoroughly and asked the Council to act favorably on the motion presented. The City Attorney said he believed there was some misunderstanding. There are many disproportionate areas when comparing the two fees and different areas. The vote: Nay, Councilmen Jordan and Johnson; Ay, all others. Motion carried.

Mayor Dostal thanked all concerned for a fine discussion of a very important matter. He asked Max Bagby to proceed. Councilman Jordan moved the firm of Shafer, Kline & Warren be retained to approve these plans. Second, Mr. Blattenberg. Passed unanimously. Mr. Pollock said his Company appreciated the efforts of everyone concerned and would like to start as quickly as possible.

Block B - Leawood Estates - SE corner, 103rd & Lee (developer, Tom Jay): The plat, previously approved by the Plan Commission, was submitted to the Council and explained by Mr. Jay. Minimum lots will be 135' by 100'. The required additional sanitary sewer connections have been purchased. After discussion, Councilman Weary moved the plat be approved; seconded, Councilman Roach. Vote: Councilman Jordan explained she would abstain from voting because she is presently involved in litigation on behalf of Mr. Jay. All others, Ay. Passed.

Ward Parkway Corridor development: Mr. Wayne Harrison presented and explained the preliminary plan which had been presented to the Plan Commission by Mr. Don Woodard of the Kansas City, Missouri staff. Mr. Harrison said Leawood's primary concern is the best use of the land from 81st to 85th Streets.
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No commercial development is envisaged for the area with the single exception of one area which was approved some time ago. No building will be in excess of seven stories; most will be below that. There may be townhouses, garden apartments and medium rise apartment buildings.

A portion of the plan has been designated for public use. This encompasses the Majors' property. The residential area planned in this vicinity does not preclude the assembling of additional property by proponents of the Majors project, in order to enlarge the historic site. Miss Johnston said the Majors property would be put on the market if additional land could not be obtained to enlarge the proposed historic site.

Development of the area south of 83rd Street is planned as a unit for office building use. The parking area for this unit will be approximately fourteen feet below street level, and will essentially not be visible from the west.

This preliminary plan for the Corridor has not yet been submitted to the Kansas City Council, but is under advisement by their Planning Commission. Mr. Harrison said he felt there was no compromise solution acceptable to both cities. Further, the Leawood Plan Commission is essentially in agreement with this plan. He said he was not prepared to present a resolution to the Council at this time.

Councilman Smith commended the Plan Commission for this effort, and said that although the plan is not ideal, he felt the public would benefit greatly. The Mayor agreed. There being no unfavorable comment from the Council, Mayor Dostal asked Mr. Harrison to proceed.

Council of Mayors: Mayor Dostal reported this group has taken affirmative action to become a body of substance and force. After discussion, Councilman Weary moved the Council approve an expenditure of approximately $17 as Leawood's share of expense for the annual meeting with legislators from Johnson County; second, Councilman Blattenberg; passed unanimously. Mayor Dostal discussed Leawood's share of expense in connection with the tour of Johnson County being planned for all state legislators, and asked Council members to give this some thought. The decision will be made later.

Civic Dinner: This will be held May 15 at the Leawood South Country Club. Councilman Bruns will report in more detail.

Economic Development Advisory Committee: The Mayor announced the resignation of Mr. Wayne Bonebright from this body. His appointment of Mr. J. S. Skaptason as replacement was unanimously approved on motion of Councilman Blattenberg, seconded by Councilman Johnson.

Request for permission to solicit funds: After discussion, the American Cancer Society was granted permission to solicit funds in the City April 13 through April 22, subject to compliance with ordinance, on motion of Councilman Blattenberg seconded by Councilman Johnson.
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Johnson County Boys Club: Resolution #205 was read by the Mayor. Councilman Weary's motion to adopt was seconded by Councilman Smith. Councilman Roach did not agree with contents. Mr. Weary withdrew his motion; Mr. Smith withdrew his second. The resolution was amended, and adopted on motion of Councilman Weary, seconded by Councilman Roach. Copy attached hereto as part of the record.

Proclamation: April 20 through April 25, 1970 was proclaimed to be School Bus Safety Week on motion of Councilman Blattenberg, seconded by Councilman Johnson. Councilman Roach said he believed the speed at which school buses in the City are operated is a serious problem and felt the City should urge a safer driving practice. This will be brought to the attention of the Public Safety Committee by Ross Roach.

Appropriation Ordinances: Nos. 275A and 268S in the amounts of $64,503.24 (including $29,859, U. S. Treas. Bill purchase) and $166,255.77 (including $164,535.20 U. S. Treas. Bill purchase) providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously on motion of Councilman Blattenberg, seconded by Councilman Smith.

Mayor Dostal called a short recess prior to meeting in executive session.

The Council later reconvened to regular session. Councilmen Blattenberg, Smith, Roach, Weary, Johnson and Jordan were present.

Ranch Mart Auditorium: Councilman Weary moved the City Attorney be requested to investigate occupation license status and any other legal means by which the tenant occupying the Ranch Mart Auditorium could be directed to cease using those premises as a dance hall, and if, in his opinion, the City has the right to so direct this tenant, the City Attorney is to forthwith so notify him; second, Councilman Blattenberg; passed unanimously.

Wage & Salary: Councilman Johnson presented the resignation of Mrs. Ardyce Yeager, Police Clerk-Matron, which was effective April 14, 1970.

On motion of Councilman Blattenberg, seconded by Councilman Smith, the Council adjourned to April 20, 1970, 7:00 P. M.
Addendum #1:

Councilman Roach, Council representative to the Board of Commissioners for Public Safety, said he was essentially in agreement with the ordinance as introduced. Further, that it had been discussed at a Board meeting and appeared to be the happiest of choices. He said the Board was satisfied this ordinance is about as good as could be worked out considering the number on the Board, the years to be served, etc. Mr. Roach said that as a member of the Board and as a member of the Council, he would be in favor of it, and moved the reading be advanced to this meeting for passage. There was no second to the motion.

Councilman Johnson said he was personally opposed to this ordinance since he thought consideration should be given having a three member, rather than a four member, Board; further, that the member of the Council who would chair the Board should have voting rights. Mr. Johnson said he thought that was the way it was going to be. He said he saw no reason why there could not be a three man Board.

Councilman Roach said he was certain in his own mind that the ordinance had been drawn in all sincerity and that all alternatives had been considered and explored completely. He felt the ordinance as submitted represented a meeting of the minds.

Mayor Dostal asked that the Council consider the ordinance, and the comments made, between now and the next meeting.

Addendum #2:

that is, sewers which deliver sewage into Missouri, then come back into Kansas, then go back into Missouri, but this happens not to be one of those. Councilman Johnson said he was aware of the one with the pump, and asked if this proposed system would be independent of the other two branches of the Leawood Sewer System. Mr. Whyte said, in terms of a piping system, yes. Mr. Johnson asked how it would be in terms of a contract.

Addendum #3:

Mr. Whyte said the proposed line is a system exclusive of the other two parts of the Leawood Sewer System, the other two parts being the Dykes Branch and the Indian Creek Branch. Further, under the present agreement with Kansas City, Missouri, Leawood would be required to participate in the support of any expansion of Kansas City, Missouri's treatment plant by pro rata portion, so far as sewage from the Dykes and Indian Creek branches is concerned. Kansas City, Missouri has indicated it will charge $250 for each connection to this proposed new line and that there will be no further charge so far as anything from Kansas City is concerned. The Sewer Committee, being aware of the fact there would have to be some funding for City administration and inspection, recommended $300 as the fee for each connection to this proposed new line.
Special Tape

Special Minutes of a special meeting of the City Council of the City of Leawood, Kansas.

A special meeting of the City Council was held at 5:30 P.M. Sunday, April 19, 1970, for the purpose of discussing "procedures and discharge of Jack Kelly". The meeting was called by Mayor Dostal at the request of Councilman Jordan, Bruns and Johnson. Notice of the meeting was delivered April 19, 1970. A waiver of notice was signed by each Councilman attending the meeting. Roll call was answered by Councilmen Blattenberg, Smith, Roach, Bruns, Johnson and Jordan. The City Attorney, Max Bagby, was present.


Mayor Dostal read the letter delivered to him April 18, 1970, requesting the meeting, to the Council. Councilman Weary entered.

The Mayor said this session had been called as required by Ordinance, and referred to Section 1-101 whereby the Mayor may call a special session, although it is not obligatory upon him. He said he had always felt the wishes of councilmen in this particular area should be highly respected, and therefore called the special meeting as requested, using the precise language of those who made the request.

Mayor Dostal made the following statement: I note the reason for the special session is for the purpose of discussing procedures and discharge of Jack Kelly. I make the sincere request that all members of the Council hear me out on this matter of Mr. Kelly and let me give you all the background material I have gathered for I assume none of you, with the exception of Mr. Roach, are aware of it.

First, permit me to state unequivocally that Jack Kelly was not discharged by me. I am certain you realize that I had no such thought. At the conclusion of a certain phase of my meeting with the Board of Commissioners for Public Safety held Friday, April 17, 1970, after much material had been discussed and Jack Kelly had appeared to be advised of the material, I told him that as Mayor of the City of Leawood I could not reappoint him as Chief of Police at the May 4th meeting this year. He asked me if he could resign rather than not be reappointed, and I told him certainly he would be granted that privilege. He stated he therefore would resign at this time, and I accepted his resignation. He stated he would have his written resignation at the City Hall Saturday morning, April 18, 1970, stating therein he was resigning for reasons best known to the Mayor and himself. He also stated he would that morning turn in whatever City equipment he had in his possession.

After Mr. Kelly left the meeting room I advised the Commissioners it was necessary to have an acting police chief to fill the vacancy. I suggested our present Chief, Jourdan Toman. Other names were suggested and rejected. Three of the Commissioners, Ross Roach, Harry Chesney and Dick Underwood, initially agreed that Mr. Toman would be a proper
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choice. Mr. Wayne Bonebright disagreed, giving as one of his reasons that the Chief was too much of a perfectionist. At least two other members of the commission then indicated they would like to reconsider their original approval of Mr. Toman, and the meeting subsequently adjourned without resolving who should be given the post of acting Police Chief.

Upon reaching my home and reflecting upon the matter, I came to the realization that it was absolutely imperative to have an acting police chief. This was particularly essential because of the situation in Kansas City, Missouri, where highway patrolmen were being called in to augment the standing police force because of conditions of which you are all aware. I therefore called our City Attorney, and he agreed that it was my duty to see to it that an acting police chief be appointed. I got in touch with Mr. Toman and asked him if he would serve in this capacity on a temporary basis until the Council met April 20, 1970. Mr. Toman told me he would serve in this capacity on a temporary basis, and he made it crystal clear to me that he had no desire to continue in the position beyond any interim period which might be required. On this basis he was sworn in as Acting Chief of Police on a temporary basis by the City Clerk in my presence on Saturday morning, April 18, 1970, at the City Hall.

In this manner we had an Acting Chief of Police ready to serve the community, which I deemed a most urgent necessity. I then got in touch with Johnson County Sheriff Fred Allenbrand, advising him of the situation. He assured me that his office would, as always, give maximum cooperation to our Department, and would assist Jourdan Toman in every way possible.

I will now give you certain documentary information which relates to the resignation of Jack Kelly. I ask you to read it very carefully after which I will be pleased to discuss the matter with you. I would also ask you to return these to me after you've had an opportunity to digest them. If the members of the press who are present want copies of these, you are welcome to them.

The Council then spent a long period of time reading the material furnished.

Councilman Johnson said he had not seen the material submitted, prior to this time, and asked whether the Council needed additional time or preferred to continue at this time. Councilman Blattenberg said he would prefer to proceed at this time. Councilman Smith said the material seemed clear to him. Mr. Johnson said he felt this to be something which required more than reading through, and felt the Council should have more time to think about it. Councilman Weary asked what action the Council was being called upon to take. Councilman Jordan said the Council would make the decision in what was to be done. Mr. Weary said he had some questions. Councilman Johnson moved to adjourn to Monday, April 20, 1970 at 7:00 P.M. There was no second. Mrs. Jordan said she would like to explore the issues to be developed and decided by the vote of the Council. She felt this time could profitably be used to enumerate the issues to be considered, to clarify them with the City Attorney, and to then be prepared in the event there was an adjournment. Councilman
Johnsion withdrew his motion.

Mrs. Jordan said the basic questions to be considered by the Council were whether in fact Mr. Kelly did resign as of the April 17 meeting or whether he intended to resign as indicated, by his tender of a written letter of resignation sometime in the future, which letter had not been forthcoming, and from that point move on to consider if he did not resign at that time or felt he had reconsidered and did not wish to resign, then what procedures should be taken under recommendation by the Council of replacing, suspending or retaining the present police chief. She was of the opinion Mr. Kelly was the only person who could answer that, and that it should be preceded by a preliminary opinion of the City Attorney as to whether he did in fact feel this was a resignation, and also on the basis of the opinion of the Commission members who were present at the hearing.

Mrs. Jordan asked Mr. Bagby if in his opinion, as City counselor, he felt Mr. Kelly's actions on April 17 constituted a legally binding resignation from his office as City Marshal. Mr. Bagby said that he did. Mrs. Jordan asked Mr. Bagby if he felt Mr. Kelly's actions at that time were irreversible and binding on him. Mr. Bagby said that he did. Mrs. Jordan asked Mr. Bonebright, Chairman of the Board of Public Safety Commissioners, to describe the events of the meeting April 17, 1970. He proceeded, after first saying he felt it would be in order to see whether other members would or would not concur with his recollection.

Mr. Bonebright said: Mr. Kelly was being addressed by the Mayor--after discussion of a portion of the material which had been shown to the Commissioners Friday night--the Mayor told Mr. Kelly that under the circumstances we have here this evening, and in consideration of my responsibility for the Police Department and the City of Leawood as its chief executive officer, I must request your resignation, or in the event I do not receive it, I will be unable to reappoint you Chief of Police as of May 4, 1970. To which Mr. Kelly replied he appreciated the opportunity to resign and would ask the Mayor's permission to be allowed to wait until Saturday evening so that he might go in after office hours to get his personal things. The Mayor replied that would be all right. Mr. Underwood then concurred the foregoing was accurate, as he recalled.

Mayor Dostal asked if he might comment, since he had been present. He said: After certain information was gathered, I advised Mr. Kelly I could not reappoint him as Chief of Police May 4, 1970. Mr. Kelly asked if he could resign and I told him he certainly had that privilege. He agreed to do so, and stated his letter of resignation would be at the City Hall Saturday morning, April 18, 1970. He also stated the resignation would read "that for reasons best known to the Mayor and myself, I hereby resign as the Chief of Police of the City of Leawood." He further stated he would turn in all City property in his possession the same Saturday morning. This arrangement was fully in accord with his resignation and my acceptance of same.

Mrs. Jordan asked whether Mr. Kelly had any previous notice of the charges to be brought against him at the meeting of April 17, 1970.
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Mayor Dostal said he did not know if Mr. Kelly had been. However, he had himself advised the Commissioners on at least three occasions that he was dissatisfied with the services of the Chief of Police and that there were certain things worrying him. He then gathered certain information and presented it to the Commissioners. The Commissioners requested that he get additional information, which he did, and which was again presented to the Commissioners. He told them again, that as the chief executive officer of this City he was most concerned about Mr. Kelly. He told them he had taken an oath and that his prime duty was to the citizens of Leawood. He indicated his feelings to the Commissioners very strongly. He said he believed the Commissioners would reiterate to the Council that this has not been a recent matter—that the Mayor had been concerned for a long time, before any investigation was started.

Mrs. Jordan asked the Mayor if all matters of his concern were covered by the statements included in the first three pages of the report submitted to the Council at this meeting. Mr. Dostal said: they were not; this is the result of an investigation based on certain incidents which occurred beginning in June, 1969, at which time an incident had occurred and the Commissioners had urgently requested that he come to the City Hall immediately. Councilman Jordan said it was her understanding the Commissioners, being aware of the material presented in the dossier, recommended the action which the Mayor took in demanding Mr. Kelly's resignation or his failure to reappoint Mr. Kelly. The Mayor said they did not; he had not asked for the Board's recommendation.

Councilman Jordan then asked Mr. Bonebright to comment on his position as to the recommendation made by the Mayor April 17, 1970, i.e., the position of the Commissioner, which, by ordinance is constituted to advise the Mayor on matters pertaining to Public Safety. Mr. Bonebright said it might serve the best interests of everyone concerned if he attempted to relate events leading up to the events of Friday night insofar as the Commissioners are aware. Mr. Bonebright said: The actual event immediately preceding the information being shown tonight had to do with the question of whether the position of Police Matron should be filled. This was finally culminated in a meeting on a Wednesday, perhaps two weeks ago. At that meeting the Commissioners were unanimously in support of the Chief to fill this position. There are two considerations—one is the position itself; another is the person filling the position. The Mayor felt the position itself should not be filled, since he did not feel the judgment of the Chief of Police and the Commissioners was correct in that we needed this position—that the job was required or that the position should exist. The Commissioners' position was that this was settled over a year ago when the position was created and approved by the Council, and the position had been filled for approximately one year prior to the presently existing vacancy. This was discussed at considerable length, at which time the Mayor made reference to the fact he questioned the judgment of the Chief—not just on the basis of a whim, but on the basis of much information which he possessed, which left him with no confidence in the Chief to make this sort of judgment. The Mayor did not at that time go into detail. The meeting ended with a divided opinion of the Commissioners and the position or opinion of the Mayor. The question was to be brought to the next Council meeting when the Mayor's position would be stated and the
Commissioners' position would be stated. The Council would have to make the decision. The next meeting between the Mayor and the Commissioners took place two days later—the special meeting of Friday, April 17, 1970, at which, for the first time, the Commissioners were shown most of the contents of the package which you have in front of you. It was given to us in the same manner. We read it and studied it. The Mayor then asked if the Commissioners could now see why he questioned the judgment and the ability of Mr. Kelly to handle the responsibility of police chief. The Commissioners at that point, felt there were two separate questions—either we had a position in the Police Department which was established by due process and the man appointed to be Chief of Police, and therefore the authority to carry out his responsibility, or we didn't, and this information had no direct bearing on that particular question. The Mayor then suggested that the person who was applying for this position (Police Matron) should possibly not be considered for a reason which would have to do with a, perhaps, conflict with the interest of the City of Leawood. This is not in any way associated with the position itself. The Commissioners felt they had been guilty of looking at trees so hard they hadn't seen the forest, and felt that this was a valid point. We then decided to table the matter, at least so far as presentation at the next Council meeting. We then went on to discuss this information, and agreed it was startling information which indicated things we had not previously felt were so. The Mayor informed us more information had been requested but not yet received. The Commissioners then felt the whole matter should be tabled until the remainder of the information was received. Also at that particular point, suggestions as to information which could further the cause, based on proper judgment of the question of what these things might be, and that we might also request these. The next meeting then, was the meeting of last Friday, April 17, 1970. The Commissioners were not requested to make a recommendation at that time or at any time previous to that, or at any time since, and the Mayor let it be known, and we of course realize, that we are simply an advisory board. We have no authority, but it was quite obvious there was nothing to be discussed or advised on a decision to be made.

In answer to a question from Mrs. Jordan, Mr. Bonebright said the Commissioners had been aware the Mayor was concerned with the performance of Mr. Kelly since last June, or before. Further, a year ago, matters were discussed in which the Commissioners felt just criticism could be made of Mr. Kelly, however, in other areas, they felt there could be no criticism.

Councilman Jordan asked Mr. Bonebright if he felt the information furnished the Commissioners necessarily invalidated Mr. Kelly's usefulness to the City. Mr. Bonebright said perhaps the Commissioners should meet to consider this. On question from Councilman Johnson, Mr. Bonebright said he would rate Mr. Kelly's performance as notably satisfactory.

Mayor Dostal commented further about the meeting of the Commissioners June 2, 1969, at which time the Commissioners advised him they had heard from a number of the members of the Leawood Police Department, primarily to the effect that Mr. Kelly's word could not be relied upon.
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The Commissioners also advised him the Chief had borrowed money from the Police Fund and there was some feeling no agreement was in evidence regarding how the loan would be repaid. The Commissioners had seemed to stress the fact some loans were not being repaid on a regularly scheduled basis. Mr. Dostal said the then Police Matron had also appeared before the Commissioners. At the time she was hired, she appeared before the City Clerk to secure her commission. Upon being asked if she was a resident of Kansas, a requirement, she stated she was not. The Clerk advised her she could not sign the commission until Kansas residency was established. Mrs. Yeager then told the Commissioners Chief Kelly had told her the next time she appeared before the City Clerk to just state she lived in Kansas. Mrs. Yeager implied she did that, even though her residency had apparently not changed.

The Mayor mentioned a transaction involving the sale of a car to Mr. Kelly by a police officer who gave Mr. Kelly title to the car, yet some months later received notice of a license or some other matter being due on the vehicle. This caused the officer understandable consternation, since he knew title should no longer be in his name. Mr. Dostal said these matters were conveyed to him by the Commissioners; he did not initiate the investigation, or any part of it. He said the Commissioners were quite concerned at that time, and advised him the appropriate action would be taken to right whatever difficulties there might be. In further discussions with the Commissioners, they indicated matters were corrected. Mr. Dostal said it was at this time he began making inquiries into Mr. Kelly's professional background. In a desire to acquaint himself further, he attempted to obtain his employment application at the City Hall. It was not on file there. He then contacted Mr. Bonebright, and was advised the application and other papers were at Mr. Bonebright's home. Mr. Dostal requested the papers be delivered to him, and told Mr. Bonebright matters of this nature should be kept at the City Hall. Mr. Bonebright agreed, and stated the file would be given him. These documents were not delivered to Mr. Dostal for some time. He finally went to the home of Mr. Bonebright personally to obtain them.

Mayor Dostal continued: Inconsistencies in the documents obtained from Mr. Bonebright bothered him. In addition, personnel changes in the Department seemed to be too numerous. Word also reached him that there was considerable agitation within the Department about the Police Matron, relative to the erratic hours she kept. He discussed all these matters with the Commissioners, advising them of his feeling as Mayor that the City would be better served with some other person as police chief. The Commissioners were respectful of his comments and admitted there were reasons for concern, but continued to state they would talk with the Chief and get everything in order. He said it was at this time he decided it was his duty to the citizens of Leawood to make an investigation of Mr. Kelly's background. He learned Mr. Kelly had not served on the New Orleans police force as indicated on his application; he had not served on the Tupelo, Mississippi force as indicated. With this information, another meeting was held with the Commissioners. The Mayor again advised the Commissioners that with this additional information he could not entrust the safety of Leawood's citizens, from a police standpoint, in the hands of a man who gave the City so much erroneous information in seeking employment. The Commissioners
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still felt no action should be taken, however, I was requested to secure information which Mr. Kelly had submitted to Gladstone, Mo., when he applied for the chief's position in that city. The Commissioners specifically requested me to obtain a copy of the birth certificate, as it seems the Commissioners had some doubts about Mr. Kelly's age. Another meeting of the Commissioners was called and held Friday, April 17, 1970. All the gathered information was furnished the Commissioners. After considerable discussion I told them I could not in good conscience reappoint Chief Kelly on 1 May, 1970. I felt my oath of office and my duty to the citizens of Leawood would not permit me to continue him in the City's employ. Mr. Kelly was then called to the meeting. I asked him his date of birth. He said it was September 10, 1917. However, after further questioning, he admitted the incorrectness of this and of the information he had furnished regarding his employment for wages at Tupelo, Mississippi. He also admitted he had not served in the armed forces from 1935 to 1955. He had actually served three years beginning in 1935; he again enlisted in 1943, obtained a commission the same year, and was given a physical discharge in 1945. The Mayor then advised Mr. Kelly he could not reappoint him.

Mr. Dostal stated that this investigation was not based on Mr. Kelly's previous conduct. He said that if nothing had come up he would under no circumstances have even asked to see his application, or looked into his professional background. If Mr. Kelly had so conducted himself and not done certain things after he was in the employ of the City of Leawood which prompted an investigation, the facts revealed by the investigation would never have come to the Mayor's attention. Mayor Dostal said he held no animosity to Mr. Kelly; he did feel he had a responsibility to the City. If the Council and the Commissioners disagree with him, that is their prerogative; however, if something happens in this City, the fault will be on the Mayor - he will bear the brunt; he must therefore make his decisions on these points. Mr. Dostal said Mr. Kelly had, in his opinion, on several occasions revealed operating procedures used in the apprehension of individuals, and had discussed the riots in Kansas City, Missouri, and disclosed information which should never have been revealed since it was highly professional information and should not have been divulged. The Mayor believed the things being discussed showed a lack of conduct and a lack of professional ability on the part of Mr. Kelly.

There were questions from Councilman Bruns aimed toward summarizing the reasons why the Mayor had taken the position he had taken. Councilman Johnson said it appeared to him Mayor Dostal, with a smile on his face, was out to get a man. Mayor Dostal said anything which had happened to Mr. Kelly was of his own making. Councilman Roach asked the Mayor if he had checked the five years of laudable service in Marianna, Arkansas. Mr. Dostal replied that he had, and that it was correct, and acknowledged exemplary military service was indicated in the material submitted to the Council. Mr. Bruns said the Commissioners feel Mr. Kelly's actions and his method of performance to be superior - they have no complaints - they feel the Department is probably in as good shape as it has ever been. Mr. Bonebright said the Commissioners
felt the record of this Police Department probably, if anything, stood out as superior to those of surrounding communities, and the department as a whole is a very good one. Mr. Bruns said a high official whose identity he could not reveal had told him Chief Kelly and the Leawood Police Department were second only to that of Kansas City, Missouri. Mayor Dostal said he felt the Leawood Police Department to be a magnificent one and that he had the greatest admiration and highest regard for many members of the Department; however, a police chief and the men in the department must work together as a department. He agreed that in some areas, Mr. Kelly deserved credit for a job well done.

Councilman Blattenberg asked whether Mr. Bonebright would have employed Mr. Kelly had this information been available. Mr. Bonebright said that he doubted it, but could not say. Councilman Jordan asked the City Attorney the procedure for filling the vacancy. Mr. Bagby said there was apparently a difference of opinion as to whether Mr. Kelly had resigned. He said the Mayor had the right to make a temporary appointment to fill such a vacancy until the next Council meeting, and read State Statute 19-2646.

Mayor Dostal said he had confided in the Board of Public Safety Commissioners and asked how this information had reached the Council and the Press. He said he felt this matter was a trust which should have existed, and was somehow violated. He stated he'd had no intention of bringing this to the attention of the public, and that no one would have been hurt had not someone informed the Press. He felt he had been let down by people he considered to be his friends. The Mayor said he had discussed this situation thoroughly with Mr. Bagby, who had suggested handling it in the manner in which it had been handled in view of the fact this occurred on a weekend and that Council would meet the following Monday, when it could be discussed in executive session.

Councilman Jordan asked the Mayor if there was some justification for the Council's feeling that the alternatives presented to the Police Chief at the meeting Friday night should not have succeeded rather than preceded the April 20, 1970 meeting of the Council. Mr. Dostal said he didn't know - he couldn't answer that; he had had to take the situation as he found it then. He said that if Mr. Kelly had not resigned at the Friday meeting there would have been plenty of opportunity to discuss the matter at the Council meeting, at which meeting he would have told the Council he was not going to reappoint him as police chief. The same full discussion could have been had at that time, as the one presently in process - there would have been no difficulty about that whatsoever.

Mrs. Jordan asked Mr. Bagby if the removal of a city marshal was required if it ordinarily was done by a hearing before the Council. Mr. Bagby said if there is to be a discharge it is done on certain statutory grounds only. It is to be done before the Council upon the information presented to the Council by whoever has it; then the Council conducts the hearing. Mrs. Jordan asked whether anything that had been brought up was in the statutory grounds listed in Section 14-822. Mr. Bagby said no, not that he was familiar with. Mrs. Jordan then told the Council it was faced with the requirement that the governing body fill the vacancy for the balance of the year, until May 4, 1970, and
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that it would have to be done this evening. It was decided the Board of Public Safety Commissioners would meet while the Council was in recess, to review the situation in light of the disclosures, and that Mr. Kelly would appear. Mrs. Jordan requested a recess.

The Council reconvened at 7:55 p.m. Mr. Bonebright reported the Board had been unanimous in its vote to go on record as endorsing the technical competence of Mr. Kelly as Police Chief. Mrs. Jordan conferred with Mr. Bagby about filling the vacancy created at this evening's meeting. The two concurred that the Council could: confirm the temporary appointment of Chief Toman, not confirm this appointment, or, could declare that no vacancy existed; however, Mr. Bagby said the other question was whether or not the Mayor had accepted the resignation. Mr. Bonebright then stated he could not say that any one of the Commission members felt the resignation was not forthcoming; he did not think it was a question of whether the man intended to resign or not to resign, and he wanted to further state for the record that he firmly believed the Mayor left the meeting of April 17, 1970, in good conscience, convinced in his own mind that he had received a resignation and had a vacancy which he had to fill. Dr. Underwood, a member of the Board, said that Mr. Kelly did resign that evening; however, he intended to resign on the basis it was that, or failure to be reappointed. He felt Mr. Kelly should have had counsel before making the statement.

Councilman Jordan moved Mr. Kelly be requested to appear before the Council on the basis of the recommendation made by the Board and requested the Council go into executive session immediately; second, Councilman Bruns; passed unanimously. Mr. Bonebright was requested to telephone Mr. Kelly. Mr. Kelly advised he would be present in approximately ten minutes. Mrs. Jordan asked the Board to be present during the executive session. Messrs. Bonebright and Underwood asked that the Board be permitted to be on call rather than to attend the executive session. Councilman Ross Roach moved the Board be permitted to adjourn and be on call in City Hall; second, Councilman Johnson; passed unanimously. Mrs. Jordan said factual questions would be explored at the executive session, after which the Council would meet in open session.

Mr. Leathers of THE SQUIRE said Mr. Kelly should be entitled to give his defense in public, since the accusations had been heard by the Press and the public. Mrs. Jordan asked for ten minutes in which to fill Mr. Kelly in. She said his defense would be public if that was his decision. Councilman Roach requested a recess.

Mr. Roach asked to be excused from the meeting because of illness in his family.

The Council reconvened at 8:20 p.m. Councilman Jordan requested a five minute executive session.

The Council reconvened to open session. Councilmen Blattenberg, Smith, Bruns, Johnson, Jordan and Weary were present. Mrs. Jordan advised those present that Mr. Kelly had been acquainted with Council action
to the present time. She asked Mr. Kelly whether it was his intent
to resign as City Marshal at the meeting Friday, April 17, 1970. Mr.
Kelly said on being informed by the Mayor of what information he had,
and of the Mayor's disappointment and feelings of unhappiness about it,
and upon his statement to me that he would not reappointment me May 4,
1970, but would give me the opportunity to resign, I said that I would
tender my resignation. Councilman Bruns pointed out that he felt this
was a resignation under duress. Mayor Dostal asked Mr. Kelly if he felt
he was under duress from him. Mr. Kelly said he felt Mayor Dostal was
as kind and gentle as he could possibly be to a man under the circum-
stances - he did not feel he was under duress, he felt he was given an
ultimatum, and that in his dealings with his own officers he had given
either the opportunity to resign or to be fired. Under the circumstances,
Mr. Kelly said he would not call that duress, he took the lesser of
two evils. Mr. Kelly said he had stated in executive session that as
far as he was concerned, Mayor Dostal showed great compassion, even to
the extent of offering a month's pay. Mr. Kelly said Mayor Dostal had
lived up to the letter of the purpose of the Public Safety Commission.

Councilman Johnson said to Mr. Kelly, "You said you would resign." Did
you say you would resign in the morning? Mr. Kelly: I said that I would
tender a written resignation and asked the Mayor if Saturday would be
acceptable to turn in my equipment; he said at my convenience would be
acceptable; then when I talked with Mrs. Jordan and the Public Safety
Commissioners, I was advised not to turn in the written resignation.
Councilman Johnson asked Mr. Kelly if, after he had counsel, he was told
what to do. Mr. Kelly said the Commissioners met privately after the
Mayor and City Attorney left the April 17 meeting. Mr. Bonebright and
Mr. Wheeler later came to his home. He was advised not to hand in a
written resignation. Mr. Kelly said he did not ask for any counsel.

Councilman Bruns stated he had received a call Saturday evening from
a reporter for THE STAR who had the full story which, he advised Mr.
Bruns, had been obtained from three sources.

Mayor Dostal asked Mr. Kelly if the information submitted to the Council -
the incorrect birth date submitted, the incorrect high school information
submitted, the fact that he did not graduate from Western Military, that
he had not been on a paid basis with the Tupelo police force or the New
Orleans police force, that the military record submitted had been altered
and was not correct - was true and correct. Mr. Kelly said that it was.
The Mayor then asked him to go ahead if there was anything he wished to
explain. He told Mr. Kelly he was just heartsick that this had to be
brought out. He said it was not of his doing. Mr. Kelly said he believed
that.

Mr. Kelly said he supposed the facts in his life were something that
gave him, in some areas, a great deal of pride, since they had affected
the lives of a great many people - some of them adversely - some of them,
he hoped, profitably. He said he had been advised by his friend and
attorney. He said he made the statement in executive session that he
would not fight this Council or this Mayor - that his request was to lay
his case before the Council and abide by its decision. He then described
the details of his life - the alcoholism, the various jobs he had held, civic affairs in which he had participated. He said he had a commission as a special officer without pay from the Superintendent of Police in New Orleans, which he could produce. He said he had been in at least seven different veterans' hospitals, the last of which was a mental hospital. His case had been diagnosed as psychoneurosis - tension and anxiety state, severe, Section 2, caused, he believed, by extensive combat. He spoke of losing a wife and two children because of his alcoholism. Later he was able to obtain and hold a job, and met the woman who later became his wife. After a year of sobriety he finished his high school credits and attended the Benton College of Law. He then went to Tupelo, Mississippi, where he was given the assignment of organizing or training an auxiliary police force. He said he was told he had been a valuable asset to the City of Tupelo and its police department. He later applied for the position of police chief of Marianna, Arkansas, where he served five years. He described his activities while there. He said he was the founder and first president of the Arkansas Chiefs of Police. He was later frustrated by low income and went to Roanoke, Virginia, for tests and interviews.

He said his grade was 63.45 - the top, 70.05. He described his feelings about gambling. He then told of his application for the position as Chief of Police in Gladstone, Missouri, when he was in the top twelve of the ninety-six applicants for the position. He later received this appointment. While waiting to hear the results of his application to Gladstone, his friend, Mr. Jim Wheeler, advised him the City of Leawood was then taking applications for the position of Chief of Police. Some time later Mr. Bonebright called him to advise he had been selected to fill the Leawood position, and he accepted. Mr. Kelly said he had done what he thought he had to do to get a new start in life and to become what he felt he could become, given a chance. He said the Commissioners had been aware of his alcoholism. He said he had conducted himself to the best of his ability as Police Chief in Leawood, and tried to give the City a force of which it could be proud. He said he would answer any questions as honestly as he could.

Councilman Bruns asked Mr. Kelly if there had at any time been a charge of malpractice in his office. Mr. Kelly described facts involved in two allegations, one concerning the former Police Matron, one relative to police officers' testimony in Court.

Councilman Jordan questioned Mr. Kelly about some of the misrepresentations of record, and if he had used the year 1917 as his birth date. Mr. Kelly said that he had because he wanted to be as young as possible, although his original military record shows his true birth date. He said his final military rank was that of First Lieutenant. The Commissioners were recalled to the meeting at the request of Mrs. Jordan. She asked for a recess to await the return of Councilman Roach.

The Council reconvened at 9:40 p.m. Councilman Roach returned to the meeting. Mrs. Jordan said the next order of business was for the Council to consider filling the vacancy which existed in the office of Police Chief-Marshall as of this special meeting. Councilman Bruns said that in view of the report of the Commissioners and the report of the
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Police Chief, he would move Mr. Kelly be allowed to continue as Police Chief until the Mayor made his recommendation to the Council May 4, 1970; second, Councilman Johnson. Mayor Dostal said he would have to remain true to the decision he had made, based strictly on information gathered. He said it would be contradictory for him to reappoint Mr. Kelly at this time. He said he therefore believed the motion to be out of order, and asked the City Attorney if it was. Mr. Bagby said it was up to the Mayor whether it was or not, since the Mayor could make the appointment with the consent of the Council, or could make the appointment himself and ask the Council for consent.

Councilman Johnson told the City Attorney he was still not certain in his mind that the City had a resignation. Mr. Bagby repeated what he had said earlier - this is all a matter of fact; it is not a legal question; he thought Mr. Kelly had resigned; Mr. Bonebright thought he did not resign, but later felt that he did resign, but under duress; Mr. Kelly said he did resign. Mr. Bagby said he could not perform the duties of the Mayor or the Council.

Mayor Dostal requested a short recess. Councilman Johnson asked that the President of the Council take over the meeting. The Mayor returned, and the Council reconvened at 10:10 p.m.

Resolution #206:

Mrs. Jordan proposed a Resolution of recommendation, to be submitted to the Mayor, supporting the appointment of Mr. Kelly to the position of Police Chief-Marshal on the basis of the recommendation of the Board of Public Safety Commissioners, the resolution to be accompanied by these conditions: Since it would be impossible for any of us to condone without penalty the actions leading to tonight's meeting, we would therefore require that Mr. Kelly give an apology to the City of Leawood; that he further reaffirm the oath of his office and the obligations of that office, and that the Mayor be allowed as the sole superior of the Chief of Police, to take what disciplinary action he considers essential against the Chief.

Mrs. Jordan asked the Board if it had any objections or comments about the resolution. Mr. Bonebright said he was not sure the Board had any authority and believed the final responsibility rested on the Mayor. Other members of the Board concurred. Chief Kelly said he thought he had apologized to the Mayor and to City officials. Mayor Dostal asked that his apology be to the citizens of the City. Mr. Kelly said he had appreciated the privilege of serving as Chief of Police and that certain things covered up were wrong. He said he had tried to live up to his oath of office.

Mayor Dostal said he would accept the Resolution only on the premise that he did not want the City of Leawood and its citizens to be without a Chief of Police or police protection. He said he would reappoint Mr. Kelly under the stipulations of the resolution. The resolution was unanimously adopted. The oath of office of Police Chief-City Marshal was administered Mr. Kelly by the City Clerk.
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Mayor Dostal said he found Councilman Johnson's statement to the Press - that the Mayor should be impeached - beyond his comprehension. He said the action he took was after great consideration and much soul searching, and was done on behalf of the citizens of the City. He asked the Council for a vote of confidence. Councilman Roach moved a vote of confidence be given Mayor Dostal; second, Councilman Blattenberg; passed unanimously.

Councilman Bruns moved to adjourn; second, Councilman Weary; passed unanimously.

[Signature]
Mayor

[Signature]
City Clerk
Minutes of an adjourned meeting of the Leawood City Council, held
Monday, April 20, 1970.

An adjourned meeting of the City Council was held at 7:00 P.M.
Monday, April 20th, 1970 in the City Hall, 9615 Lee Boulevard, with
Mayor V. M. Dostal presiding. Roll call was answered by Councilmen
Blattenberg, Smith, Roach, . . . Weary, Bruns, Johnson and Jordan.

MINUTES:

Mr. Johnson asked the minutes of April 6th be amended: He asked first
that on page 1017 paragraph 9, referring to Ordinance No. 372, which
reads "Councilmen Johnson and Roach commented further" this be written
out fully to show what their comments were. Mr. further asked that on
page 1018, in the discussion regarding sanitary sewers, his comments be
briefed in where the minutes read "in answer to comments by Councilman
Johnson". Further, the next to the last paragraph on page 1018 states
"There are sewers such as Mr. Johnson asked about" - Councilman Johnson
requests the record show what sewers he asked about. In the first par-
agraph on page 1019 "further explanations by Mr. Whyte of the reasons"
Mr. Johnson asked that the explanation of the reasons be shown.

Mr. Roach commented on the brevity of the minutes. He requested the
record show in the paragraph concerning Ord. No. 372, page 1017, he
had moved this ordinance be passed.

There being no further corrections, the minutes were unanimously ap-
proved on motion of Mr. Johnson, seconded by Mr. Bruns.

Mayor Dostal acknowledged the visitors present: Messrs. Thos. Jay, W.E.
Kroll, Julius Bacharach, Mercer Newman, Wm. Dormeyer, Chas. Heier,
Clifford Hill, Jim McGilley, Wm. J. Green, Coleman Kelly, Burl White,
Gordon G. Greb, R. M. Langham, J. Hubbard Minor, Ralph Cowan, G. B.
Savage; Drs. Otho Duncan, Eugene Deffenbaugh; Mesdames Dice Alexander,
Leona Tozier, C. J. Young; Mr. & Mrs. W. W. Abbey, Mr. & Mrs. C. L.
Gunnckel, Mr. & Mrs. Geo. Tutt, Mr. & Mrs. E. G. Moss, and Miss Besier
with the Scout-Sun. Mayor Dostal asked that everyone present please
sign a visitors slip.

Mayor Dostal asked if there was a spokesman for the large group present
and recognized Dr. Wm. Evans, who asked that the group bow for a mom-
ent of prayer. Dr. Evans stated that the group was in attendance on
behalf of Chief Kelly and wanted to give him a vote of confidence, and
asked that the Council so record this. Dr. Evans spoke of the fine
work done by Chief Kelly during his two plus years with the Leawood
Police Department, citing his accomplishments and expressing the opin-
ions of many of the people who had worked with Chief Kelly. As a
matter of record, Dr. Evans' speech is recorded on this tape from
#963 through 998. At the conclusion of his speech Dr. Evans asked
the audience for a vote of confidence for Chief Kelly, which was
evidenced by applause. Dr. Evans then asked Dr. Alvarez to speak
of the lack of law and order in his native Cuba. Dr. Alvarez spoke
for a few moments on this subject.

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Mayor Dostal thanked these gentlemen for their remarks and said he would like to make a statement at this time. He stated that last June certain matters were brought to his attention by the Public Safety Commission, which they later straightened out. Later other things came to his attention which caused him to feel the Police Department was not functioning properly. He explained that any action he had taken was solely for the preservation of the best possible Police Department for the citizens of Leawood. He detailed the meeting of April 17, 1970 at the City Hall with Mr. Max Bagby, City Attorney, Mr. Ross Roach, councilman representative on the Safety Commission, and the Commission members, Mr. Wayne Bonebright, Dr. Dick Underwood and Mr. Harry Chesney. After a discussion of the facts which had been gathered, Chief Kelly was called into the meeting and acknowledged the data presented by the Mayor was correct. Mr. Dostal stated in view of this admission he did not feel he could reappoint Chief Kelly the 4th of May and he acceded to Chief Kelly’s wish that he be permitted to resign.

Mayor Dostal explained that under normal procedures this resignation could have been handled in executive session at the following Council meeting, with no publicity. Mayor Dostal said he had no wish to embarrass Chief Kelly, and that the press had been notified without his knowledge. Mayor Dostal did not mention what data was in the Commission’s hands, but reiterated his statement that anything he had done, was done for what he felt was the good of the City.

Councilman Jordan stated that at the meeting held the previous night, the Mayor had acceded to the desire of the Council to have Chief Kelly reappointed and that the Council had, in public meeting, acceded the Mayor a vote of confidence.

Mr. Wm. Judd spoke briefly, stating that he felt we had a fine Police Department, but that he could see the Mayor was simply doing his job.

Mr. John Auld stated he felt that Chief Kelly had done a fine job here, on the other hand he felt that Mayor Dostal and the Council in particular were avoiding their responsibility in this matter. He felt they should have looked into the record more thoroughly, before Chief Kelly was made a part of the Leawood life, and said that perhaps therein really lies the responsibility for all the confusion tonight. He said he wanted to go on record as standing in full favor of Mayor Dostal’s actions. He felt in the future the Council should make a point of looking more carefully into the applicants that the City of Leawood seeks to employ.

After some discussion of the appropriateness of such action, Councilman Bruns moved the Council apologize to Chief Kelly and his family for putting him through this ordeal. This motion was seconded by Councilman Roach and passed unanimously.

After asking the people to be sure, before they started any action of any kind on a subject, to get both sides of a story and know their facts, Mayor Dostal asked if there were any further questions or remarks.

After remarks and questions by Mr. E. G. Moss and Mr. Dave Whyte, regarding facts brought out in the investigation, Councilman Roach, as
the Councilmanic representative on the Safety Commission, stated there was nothing criminal. Further questions from the audience and answers by the Mayor brought out the fact that at the meeting on Sunday, April 19th, Chief Kelly had been reinstated under certain conditions. When asked what these conditions were, Councilman Jordan stated the Resolution reinstating the Chief of Police contained the following provisions: 1. That he would owe an apology to the citizens of Leawood, not to the Mayor nor to the Council, for the mis-information supplied. 2. That he would reaffirm his oath and the obligations of his office and that this should never again occur, and 3. That he was subject to disciplinary action if the Mayor should choose to take it, since by the Statutes of Kansas, the Chief of Police is responsible solely to the Mayor in a Mayor-Council form of government. When asked if she thought this was the proper thing to do to a man who was a Chief of Police, Mrs. Jordan stated that she thought it was quite obvious by the fact that she had made the observation this was what she thought was in the best interests of the City, the Chief, the Mayor and the Council under the situation that obtained.

In answer to the statement that under the stipulations set forth, it looked difficult for Chief Kelly to function well, Mayor Dostal answered that if the worry was about the disciplinary action, he now publicly stated that the difficulty Chief Kelly had encountered because of the report to the press, was punishment enough and there would be no disciplinary action taken. At the conclusion of this portion of the meeting, the Mayor and Chief Kelly were asked to stand and were given a round of applause.

**Tax Lid Bill:**

After a short recess Councilman Plattenberg, Chairman of the Finance Committee, introduced Mr. Wm. Fish, State Representative from District #20, to discuss House Bill No. 1825 and House Bill No. 2051. Mr. Fish stated that he was not on the Committee which worked on these bills, but his understanding of them came through hearing them debated in the House and from his own study of them.

House Bill No. 1825, the so-called tax lid bill, Mr. Fish feels, is one that will eventually bring a suit to test its constitutionality, because of its state-wide import and impact. Mr. Fish said he would go through this bill section by section, but wanted it understood his remarks were his own interpretation of the bill, and while he might be wrong, it would at least convey what the coverage was. He suggested the City contact the Attorney General's office, if there were any specific questions as to its application to Leawood.

**Mr. Fish's remarks:**

Section One: The bill provides it will go into effect April 1, 1970 - we have been under the provision of House Bill 1825 for approximately three weeks.

Section Two: Makes this applicable to all taxing sub-divisions of the State; counties, cities, townships, school districts; any political sub-division of the State that raises taxes is subject to this bill. It also provides that the base year, the year used for computation
in the bill, is the year 1970, and the taxes referred to in 1970, and taxes referred to in 1970 are taxes that were levied during the year 1969, which became due and payable November 1, 1969.

Section Three: Provides that no taxing district shall certify to the County Clerk in Olathe, property tax levies which will in the aggregate produce a dollar total greater than that which was levied in 1969, payable November 1, 1969. The act limits the total amount that the taxing unit can levy or raise, not each of various funds. If the local unit does certify levies which the county clerk finds to be in excess of those levied in the base year, the county clerk is under an obligation to adjust them downward and notify the taxing district of his actions. Thus the responsibility is on the county clerk to check and verify that the tax levy Leawood recommends is not in excess of that levied during the base year.

Section Four: Provides that when the assessed tangible valuation is increased by, for instance, state improvements in the city or by increased personal property in the city, over the amount that was present in the taxing unit during the base year, the tax levy will then first be computed omitting the new improvements or valuation, and then applying that levy rate to the new property and that unit, as a taxing sub-division, may then levy and collect both amounts.

Section Five: Provides that new annexations will be handled in the same way as in Section Four.

Section Six: Applies just in the reverse for any losses of area or losses of property.

Section Seven: Provides a formula to be used when a new local unit, which made no levy in '69, is established.

Section Eight: Provides that the act does not apply to the levy of taxes for bonds or notes, notes on warrants that have been issued prior to April 1, 1970, or judgments that might have been obtained in court and various other enumerated exceptions.

Section Nine: States that the limitations on the tax levy may be suspended in any year upon the approval of the electors of the local unit in a special election. The first time that a special election could be held to suspend the provisions of the tax lid would be the first Tuesday in July, 1970, or any general election following that date.

Section Ten: Provides that no local unit shall budget for operating expenses in any fiscal year more than 105% of the amount budgeted in preceding year or in 1970, whichever is the greatest, and operating expenses means the total expenditures for all purposes with the exception of 12 specific exclusions listed in the act.

Section Eleven: Of the bill provides that the budget limitations found in Section 10, the 105% levy, can be suspended by the electors in like manner as the tax levy limitation could be suspended.

Sections Twelve, Thirteen and Fourteen: Apply only to school districts.
Section 15: Provides that the County Commissioners may submit a question to the voters of the county of imposing a county-wide sales tax and they must present the issue if petitioned by 10% or more of the electors of the county. Mr. Fish explained the mechanics of enacting a county-wide sales tax.

Section 17: Provides that all retail transactions within the borders of the taxing unit shall be subject to the tax.

Sections 18 and 19: Provide for the question of a county or city earnings tax to be submitted to the voters. If an earnings tax, county-wide or city-wide shall be imposed, the tax rate shall be 2% of the Kansas Taxable Income, of the residents and non-residents of the area, both individual and corporation.

Section 20: Provides that all revenues collected by the county in any type of an earnings or sales tax levy, shall be apportioned among the county, cities and school districts, as set out in the act.

Section 21: States that if the county levies a sales or earnings tax the city is prohibited from doing so.

Section 22: Provides that the State Board of Tax Appeals shall not authorize the issuance of no fund warrants to a city, except in the case of extreme emergency.

Section 25: States that elections shall be held in accordance with the provisions of the general election law.

Section 26: Says that all other tax levying limitations are suspended during the operation of this act.

Section 27: States that the act will expire December 31, 1972, so that we will be under it for the years 70, 71, and 72.

Section 28: Is the repealer of previous laws.

Mr. Fish then commented on House Bill 2051 which also deals with the tax lid and refers back to 1825. House Bill 2051 provides that when the County Clerk disagrees with the governing body of the taxing sub-division as to whether or not the proposed levy of the sub-division will raise dollars that are in the aggregate more than those raised in the base year, the disagreement may be submitted to the State Board of Tax Appeals by either party for a decision and the findings of the Board at that time will be final and binding. The second point brought out was that the sufficiency of signers on a petition is to be determined by the County Election officer.

After some questions on these bills, answered by Mr. Fish, Mr. Roach asked if the tax lid could be set aside if the question was put to a vote, the answer being, yes, if it was so voted. There was also the question as to whether or not the gasoline tax the communities get was figured in the overall revenue. Mr. Fish said he did not know for a fact, but his own opinion was that it was not.

After discussion of these bills Mr. Fish stated he would not again run for Representative from the 20th District and regret was expressed by several councilmen.
Ordinance No. 372: Councilman Jordan explained this ordinance, relating to the appointment and duties of City officers, specifically appointment to the Board of Public Safety Commissioners. This was presented at the last meeting for discussion. Mrs. Jordan asked if there were any further questions or comments. Councilman Roach said he had spoken in favor of the ordinance at the last meeting simply because it was the will of the Commission that he do so as councilmanic representative, although he did not agree at that time and still does not agree. He said he believed the representative of the Council should have a vote if he was to be chairman of this commission. Councilman Johnson said he agreed with Mr. Roach. He felt a three man board with the council representative chairing was ample and that the council representative should have voting rights. After a thorough discussion of the ordinance, motion was made by councilman Roach that this ordinance be sent back to committee with the suggestion this ordinance be prepared suggesting a three man committee, and was duly seconded. Vote on the motion - four in favor; three opposed. Motion carried.

Ordinance No. 374: This ordinance covering Extra-Ordinary Sick Pay was presented at the last previous meeting for consideration. It was moved by Councilman Jordan, and seconded that this ordinance be introduced for passage by the council. Passed unanimously by a voice vote.

Planned Industrial District Ordinance: Rough draft form of this ordinance was distributed to the council members for their consideration. This ordinance, as proposed, has been studied thoroughly by the Plan Commission and the City Planning Consultant. This ordinance cannot be adopted until after a public hearing by the Plan Commission, and was presented to the Council for their study, so any questions, comments or criticisms could be considered before the Plan Commission takes any further action on it.

Ordinance No. 375: This ordinance covering remuneration for certain city officials to be set by resolution was discussed and though this was the first presentation, in the interest of smoothing May organizational matters, on motion made and duly seconded, this ordinance was passed unanimously.

RESOLUTION NO. 207 covering hourly wages of $5.00 for City Architect and $10.00 per hour for City Engineer was introduced, and after discussion, during which Councilman Johnson voiced his disapproval of the rates, on motion by Councilman Roach, second by Councilman Bruns, the resolution was adopted by a vote of all Ays, with the exception of Councilman Johnson. Copy of this Resolution is attached and made a part of the minutes.

Leawood Sewer System: Mr. Dave Whyte discussed conditions relative to the Leawood Sewer System. He said we had the opportunity to hire two men who are familiar with the system. Since the system was inherited we have not had a maintenance crew but have depended on Kroh Bros. for maintenance as needed, at the going rate. While there is no complaint on the service rendered by Kroh Bros. Mr. Whyte feels we have had sufficient experience to put together a maintenance crew. We have Street Department personnel also available to assist with this work and he feels maintenance can be put on a more satisfactory basis if we have a crew only for Leawood Sewer System, who can do work in advance of trouble. It was his feeling the city could afford to do this. Councilman Bruns noted that
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the system seems to need constant repair and suggested we ascertain what funds were available and determine how many men we need and can afford. Councilman Bruns moved Mr. Whyte and Mr. Paul Myers meet and determine these points and make a recommendation to the Council, second Margaret Jordan, and passed.

Leawood Economic Development Advisory Committee: Councilman Blattenberg reported on the progress of this committee. He reported that he felt they were making progress - there will be a meeting at 2:30 p.m. Thursday, April 23, 1970, for the press and a briefing at that time, on Thursday evening a dinner at Leawood South Country Club, which Mr. Blattenberg urged all to attend. Mr. Johnson questioned Mr. Blattenberg about the attendance at the meetings - Mr. Blattenberg reported approximately 75% attendance at meetings. Councilman Johnson stated he felt press releases should be approved by the Council and Mr. Blattenberg explained this was a report of committee findings. Councilman Johnson moved this Committee report to the Mayor and Council - the motion failed for lack of a second. Mr. Blattenberg reported the appointment of three sub-committees; Mr. Skaptason - public information; Mr. Dano - Finance; Mr. Whyte - Utilities.

Mayor Dostal reported on information from the Council of Mayors regarding the drug situation in Johnson County. They are trying to keep matters under control, appealing to the intelligence of young people, cooperating with officials in trying to eliminate hazards, and spreading information wherever possible.

Mayor Dostal announced the Johnson 3 & 2 League have given a check for $100.00 for use in the Leawood Park, for which a letter of thanks will be written them.

Leawood Civic Dinner: Mr. Bruns outlined plans for the Leawood Civic dinner, proposed for May 15th at the Leawood South Country Club, at a cost of $5.00 per $6.50 per person. On motion by Mr. Blattenberg; seconded and duly passed, Mr. Bruns was asked to proceed with his plans. Mr. Bruns asked, since the dinner was being held at Leawood South, if it would be proper to invite the Board of Governors and their wives. On motion by Councilman Smith, seconded by Councilman Roach, Mr. Bruns was asked to proceed along those lines.

Mayor Dostal read a proclamation declaring May 4th through May 8th DRUG AWARENESS WEEK and on motion by Councilman Blattenberg, second by Councilman Bruns and passed, it was so proclaimed, and the clerk instructed to notify the proper parties. Councilman Blattenberg said this was a large sized effort in which the insurance companies were participating.

After discussion, May 22, 1970, was declared National Maritime Day on motion of Councilman Johnson, second by Councilman Jordan and a unanimous vote of Ay.

Wage and Salary Committee: Application of Allen Lee Bledsoe, for position of Probationary Fireman was approved on motion of Councilman Johnson, seconded by Councilman Blattenberg. Councilman Johnson stated he felt we were fortunate to secure this man.
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State Highway Maintenance Contract I-435: City Attorney Max Bagby discussed the fact that the Maintenance Contract with the Highway Department, permitting them to carry on such maintenance as necessary, must be renewed periodically; this requires the Mayor's and City Clerk's signature, as well as the City Seal.

Councilman Bruns mentioned briefly that he had received a call over the weekend from a Mrs. E. C. Cooper, expressing her approval of action taken over the weekend.

Application to Kansas State Health Department for Sewers for Thomas Jay:

Mr. Jay reported he had gone to Topeka in connection with approval for his application for sewer permits in the 103rd and Lee Boulevard development. He said he was informed that the Kansas State Health Department had placed a moratorium on any sanitary sewer extensions in the City of Leawood. A letter will be written to the Kansas Health Department requesting an emergency meeting.

Mr. Jay protested the sewer connection fee. Mr. Whyte stated he did not know a moratorium had been placed on the City of Leawood, and questioned the legality of the action because of our contract with Kansas City, Missouri. City Attorney Bagby said he would investigate this and agreed there might be some doubt. When asked by Mr. Jay - what about building permits, Mr. Bagby said again we would look into it and would issue permits if possible.

Upon motion by Councilman Johnson, second by Mr. Bruns motion to adjourn to May 4, 1970 was passed unanimously.

[Signatures]

MAYOR

CITY CLERK
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 p.m. on Monday, May 4, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Roach, Bruns, Johnson and Jordan.

The Rev. Guy Casey of the Leawood Methodist Church gave the invocation.

Minutes - Special meeting of April 19, 1970: Councilman Johnson stated: "I am not satisfied with the write up on the minutes of the meeting... I think there should be some changes made and I would like to review the tape and make the suggestions so that I am sure that I am right." Councilman Bruns moved that the minutes be approved with the stipulation that Mr. Johnson review the tape and satisfy himself that they are correct, seconded by Councilman Johnson; passed unanimously.

Minutes - Special meeting of April 20, 1970: Councilman Johnson moved that the minutes be approved with the stipulation that he review the tape and satisfy himself that they are correct, with the following corrections: Strike the words "suggestion this ordinance be prepared" from the third line from the bottom of the first paragraph on page 1041, Ordinance 372, since this is repetition of language, and add the word "by" to the last sentence of the third paragraph on page 1043, so that the phrase reads "written by the Kansas Health Department"; second, Councilman Bruns; passed unanimously.

Resolution No. 208 - Maps relating to traffic control signs (second reading): Councilman Jordan discussed and moved the adoption of the following resolution:

Resolution No. 208

"Whereas the Governing Body of the City of Leawood, Kansas has adopted the "Standard Traffic Ordinance for Kansas Cities" as Ordinance No. 362 on the 17th day of November, 1969,

"BE IT RESOLVED, pursuant to Sec. 67 (a) thereof that the traffic control signs as shown on the attached two section map of the City be declared official within the meaning of said section.

"BE IT FURTHER RESOLVED that a copy of said map be displayed in the public area of the Police Department for reference and that any further authorized traffic control signs together with the date of authorization be added thereto."
Resolution adopted unanimously.

Resolution No. 209 - Appreciation to Gerald B. Jarvis:
Councilman Jordan presented the following resolution and moved for its adoption:

Resolution No. 209

"WHEREAS, the first Council meeting of May coincides with the last period of active service of Gerald B. Jarvis,

"BE IT RESOLVED, by the Governing Body of the City of Leawood, Kansas that we hereby commend and congratulate Gerald B. Jarvis for his fine service in behalf of the City of Leawood, Kansas, and

"From the time of his original appointment as the second full time police officer of the City through the fifteen and one half years of growth of the Department, the dedication of this fine officer has been an inspiration to every citizen his work has touched, and

"BE IT FURTHER RESOLVED, that we send with him in his approaching retirement, our gratitude, our best wishes, and our deep appreciation."

Resolution adopted unanimously. Mayor Dostal said it gave him a great deal of pleasure to sign this resolution. The resolution was handed to the Chief of Police for presentation to Mr. Jarvis.

Retiring City Officials: Mayor Dostal announced Mr. Dan Weary would not be able to be present tonight. He noted that Mr. Weary had served on the Plan Commission and the Park Commission and had done a very fine job. He added that Mr. Weary was a knowledgable person and added a great deal to many of our discussions at the Council table. Mayor Dostal said he would present a key to the City to him.

Mayor Dostal presented a key to the City to retiring City Treasurer, Mr. C. Jack Weltsch, who has had to relinquish his duties because of the press of business. The Mayor thanked Mr. Weltsch for the service he had rendered and for advising in advance that he would be unable to continue.

New Council: Mayor Dostal said that all newly elected Councilmen and the City Treasurer would be sworn in by the City Clerk.

Councilman Johnson said, "I have something under Old Business. At our last meeting, I was one of all of the Councilmen that gave you a vote of confidence. And I did so because I always thought you to be a man of your word and I must now ask that my name be taken away, and I do
"not want to give you a vote of confidence now, for the simple reason that you told me that you were going to appoint me to the Wage and Salary Committee and then you changed your mind and you appointed someone that hasn't even attended a meeting in 7 or 8 times. So you have my reason for doing this and I want it to be a matter of record."

Mayor Dostal asked Mr. Johnson if he had received a letter from him. Mr. Johnson said, "Yes, and I told you today that I would bring this up."

The City Clerk administered the Oath of Office to the following Councilmen: Cliff Johnson, Ward 2; Bob Blattenberg, Ward 3; Ross Roach, Ward 3; Edwin Bruns, Ward 4; and to the City Treasurer, Raymer Hodson.

Mr. Weltsch said it had been a distinct pleasure to work with the Mayor, the Councilmen and the department heads of the City. Mayor Dostal thanked him for many hours of devoted service and a job well done.

Mr. Donald Ballard entered the meeting and was administered the Oath of Office as Councilman, Ward 1.

The roll call of the new Council was answered by:
Blattenberg, Smith, Roach, Ballard, Bruns, Johnson, Jordan.

Mayor Dostal made the following statement: "I would like to make a public statement as the Mayor of Leawood which I address to the dear fellow citizens of the City of Leawood. When I announced my candidacy for the position of Mayor of this City which I so fondly love, never in my wildest imagination could I have conjured up a situation which I have struggled with within the last several months. I was a reluctant candidate as many who supported me well know. I had already given my city ten years of service as a councilman and on the Planning Commission. I was tired and looked forward to spending a good deal more time with a devoted wife and two of the finest children that God could ever send to a man. However, duty seemed to call once again and I responded with considerable hesitation. My family, as always, gave me their full support which is so vital to a husband and father even though my wife, as she recently advised me, prayed I would not embark upon this new task. The events of the last several weeks are known to you all. At one meeting I heard reference to myself both as a Hitler and then my actions seemed to impress someone as a Communist tactic used on the Island of Cuba. This is a rare combination and quite a blow to someone whose entire philosophy is so grounded in the democratic form of government that it has also been said of me that I am a little too democratic. Little wonder that I announced I would not again run for public office at any time or any where. But I had not counted on the continued support of my family and my many friends. Their response in this rather trying time for me is something I
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"shall never forget or ever be able to repay. They buttressed my belief that anything worth striving for is worth suffering for. So I herewith repudiate any thought of not continuing in the service of my City or elsewhere if the call should come again to serve in any capacity. As to the decision at hand which must soon be made, I have made it after talking to many people and receiving much advice, both solicited and otherwise. I suspect many of my good friends and strongest supporters will not agree with me. I ask them once again to keep their faith in me and to realize the decision was not made lightly but only after prayerful consideration and reliance on the guidance of Almighty God, who, after all, is the last refuge to whom we go when the storm is at its peak."

Election of President of the Council: Councilman Johnson nominated Ed Bruns; second by Councilman Roach. Councilman Blattenberg moved that the nominations be closed; second by Councilman Jordan. Mr. Bruns was declared to be President of the Council. He said he appreciated the confidence of the Council.

Designation of an official city newspaper: Councilman Bruns moved that the Johnson County Herald continue to be the official city newspaper; second by Councilman Blattenberg; carried unanimously.

Designation of depositories for city funds: Councilman Blattenberg moved that our present banks be continued as the depositories for City funds. These are: The Southgate State Bank and Trust Company for our General Operating Fund, Kansas National Bank for the Special Funds, and The Johnson County National Bank and Trust Company for funds of the Leawood Sewer System. There have been no problems. Second by Mr. Bruns; passed unanimously.

Resolution No. 210 - relative to Ward Parkway Corridor: Councilman Jordan said: "I would like to preface the introduction of this resolution by saying that we brought it to your attention tonight because we wanted at this time to recognize the work that our chairman of the past Plan Commission has furnished to the City by way of resolving this very difficult problem. Wayne Harrison deserves a great deal of credit along with the other members of his committee in bringing this study and presentation on behalf of the City of Leawood to a close, and I know that he would be very happy to know that tonight we are prepared to present to the Council the resolution embodying the design and planning criteria in the Ward Parkway Corridor area." She moved the following resolution be adopted:

Resolution No. 210

"WHEREAS, in a series of meetings over the past two and one half years, the Plan Commission of Kansas City,
"Missouri and the Plan Commission of Leawood, Kansas, have reached an agreement on the future development of the area denominated "Ward Parkway Corridor," to-wit, the area bounded by State Line Road and Ward Parkway on the west and east; 81st Street to 85th Street on the north and south, and

"WHEREAS, the resulting preliminary plan envisions an area predominately residential or park-like in character and incorporating landscape screening along the entire west side,

"BE IT THEREFORE RESOLVED by the Governing Body of the City of Leawood, upon recommendation of the Plan Commission of the City of Leawood, that the "Ward Parkway Corridor Study" as presented to the Plan Commission by Mr. Don Woodard, of the Kansas City, Missouri Plan Commission staff on the 23rd day of March, 1970, be adopted incorporating certain principles of land development for this area as set forth below:

"BE IT FURTHER RESOLVED, that the entire 'Corridor' be subject to the 'significant area concept' which requires that plats submitted with applications for zoning reclassification in the 'Corridor' will be considered only upon inclusion within each unit of sufficient area so that the following criteria may be met:

"1. The present R-3 classification of the Kansas City, Mo. Zoning Code, which permits two and one-half stories is acceptable, except that the height of buildings facing on State Line Road shall not exceed two stories.
2. That the area south of 83rd Street to the presently existing drainage ditch be developed as a unit for a single office building complex. The building is not to exceed three stories in height measured above the minimum elevation at Ward Parkway. The location of the office building should be far enough east to permit the installation of adequate parking facilities in an area depressed 1½ feet below and located between the building and an area along State Line Road and of sufficient width to permit a sidewalk and landscape screening. The vacation of Wyoming Street south of the drainage ditch will be a necessary pre-requisite to the development of the significant area.
3. Except for the presently existing 81st, 83rd, 84th and 85th Streets, all access to the entire area of the 'Corridor' should be by interior roads from these cross streets. No access is to be permitted from either State Line Road or Ward Parkway directly.
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4. The balance of the 'Corridor' north and south of the office building complex is roughly divided by Wyoming Street. The vacation of any portion of Wyoming other than that required above will be deferred pending plat submission in the four areas thus created.

5. The areas between Wyoming and State Line Road should be developed as to housing unit density, set-back requisites and screening in accordance with a classification not to exceed R-3 of Kansas City, Mo. zoning code. No enlargement of the classification shall be undertaken so as to permit commercial access on State Line Road.

6. The remaining area east of Wyoming to Ward Parkway shall be developed in apartment units not to exceed 12 stories or 108 feet in height. The basic limitation will be that of the entire area, a maximum of 30% building coverage, 30% maximum for roads and parking and a minimum of 40% to green space;

"BE IT FURTHER RESOLVED, that the map entitled 'Ward Parkway Corridor Study' submitted with the above proposal, dated March 23, 1970, be incorporated into this resolution by reference, and

"BE IT FURTHER RESOLVED, that provision for pedestrian sidewalks be made on the east side of State Line Road."

The resolution was unanimously adopted. Mrs. Jordan said the study map is the map that was presented to the Council. Mayor Dostal congratulated Mr. Harrison and all the members of the Plan Commission. He said this has been in the works for three and a half years and has entailed a great deal of work. It is a good illustration of what can be done between communities large and small.

Councilman Johnson moved that the Plan Commission contact Roach Cadillac Company in reference to screening that was supposed to be provided along State Line; second by Mr. Roach; unanimously passed.

Resolution No. 211 - School Safety Patrol: Councilman Roach said that because of our City's continuing concern for the safety of our school children, he would move the adoption of the following resolution:

Resolution No. 211

"WHEREAS the Governing Body has accepted the recommendation of the Johnson County Council of Mayors and the Johnson County Chiefs' Association that school crossings be guarded by police trained school patrols, and

"WHEREAS the Leawood Police Department has undertaken the AAA-sponsored program to train such patrols for
"the two elementary schools located within the City, Cure of Ars and Brookwood, and

"WHEREAS the Board of Commissioners of Public Safety, upon review of the program, recommends its adoption,

"BE IT RESOLVED that the Governing Body hereby approves the attached rules and regulations submitted by the Board of Commissioners of Public Safety governing the conduct of Safety Patrol Program and incorporated such by reference herein and that the Patrols be initiated, and

"BE IT FURTHER RESOLVED that the expenditure, not to exceed one hundred dollars, for equipment purchases is hereby authorized."

Adopted unanimously. Mayor Dostal said he believed this to be a tremendous step forward in the school safety program.

Resolution No. 212 - Tornado and storm warning procedures:
Councilman Roach said certain procedures regarding tornado and storm warnings had been sent to councilmen. He moved that this resolution be adopted:

Resolution No. 212

"WHEREAS the Board of Commissioners for Public Safety recommends to the Governing Body for approval and adoption the Rules and Regulations entitled 'Tornado and Storm Warning Procedures' dealing with local action to be taken within the City upon receipt of signals from the Civil Defense authorities or the Sheriff's Office dispatcher under the county-wide warning system now in effect for Johnson County, Kansas, now therefore

"BE IT RESOLVED by the Governing Body of the City of Leawood that 'Tornado and Storm Warning Procedures' issue of May 4th, are hereby approved and said procedural outline be incorporated by reference for adoption by the departments and officials of the City."

Adopted unanimously.

Resolution No. 213 - Kansas City Power & Light Company Franchise taxes: Councilman Blattenberg read the following resolution and moved it be adopted:

Resolution No. 213

"BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas that all sums received from the Kansas City Power & Light Company, representing the
"payment of the franchise taxes received by said company during the year 1970, be received in the General Operating Fund and promptly deposited to the account of the Building Fund of said City, to be used as provided by law;

"BE IT FURTHER RESOLVED that the Mayor, City Treasurer and City Clerk be authorized and directed to do all things in the premises necessary and proper to carry out the purpose and intent of this Resolution."

Councilman Johnson asked if this meant that we were going to get the monies the Power & Light Company is now holding also. Councilman Blattenberg said no, that will be offset against the charges month by month as they are incurred. It will balance out about the end of this year.

Resolution unanimously adopted.

Resolution No. 214 - Street Lighting: Since the Public Safety Commission had been advised of the need for two additional street lights in the 8300 block of Sagamore, Councilman Roach moved the following resolution be adopted:

Resolution No. 214

"BE IT RESOLVED that the Mayor be authorized to sign Resolution No. 18 under Ordinance No. 264, providing for two additional street lights in the City of Leawood, Kansas, to be paid for from the City's reserve fund with the K. C. Power & Light Co. (8300 block of Sagamore)."

Unanimously adopted.

Councilman Roach introduced his son-in-law, John Jordan, who is with the Air Force at Great Falls, Montana. Mr. Jordan is also president and founder of the Young Republicans Club of Michigan City, Indiana.


Appointments of City Officials: Councilman Bruns asked that the Council vote be taken on each individual appointment.
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Building Inspector - Taylor Brady; motion to approve appointment, Councilman Bruns; seconded, Councilman Jordan; passed unanimously.

City Architect - John Granstedt; motion to approve appointment, Councilman Bruns; seconded, Councilman Johnson; passed unanimously.

Alternate Architect - Louis Geis; motion to approve appointment, Councilman Bruns; seconded, Councilman Roach; passed unanimously.

City Attorney - Max Bagby; motion to approve appointment, Councilman Johnson; seconded, Councilman Roach; passed unanimously.

Assistant City Attorney - Larry Winn, III; motion to approve appointment, Councilman Roach; seconded, Councilman Jordan; passed unanimously.

City Clerk - Jinny Oberlander; motion to approve appointment, Councilman Blattenberg; seconded, Councilman Bruns. Vote: Nay, Councilman Johnson; Aye, Councilmen Blattenberg, Smith, Roach, Ballard, Bruns, Jordan.

City Engineer - John Martin; motion to approve appointment, Councilman Bruns; seconded, Councilman Jordan; passed unanimously.

City Treasurer - Raymer Hodson; motion to approve appointment, Councilman Roach; seconded, Councilman Bruns; passed unanimously.

Fire Chief - Jourdan Toman; motion to approve appointment, Councilman Bruns; seconded, Councilman Smith; passed unanimously.

Police Chief - City Marshal - Jack Kelly; motion to approve appointment, Councilman Roach; seconded, Councilman Jordan; passed unanimously.

Police Clerk - Clerk of Court - Marian Salsor; motion to approve appointment, Councilman Bruns; seconded, Councilman Jordan. Vote: Nay, Councilman Johnson; Aye, Councilmen Blattenberg, Smith, Roach, Ballard, Bruns, Jordan.

#270 Street Commissioner - Edwin Bruns; motion to approve appointment, Councilman Roach; seconded, Councilman Smith; passed unanimously.

Street Superintendent - Paul Myers; motion to approve appointment, Councilman Bruns; seconded, Councilman Blattenberg; passed unanimously.
Committees, Commissions and Board appointments:

Administrative Committee: Mayor Dostal
Raymer Hodson
Bob Blattenberg
Edwin Bruns

Motion to approve appointment, Councilman Bruns;
seconded, Councilman Blattenberg; passed unanimously.

Board of Zoning Appeals:
New appointments: J. R. Anderson
Louis Geis
Appointments still in effect:
Charles Witthaus
Earl Harding
J. Calvin Spradley
June Lile, Secretary

Motion to approve appointment, Councilman Bruns;
seconded, Councilman Blattenberg; passed unanimously.

Budget and Finance Committee: Robert C. Blattenberg, Chairman
Raymer Hodson
William R. Fish

Motion to approve appointment, Councilman Roach;
seconded, Councilman Bruns; passed unanimously.

Building Code Committee: Clifford Johnson, Chairman
H. C. Blazer, Jr.
John Granstedt
Gene Kroh
George Ranallo
Lynn Bowman

Motion to approve appointment, Councilman Blattenberg;
seconded, Councilman Bruns; passed unanimously.

City Hall Expansion - Finance: Robert Blattenberg, Chairman
James Firth
Third Person (to be selected by committee)

Motion to approve appointment, Councilman Bruns;
seconded, Councilman Roach; passed unanimously.

Intergovernmental Cooperation & Community Affairs:
John Lee Smith

Motion to approve appointment, Councilman Bruns;
seconded, Councilman Johnson; passed unanimously.

Ordinance Committee: Margaret Jordan, Chairman
Mrs. Alfred Kastman
Dick Underwood
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Motion to approve appointment, Councilman Bruns; seconded, Councilman Blattenberg; passed unanimously.

Park Commission:
New appointments: Ed Bruns, Chairman
Gene Alt
Dan Weary

Appointments still in effect:
Pearl Scott
James Barrick
John Granstedt

Motion to approve appointment, Councilman Blattenberg, seconded, Councilman Roach; passed unanimously.

Plan Commission:
New appointments: John Lee Smith, Council representative
Gene Alt
Donald J. Lutz, to fill unexpired term of D. M. Robinson
John Granstedt

Appointments still in effect:
Clifford Des Marteau
Charles Duval
J. S. Skaptason

Motion to approve appointment, Councilman Bruns, seconded, Councilman Blattenberg; passed unanimously.

Mayor Dostal asked for an expression from the Council relative to a chairman of this Commission. Councilman Johnson moved that the Council recommend that the Council representative on the commission should be the chairman of the Commission; seconded by Mr. Bruns; passed unanimously.

Public Safety Commissioners (Board of):
New appointment: Dennis H. Robinson
Ross Roach, Council representative

Appointments still in effect:
Wayne Bonebright
Dick Underwood

Motion to approve appointment, Councilman Blattenberg; seconded; passed unanimously.

Councilman Bruns moved that the Council recommend that the Council representative on the Commission should be the chairman of the Commission; seconded by Councilman Johnson; passed unanimously.

Civil Defense: Ed Akerly
Johnson County School Traffic Safety Council: Ed Akerly

Motion to approve appointment, Councilman Bruns; seconded, Councilman Smith; passed unanimously.

1054
Sanitary Sewers and Storm Drainage Committee:
Donald Ballard, Chairman
David Whyte
John Grenstedt
Mark Medved (as available)
J. S. Skaptason
John Martin, City Engineer

Motion to approve appointment, Councilman Bruns; seconded, Councilman Johnson; passed unanimously.

Wage and Salary Committee:
Earl Gray, Chairman
Robert Blattenberg
Raymer Hodson

Motion to approve appointment, Councilman Roach; seconded, Councilman Jordan; passed unanimously.

Councilman Bruns said, "I would like to congratulate Cliff Johnson for the work that he has done on this Wage and Salary Committee. I believe he is the ranking member of this body. Cliff, I just want you to know that I think you have done a real great job on this."

Miscellaneous Appointments:

Johnson County Human Relations Committee:
Ross Roach
Bill Brownfield

City Convention, League of Kansas Municipalities:
Voting delegates: John Smith
Ed Bruns
Alternate delegates: #1 Cliff Johnson
#2 Bob Blattenberg

Motion to approve miscellaneous appointments; Councilman Blattenberg; seconded, Councilman Jordan; passed unanimously.

Mayor Dostal said: "There are many city officials here. I cannot tell you how gratified I personally am and how gratified the Council is for the service these gentlemen render to the City without any thought of remuneration. I drop in on them occasionally and they do a tremendous job in all facets of our government. The citizens of this City don't know how fortunate they are to have such well qualified, devoted individuals who give their time and effort to every facet of our City government. One of the pleasures of being in city government is to meet gentlemen of this caliber. I cannot say enough for them. Gentlemen, to all of you my heartiest congratulations."

Councilman Jordan said: "I would like to take this opportunity to recognize and thank the members of my committee--
Dr. Dick Underwood and Mrs. Frances Kastman. They have held an average of two meetings every week for the last six months in order to give the City of Leawood what will be the most modern code of law of any second class city in the State of Kansas. It is a thoroughly professional job they are doing and I think they deserve special recognition at this time when we are approaching, on June 1, the adoption of a complete recodification of the laws of the City of Leawood. Councilman Blattenberg said he would like to make those same comments with respect to the chairman of that committee.

Councilman Bruns moved that the Council present a citation to Wayne Harrison for the work that he has done on the City Plan Commission during his term on the Council and while not on the Council. He stated Mr. Harrison had done a terrific job. Seconded by Councilman Smith; unanimously passed.

Authorization of Signatures on City Warrants: Councilman Blat tengberg moved signatures of Mayor V. M. Dostal, City Treasurer Raymer Hodson, City Clerk Jinny Oberlander, and President of the Council Edwin Bruns be authorized on all warrants necessary to conduct the general operation of the City's business. Motion seconded by Councilman Roach; passed unanimously.

Council Reporter: Councilman Jordan stated data supporting a request that the position of Council Reporter be created was given to each Councilman. She stated it is becoming standard procedure especially in small cities to have minutes of the city council done by an outside reporter. Councilman Jordan moved the position of Council Reporter be created, said reporter to be a part-time employee of the City of Leawood, authorized at a maximum rate of $2.50 an hour, and to be employed for the sole purpose of recording and transcribing the minutes of regular, special and adjourned Council meetings. Motion seconded by Councilman Bruns.

Councilman Johnson asked if this would mean we would not need "X" hours of preparation of this by someone else. Councilman Jordan answered we do not have "X" hours for preparation now. She said we are faced with the provision now of rather than adding an entire other person to the City Hall staff, to have some of these jobs, especially where the work load is fluctuating, on a part-time, outside-help basis in an effort to keep the administrative staff budget at a minimum. Councilman Johnson asked if a study had been run to back up these statements. Mrs. Jordan replied affirmatively. Councilman Johnson said, "In other words, you are going to add to it and not reduce the hours within the department. In my opinion, we ought to study the operation, have an industrial engineer look it over, and see where we can make some cutbacks because we keep adding and adding and that is one of the reasons why I think it needs attention."

It was noted that the volume of just sheer hours in typing...
with the recent meetings, for example, is pretty tough for our staff. Councilman Johnson said, "I don't think we are going to have weekend meetings as a regular diet." Councilman Jordan stated this was brought up in the Administrative Committee meeting even before the events of last weekend; this matter has been under study simply because requested work to be done by the members of City Hall is being done more and more at the expense of overtime and extra load on our present personnel, and has reached a breakdown point unless some relief is afforded.

Councilman Johnson interjected, "Then you are saying that it will eliminate the overtime." Councilman Jordan replied she was not saying it will eliminate all the overtime, but it is an attempt to keep the overtime within bounds. Councilman Johnson added: "All I am saying is that I think we should watch it. It gets to be too automatic to add four hours here and four hours there and not have to account for it, merely hire. We have to do this in a businesslike way at all times."

Councilman Bruns agreed but said, "I think too that LEDAC has contributed another sizeable amount of clerical work. This is on a part-time basis, kind of like overload, as we need it to get things properly done and without killing our present staff." Councilman Jordan pointed out that with the staff at the level it has been, we have added three major projects in the last year, LEDAC, the codification, and the Leawood Newsletter, and these are jobs of considerable magnitude when you are operating with one City Clerk and three members of her staff who must also double in the issuance of permits, licenses, registrations, road and sewer work. It is possible to forecast very easily as the annexed territory becomes more active, it can't be envisioned that the load of City Hall is going to get lighter. We are going to let it get heavier with as little impact on our budget as possible.

Councilman Johnson condensed his position by saying, "I merely am saying that it should be handled in a prudent manner." Councilman Ballard asked if this concerned work other than Council Reporter. To which Mayor Dostal said it is strictly for this one purpose.

Vote: Aye: Councilmen Blattenberg, Smith, Roach, Ballard, Bruns, Jordan; Abstain: Councilman Johnson.

Appropriation Ordinances: Nos. 276A and 269S in the amounts of $39,635.83 and $276,460.76 (including $273,640.00, purchase of U. S. Treasury Bills), providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously on motion of Councilman Bruns, seconded by Councilman Blattenberg. Vote: Aye: Blattenberg, Smith, Roach, Ballard, Bruns, Johnson, Jordan.
A recess was called to await the arrival of representatives of the Kansas State Health Department.

The Council reconvened at 2:15 p.m. Councilmen Blattenberg, Smith, Roach, Ballard, Bruns, Jordan, Johnson were present.

Leawood Sewer System: Howard Duncan, Chief of Water Pollution Control of the State Health Department, and his associate, Rudolph Hovach, sanitary engineer, appeared before the Council to discuss what they felt to be an inadequate sanitary sewer system and a lack of progress toward a solution.

David Whyte, representative of the Sanitary Sewer Committee, commented: We have the same objective, we are interested in an improved sewer system. There is one thing that is troubling us and I believe troubling you (Mr. Duncan) too. That is these pop-off valves that discharge sewage into the streams during periods of heavy storms. Generally speaking, our troubles are mostly in the Dykes Branch area. The system developed and then Leawood found itself working out an agreement with Kansas City, Missouri, to treat the sewage. Troubled with the storm water in the system and the surcharge this causes, about three years ago the Council authorized a contract which would develop a relief line on Dykes Branch to carry this excess water and discharge it in the Kansas City, Missouri system. When it came to the award of the contract, we found that Kansas City did not agree. We then went after the problem of preventing the infiltration of storm water into the sewer system. We inspected for illegal connections, for foundation drainage or any problem connected with individual residences or commercial establishments. People were notified where corrections had to be made. There are connections of sub-drainage systems which drain the foundations and lead into the sanitary system. We have exterior drains such as a driveway or an extra entrance to a basement which drain into the system. Perhaps we should make those things illegal. We have had only a token response from residents correcting their slope problems. He discussed three alternatives: (1) to require that all of our existing exterior connections be disconnected from the system and led elsewhere. After this has been achieved, negotiate with Kansas City, Missouri and proceed with the Dykes Branch relief line. (2) To accept as a constant the present quantity of storm water infiltration and control it; no new connections of this sort will be made. This would maintain the amount at something like the present level. (3) A third possible alternative is something in the nature of a holding basin.

Complaints are recorded to indicate trouble areas. Certain sections of the mains have been televised. Repairs to certain sections of the line and manholes were made.
Mr. Duncan stated the overall problem is the inadequacy of your sanitary sewers to carry the flow. This is due primarily to storm water infiltration. In his opinion, what is needed at this point is to make a comprehensive analysis of the problem and propose specific engineering solutions, and set a timetable. A follow-up comprehensive survey is needed to be made by a consulting engineer. He believed the map of the sewer system to be incomplete.

Mr. Duncan agreed with Mayor Dostal that Leawood did not have a unique problem and that all the communities in this area have this problem.

Mr. Duncan said that he was prepared this evening to lift the moratorium on our new sewer extensions and approve all of them in exchange for certain things he would ask of the Council: (1) to hire an engineering firm to make a comprehensive survey of the problem and recommend alternate engineering solutions along with estimates so the Council would be in a position to make an appraisal of what is most feasible because it involves more than engineering. (2) the establishment by the Council of a reasonable schedule for bringing about an improved program, enforcing disconnection of known sub-drainage systems and bringing about improvements recommended under (1) above. (3) to provide the State Health Department with a comprehensive map of the Leawood sewer system including any sewer extensions that may have been built without advice to the department. "I hope that within 18 months to two years we can be applying some of the recommendations. The recommendations might be as simple as replacing certain sections of a sewer where it goes under a creek. It might be more extensive, such as parallel relief lines. It might be a so-called holding tank which in effect is an intermittently operated primary sewage treatment plant. Let us study it rather thoroughly and you will be in a position to make those decisions."

Mr. Whyte advised Mr. Duncan that the firm of Shafer, Kline and Warren had conducted a study of the Leawood Sewer System. Mr. Whyte said a copy of the Shafer, Kline and Warren report would be submitted to Mr. Duncan.

Mr. Whyte asked if the City were to agree to undertake these things, would the State be willing to endorse our plan for a relief line to Kansas City, Missouri. Mr. Duncan replied that as far as the City of Kansas City, Missouri is concerned, the Kansas State Health Department is an independent party.

Mr. Whyte stated Johnson County has a study by Black & Veatch in the process now. A regional approach should be taken to this whole matter since the Leawood Sewer System serves not only Leawood but parts of Overland Park and Prairie Village.
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Councilman Bruns moved that the Council accept the recommendations of Howard Duncan of the Water Pollution Control section of the Kansas State Health Department to (1) hire an engineering firm to make the study of our sewer system and submit recommendations, (2) to establish a schedule to conform to these recommendations, (3) to provide a comprehensive map of the sewer system to the State Health Department, (4) to diligently pursue the extraneous storm water connections to the sanitary system, (5) to give the State Health Department all engineering criteria that we have on our sewer system, and, therefore, under those conditions the Kansas State Health Department would lift the moratorium on Leawood. Motion seconded by Councilman Ballard. Discussion ensued.

Mr. Duncan was advised Leawood has not created any benefit districts. The City Attorney agreed there might be some problem in enforcing corrective measures outside the city limits.

In answer to a question from Councilman Jordan, Mr. Duncan said that the moratorium of the Kansas State Health Department had not been an official action but was a very informal thing—not a formal Board action. There has been a similar moratorium on a sister city in Johnson County.

Mr. Whyte said he had no idea as to what it might cost to bring the Shafer, Kline and Warren report up to date or to make it conform to Mr. Duncan's requirements. Mr. Whyte said Mr. Hopkins of the Kansas City, Missouri department had never said he would not accept our sewage; he had said he would not accept any enlargement of our system which would have more storm water coming into it. His objection is to treating storm water, not treating sewage.

Mr. Skaptason said he got the impression from meeting with Mr. Hopkins that he would entertain at this time that some changes had taken place. Mr. Whyte added that he was not sure whether Mr. Hopkins was speaking of going beyond some extensions of our present lines.

Mayor Dostal observed that the first refusal since August, 1969, was the sewer connection in our industrial park to the Kansas City Testing Laboratory, and then the refusal to Mr. Jay's development.

Mr. Duncan announced he had just found notes on refusals. There are four - the Dykes Branch relief main which became academically suspended, Leawood Estates, Industrial District, and Leawood Estates Block B. The approvals have been running 2 or 3 a year, not nearly as many as he had thought.

Mrs. Jordan asked the approximate amount of funds available for undertaking this program. Mr. Whyte answered that we have something in the area of $400,000 for improvements to the system, maintenance, etc.
Mr. Duncan expressed his willingness to meet with the City's consulting firm to discuss their findings.

Mayor Dostal observed that we are in a lot better condition than we thought we were. He called for a vote on the motion; passed unanimously.

Mr. Bagby read a letter from Dan, George and Dorothy Martin complimenting the Mayor, Council, Fire Department, Police Department and Police Chief and sending a case of coffee as a gift. Mr. Bruns moved that a letter of thanks be sent to the Martins; seconded by Councilman Johnson; unanimously adopted.

Mayor Dostal thanked everyone for a very fine meeting.

On motion by Councilman Bruns, seconded by Councilman Johnson, the meeting was adjourned to May 18, 1970 at 7:00 p.m.

V.M. Dostal
MAYOR

June Lile
Council Reporter

Attest:

James Oberlander
City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 P.M. on Monday, May 18, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Roach, Gray, Johnson, Jordan.

Mayor Dostal introduced the new Council Reporter, Mrs. June Lile.

Minutes: Mayor Dostal requested that on page 1058, in the first line of the second paragraph of the minutes of the meeting of May 4, 1970 the time be changed to 9:15 p.m. Councilman Johnson moved to approve the minutes as submitted, with the correction noted; second by Councilman Gray; passed unanimously.


Report Concerning Tomahawk Reservoir in Washington, D.C.: Mayor Dostal said he thought the Council and all the citizens of Leawood, regardless of their feelings on this particular matter would have been gratified by the excellent presentation that was made by Mr. Blattenberg, Mr. Skaptason and Mr. C. Y. Thomas, Senator at Large from Johnson County. He said they received an excellent reception both in the House of Representatives and before the Senate committee. He was impressed by the knowledge that these gentlemen showed on this project.

Councilman Blattenberg reported on the hearing before the House subcommittee on May 11th. There were nine representatives on the hearing committee chaired by Rep. Jones of Alabama, including Reps. Bolling and Randall of Missouri and Winn of Kansas. This hearing was opened by statements of people in favor of the Blue River Basin project. After their many statements, our group was called upon. Councilman Blattenberg said he felt they got a very fair and gentlemanly reception.

Mayor Dostal reported the next day they went before the Senate subcommittee. Senator Tom Eagleton chaired that committee. Our group made the initial presentation which was succinct and to the point. He said both the Senate and House committees were impressed that we were not dealing in platitudes; our group had cost figures and road networks to show what would happen in Leawood. Senator Eagleton told the engineers that this was being sent back to them for restudy on the basis of information furnished by the contingent from Leawood, Kansas. Mayor Dostal read the following article from The Daily News of Johnson County, Kansas, which he said best expresses what
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"Engineers Reappraising Tomahawk Dam Proposal

"Army engineers yesterday recommended to Congress authorization of a proposed 106 million dollar plus river flood control project in Kansas and Missouri—one feature of which has drawn opposition.

"The project would include four dams and reservoirs in Johnson County and Jackson County at a cost of 63 million, 200,000 dollars and various local protection works costing 43 million dollars.

"Local interests would pay five million dollars of the cost of the project, designed to protect an area of Kansas City, from periodic flooding of the Blue River. A 1961 flood caused eight million dollars damage.

"A delegation from Leawood testified Tuesday in opposition to the proposed 19 million Tomahawk Creek Dam. Spokesmen said it would inundate a large area of land needed for urban development in Leawood, that the dam would probably cost 35 million dollars and it would not be economically feasible.

"Kansas Senator Bob Dole called on Army engineers to restudy the project taking into account the points made by the Leawood protestors.

"Dole commented he was not impressed with the fact that everyone in Missouri supports the project, which is in Kansas.

"He suggested the Army engineers consider possible modifications to meet some of the objections.

"Missouri Senator Thomas Eagleton drew from Lieutenant Colonel Carlyle Charles the fact that the engineers are reappraising the Tomahawk matter, however, he said its elimination would considerably reduce benefits of the overall project."

Councilman Johnson said he did not disagree with what was done but he did disagree with the method in which all of these events took place. He said it was his understanding that we have committees here that are to report their findings to a chairman who, in turn, advises the Council as to what they are doing; and what they do depends on how the Council feels about it. Mayor Dostal agreed. Councilman Johnson went on to ask who authorized the committee. Mayor Dostal answered that the committee was authorized by the Leawood Economic Development Advisory Committee and they were paying all the expenses. There is no expense to the City of
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Leawood. Councilman Johnson insisted that as soon as they use the name Leawood, the Council is going to tell them what to do and where to go; he said there was a violation because the Council did not approve; he then asked who paid for the trip? Mayor Dostal answered the Leawood Economic Development Advisory Committee. Councilman Johnson asked who paid the Committee? Mayor Dostal said there was a group of citizens mostly property owners from the area involved who were sent letters and they contributed to this fund. Councilman Johnson asked how many banks supported it? Mayor Dostal answered there were no banks to his knowledge, and suggested Councilman Johnson call Jerry Dano who is in charge of the Finance Committee, and he will be glad to give all of the information.

Councilman Johnson said he believed that when an individual or group of individuals do something like that not paid for by the City, we are exposing the City to being termed lobbyists. He said any activity on the part of this Committee in the future must be approved by this Council and no press releases should be made before the Council approves them. Mayor Dostal said the Council would have to vote on that. Councilman Johnson asked City Attorney Bagby if committees were required to report to the Council before they take any action, for approval? Mr. Bagby answered that the Leawood Economic Advisory Council was an advisory body, appointed by the Mayor. It is not an official body of the City. Councilman Johnson asked if they were responsible to the City. Mr. Bagby said no, he did not think they were, they were formed for the purpose of advising the Planning Commission. Councilman Johnson asked why the committee was approved by the Council if they are not reporting to the City? He added the committee was recommended for appointment by the Mayor and approved by the Council. Mr. Bagby repeated they were advisory to the Planning Commission.

Councilman Johnson said then the Planning Commission chairman should report to the Council. Mr. Bagby said they are not a body provided by statute. Councilman Johnson said it is a committee like any other committee we have, and they should operate with Council approval. He said he was going to insist that their actions be approved by the Council. Mr. Bagby said he thought all the Council attended the meeting at Leawood South. Councilman Johnson said he did not attend, other members of the Council were there, but it was in the paper before it was discussed with the members of the Council.

Councilman Jordan said she shared Councilman Johnson's concern because this was a difficult question of whether or not the committee is an official speaking body for the City of Leawood, and certainly from the tenor of the press releases both at the time of the LEDAC meeting at Leawood South and the preliminary reports before the committee set off for Washington, it was her impression that LEDAC was speaking for the opinion of the Council and representing to our Federal
Government the official municipal view of the City of Leawood. Mayor Dostal agreed and added that it was approved twice by a Council of the City of Leawood. Councilman Jordan noted that at the time the LEDAC committee was formed it was a committee to promote the economic development, to attract industry to the south area, and was to be an advisory committee. She asked if any city funds had been spent on behalf of the LEDAC committee. Mayor Dostal said the City paid for a few phone calls. Councilman Jordan asked if City personnel had been working on LEDAC reports and releases. Mayor Dostal answered yes. Councilman Jordan asked if stationery had been obtained by the City for the LEDAC committee. Mayor Dostal said that will all be reimbursed by the LEDAC Financial Committee. Anything that the City does is billed to the LEDAC Finance Committee and the City is reimbursed.

Councilman Jordan asked if City personnel were being paid for performing jobs outside of the City. Mayor Dostal answered, on a very minimal basis, such as the City Clerk writing a letter at the Mayor's request. He said the cost of the reports was reimbursed. Councilman Jordan asked if her understanding was correct that we have a committee here that is held out to the Federal Government and held out to other agencies in Johnson County that is funded by private funds. Mayor Dostal said that was correct, and we felt this was only proper rather than burden the City with the expenses, and we were implementing and augmenting the wishes of two City Councils. Councilman Jordan asked Mayor Dostal if they were official spokesmen for the City in his opinion. The Mayor replied no, they are not; they are advisory; they advise the Planning Commission and the City. He added this Committee was implemented to advise the Planning Commission on what should be done. The first thing they looked at was to resolve whether the Tomahawk Reservoir would be built. Until that decision could be reached, there was no way to implement the expansion of the southern part of Leawood.

Councilman Jordan asked if there had been any resolution or any affirmative action taken by the City Council or requested on behalf of LEDAC endorsing the reports that have been made. Mayor Dostal said that has not been done and probably should have been done, but the May 11th and 12th deadline was approaching; we had to get things done; we had to appear at these hearings. Mayor Dostal said if the Council wants to go on record as opposing this work, he would entertain a resolution to that effect. Councilman Jordan said she had had many phone calls and many personal calls by people who are violently outraged by the fact that the LEDAC Committee has presented as a unanimous opinion that the City of Leawood is in opposition to the Tomahawk Reservoir. She said at the time the hearings were being held there was substantial opinion in support of it and these are the people that she was hearing from. She said questions arising out of the function of LEDAC and whether
or not it is a municipal or quasi-municipal agency should be clarified preferably by the City Attorney, and she requested that such a report be made to the next Council meeting. Councilman Roach said he would like to echo Councilman Jordan's comments. He said the Committee must be either official or unofficial and it appears to be neither at the present time. He added certainly Leawood had to be represented and had the matter come before the City Council, perhaps the Council would have felt it was important enough to draw upon funds within the City and send an official body to Washington.

Mayor Dostal said he would have to defer to the City Attorney, and added that he felt fellow members of the Council were dogging him on everything. Councilman Roach denied this and said he was expressing an opinion. Mayor Dostal said, "You gentlemen have done this right along; you call among yourselves and you have your little meetings and your little phone calls. If you gentlemen want to do that and you want to do this to your Mayor, that is perfectly all right. You don't harm me, you harm the citizens of your City." Councilman Roach said he resented that; that he was not harming anybody when he was making the comments he was making now. Mayor Dostal said he was referring to another matter, not referring to LEDAC. The Mayor said, "You are settling matters outside the Council room among yourselves." Councilman Roach said that was not true.

Councilman Roach said if the LEDAC committee is official then the City of Leawood should pay the expenses involved and this will avoid some of the criticism that has been leveled. Mayor Dostal said he was trying to do his duty and assumed the Council had disagreed, and he wished the Councilmen would do what they wanted on this. If they wanted to continue to persecute him, well and good.

Councilman Jordan said that until the time she sat down here tonight she had no idea what remarks Mr. Johnson or Mr. Roach would make, there has been no collusion, no meeting and no telephoning on this subject. She said her advice and position on this came from the Kansas League of Municipalities. Councilman Jordan said she should like to recommend to the City Attorney for his perusal in connection with the LEDAC Committee Senate Bill No. 443 and she would like an opinion on it in connection with LEDAC at the first meeting in June.

Councilman Johnson said he had not discussed this with anyone. He added he had had phone calls questioning what the City of Leawood is doing; he told them the City of Leawood is not doing it, and he said he would write to Larry Winn as a Councilman and tell him it was not authorized by the City of Leawood. Councilman Johnson said procedure should be followed and the Council should not be bypassed.
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Mayor Dostal said he would recommend that for the next meeting a thorough look be taken at this matter and proper suggestions be taken; that he did not intend to bypass the Council. Councilman Jordan said she would take no advantage of having the majority of the quorum tonight do anything definitive with respect to LEDAC and that is why she requested that action be deferred until the first meeting in June.

Councilman Johnson said he wanted to make sure the City of Leawood does not pay for this because it was not approved by the City of Leawood. Mayor Dostal said there was no difficulty about that.

Ralph Cowan asked in what capacity the other people appeared before the committees in Washington. Mayor Dostal said Lou Paramore was more or less a lobbyist on flood control projects and he assembles various people. Mr. Kearns and Mr. Price were there for the Johnson County Commissioners. Mr. Cowan asked if anyone else appeared against the project. Mayor Dostal answered no. Mr. Cowan also asked if there was anything wrong with someone appearing officially. Mayor Dostal said he guessed this was the point Councilman Johnson, Jordan and Roach brought up. Councilman Blattenberg added there were several people there representing the Governor of Kansas, Governor of Missouri, Mayor of Kansas City, etc., and he said he was sure there was no official designation by the legislative bodies.

Councilman Johnson asked Mr. Blattenberg how he felt about authorizing anything without Council approval. To which Councilman Blattenberg replied, "If the Council feels that Council approval should have been gotten in this, then apologies are in order." Councilman Blattenberg said he personally did not feel that he was representing the City of Leawood. Councilman Johnson noted that according to the paper they were official representatives from the City of Leawood. Councilman Blattenberg said it read "Leawood officials".

Upon questioning by Councilman Johnson, Councilman Blattenberg said he was in Washington representing the Leawood Economic Advisory Committee which was appointed by the Mayor, approved by the Council, and that the question of whether it was necessary for them to report back to the Council was before the City Attorney.

Mayor Dostal said it was intended to send a complete LEDAC report with the Leawood Letter. He asked the Council whether or not this should go with the Leawood Letter. It is already being printed and would be inserted in envelopes with the Leawood Letter giving the information to the Leawood residents. Councilman Johnson moved that it be withheld; seconded by Councilman Jordan. After some discussion, the motion failed to carry.
Councilman Gray noted that the presentation was excellent and said he was proud to have had these men represent us, and if there is a question of whether it needed Council approval or not should not detract from what has been done.

Councilman Johnson moved that it be indicated that the report was from an unofficial body, not representing the City of Leawood. He subsequently withdrew this motion.

Leawood Sewer System: David Whyte stated two meetings ago the question of the sewer connections and the proposed amendment to a contract with Kansas City, Missouri, to permit the transport of sewage from the proposed J. C. Nichols Development to Kansas City, Missouri, which would require an amendment to our contract was discussed. At that time he recommended approval and recommended also the establishment of a $300 connection charge to those properties in that drainage area. He said he would like to correct information he gave at that time. At that time he said the connection charges were being accumulated against the day when Kansas City, Missouri would have to expand its treatment. He said it has been brought to his attention that this is not the way they intend to finance expanded treatment. Rather, expanded treatment will be financed from added revenues, not a special charge. If there is an increased sewer service charge in Kansas City, Missouri it will be passed along in like manner to Leawood. Therefore, the fund which we have been accumulating is not for expansion in Kansas City, Missouri but for our own system in terms of extension, repairs and maintenance. He said he felt under those circumstances that the connection charge to the Nichols properties and any other connection to that system should be the same as those presently charged the balance of the system, which is $800. He said he had discussed this with the Nichols representative and told them he planned to present this to the meeting this evening. Mr. Whyte added we have asked that the Nichols people size their mains to accommodate the entire drainage area. He said he felt the Leawood Sewer System should reimburse the Nichols company for the added costs of the additional size of the mains beyond what they were planning to develop. He said he had discussed the matter with Councilman Ballard.

John Ruddy of the J. C. Nichols Company reviewed the situation: That Leawood has a contract with Kansas City, Missouri whereby Kansas City would be able to back charge a proportionate share of expense of expansion of the Kansas City, Missouri treatment facilities against the City of Leawood. Dave Whyte explained there would be no special charge, only an increased sewer service charge. Councilman Johnson added there would not be a charge to Leawood unless there was an increase to the users in Kansas City, Missouri. Mr. Ruddy asked the purpose of the $800 fee. Councilman Johnson replied it was our fee for connecting based on a survey and levied throughout
any branch of the Leawood Sewer System. Dave Whyte said it is not revenue to the City, but to the sewer system. Mr. Ruddy said they were attempting to build and pay for the sewers that served their small parcel of land and the downstream facilities that connected it to the Kansas City system, to have a charge, whatever Kansas City charged plus whatever the City of Leawood felt was reasonable for the administrative services that they rendered in connection with that, and to relieve the City of Leawood of any future downstream improvements. Mr. Ruddy said it is fundamental in the development of property that sewers are provided on a watershed basis and it is equally fundamental that the people who live within the area that is served by these sewers bear the costs.

Virgil Pollock made the observation that Leawood does have some future problems and costs that will be incurred in connection with Dykes Branch, and it was his belief that the $800 was for building up a fund that would be needed in the future to take care of expansion in Dykes Branch.

Mr. Ruddy said our company seeks here simply to pay what we should pay, not support earlier mistakes or problems. We are perfectly willing to pay fully for whatever we should pay and expect to do it.

Upon questions by Councilman Jordan, Mr. Whyte said there are at this time other sewer expansions being undertaken in the City of Leawood by other developers and their connection fee is set at $800. These are contributary to the Indian Creek Branch.

Mr. Ruddy insisted that his company be informed how the $800 fee was to be used. Dave Whyte said it was going to be used where needed in the sewer system.

Councilman Jordan moved that the Council defer consideration of this matter until a recommendation from Mr. Ballard and the committee can be prepared and submitted to the Council, and that the matter of reimbursement to the developer for increased sizing to serve the complete watershed area be considered in the recommendation of the sewer committee; second by Councilman Gray. Councilman Jordan amended the motion to include a recommendation that consideration be given to including in the forthcoming report a breakdown of the application of connection charges and that Mr. Ruddy be furnished a copy; amendment seconded by Councilman Gray. Motion passed as amended.

Mr. Ruddy suggested that this whole problem be checked out with people who are widely experienced in the administration of sewer districts.

Councilman Johnson said he felt this survey should also include what the charges are in surrounding cities or sewer systems so that the relationship can be studied.
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Mayor Dostal asked Mr. Whyte if he could get a compilation of charges in other districts.

REPORTS:

Treasurer: Councilman Blattenberg reported as of April 30, 1970 revenue received totaled $211,140.73; expenditures as of Ordinance No. 276A, $196,369.08; total balance, all funds $62,989.34. Report approved on motion of Councilman Gray, seconded by Councilman Johnson.

Police Judge: Chief Kelly reported fines of $2,674.00 for the month; 243 cases docketed. The report was approved on motion by Councilman Blattenberg, seconded by Councilman Roach.

Fire Department: Chief Toman reported 40 calls made during the month of April; fire loss for the month, $10,000; fire loss, year to date, $15,600. Report approved on motion of Councilman Roach; seconded by Councilman Blattenberg.

Police Department: Chief Kelly reported 156 arrests, 381 calls handled and 132 homes checked periodically during the month. He reported 10 lectures delivered during Drug Awareness Week, 15 man hours expended, 635 people contacted. Councilman Blattenberg complimented Chief Kelly on the excellent job he did at Brookwood School on the Drug Awareness Week presentation. W. R. Judd added his thanks to Chief Kelly for that presentation. Report approved on motion of Councilman Blattenberg; seconded by Councilman Johnson.

Street Department: Mayor Dostal read the monthly report submitted by the Street Superintendent. Report approved on motion by Councilman Gray, seconded by Councilman Johnson.

COMMITTEE REPORTS:

Budget and Finance: No report.

Building Code: Councilman Johnson reported the committee met last Friday and would meet again next Monday.

Intergovt. Coop., etc.: No report.

Ordinance: Councilman Jordan reported final arrangements have been made with the League of Municipalities for the publication of the codification of the City of Leawood as of August 3, 1970; copy to be furnished no later than July 1 in finished form; suggestions and amendments to ordinance should be submitted to the Ordinance Committee no later than June 1, 1970. The codification has been ordered in looseleaf form punched for the present three ring binders.

Park Commission: No report.
Plan Commission: Councilman Smith had sent each Councilman a report on possible zoning in the northern part of the City and had asked the Mayor to announce that if there are any comments regarding the industrial ordinance, please forward them to the Plan Commission. Councilman Jordan announced a public hearing would be held by the Plan Commission on industrial definitions and certain revisions on June 8 at 7:30 p.m. at the City Hall.

Wage & Salary: Councilman Gray reported the committee would meet tomorrow night at the City Hall.

City Insurance Coverage: Councilman Jordan reported it had come to her attention that the City had no theft or mysterious disappearance coverage for the equipment of the City and recommended that a floater policy be obtained to cover the recording unit, tape recorder, Stenorette, adding machine, two radar units, tear gas pack, total value, $3,265.00, and deductable mysterious disappearance and theft floater policy on this equipment could be obtained for an annual premium of $57.00; a theft and burglary policy including mysterious disappearance on equipment which is regularly in the City Hall: two manual typewriters, three electric typewriters, adding machine, Apeco copy machine, recording equipment other than the transcription head, check signer, duplicator, and in the Police Department: electric typewriter, breatholizer, Bell & Howell projector, amount $5,000; annual premium $116.00. Councilman Johnson mentioned inclusion of the guns in the Chief's office. Councilman Blattenberg inquired about the walkie-talkies. Councilman Blattenberg moved that we take whatever steps are necessary to secure theft and mysterious disappearance insurance on all city equipment of a value in excess of $100; seconded by Councilman Johnson; motion passed. Mayor Dostal asked Councilman Jordan to pursue the matter.

Report Relative to Street Lighting on Mission Road: Councilman Roach reported the City of Prairie Village had addressed a letter to the City of Leawood suggesting Leawood join with Prairie Village in lighting Mission Road. Two members of the Public Safety Commission rode the lanes of Mission Road within the boundaries of the City of Leawood and determined we had 38 street lights on wooden poles of 4,000 lumens each. These cost the City $42 each per year. Prairie Village had suggested mercury vapor type lamps be put up on ornamental iron poles. Cost of those lights would be $106.20 each per year. Mr. Roach said he had been asked by the Public Safety Commission to report to the Council its feeling that we do not join with the City of Prairie Village in lighting Mission Road from 95th Street north since Leawood already has furnished lights and the authorities tell us the street is bright enough. Mr. Roach moved that the City of Prairie Village be advised that we have checked into this matter and feel that lighting is sufficient on Mission from 95th Street north to the Leawood city boundary; seconded by Councilman Blattenberg; motion carried.
Councilman Johnson moved that we attempt to have Prairie Village pay for half the lights on the Leawood side of the street. Motion failed for lack of a second.

Ward Parkway Corridor: Mayor Dostal called attention to an article in the Kansas City Times of May 16, 1970, captioned "Land Use Action" which reported the City of Kansas City had taken action on our resolution to them relative to the Ward Parkway Corridor area.

Ordinance No. 376: Councilman Gray introduced Ordinance No. 376 relating to vacations and sick leave for the Fire Department. Councilman Roach moved the adoption of the ordinance; seconded by Mrs. Jordan; vote: aye, Blattenberg, Roach, Gray, Johnson, Jordan. Adopted unanimously.

Request for permission to conduct survey: Motion was made by Councilman Blattenberg, seconded by Councilman Gray, to approve the request of the Department of Foods and Nutrition of Kansas State University for written permit to conduct a survey regarding use of convenience foods, interviews to be conducted by Mrs. Harriet O'Dwyer, 9703 Manor Road. Motion passed unanimously.

Charter Ordinance No. 7: At the request of the Public Safety Commission, Councilman Jordan introduced this ordinance providing substitute provisions relating to power to enact ordinances and punishments. She requested the adoption of Charter Ordinance No. 7 which would become effective as of the time of our codification. Vote: aye, Blattenberg, Roach, Gray, Johnson, Jordan. Adopted unanimously.

Charter Ordinance No. 8: Councilman Jordan moved the adoption of Charter Ordinance No. 8 repealing Charter Ordinances 1, 2 and 3 which are covered by subsequent ordinance provisions or apply to statutes since repealed. Vote: aye, Blattenberg, Roach, Gray, Johnson, Jordan. Adopted unanimously.

Ordinance No. 377: Councilman Jordan moved the adoption of Ordinance No. 377 providing for minimum, mid-point and maximum range of salaries and wages for sewer superintendent and assistant sewer superintendent. Vote: aye, Blattenberg, Roach, Gray, Johnson, Jordan. Adopted unanimously.

Mayor Dostal complimented Mr. David Whyte and Mr. Paul Myers on the comprehensive report made on the sewer situation. He asked the City Clerk to send a letter of commendation to both Mr. Whyte and Mr. Myers for their work.

Upon inquiry by Councilman Johnson, Mr. Whyte said Mr. Ballard had conducted some interviews but no one has as yet been selected as sewer superintendent and assistant sewer superintendent.

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Proclamation: On motion by Councilman Blattenberg, seconded by Councilman Jordan, the month of May, 1970 was proclaimed to be Hearing and Speech Month.

Resolution No. 215 - Congratulations to City of Overland Park: Mayor Dostal presented the following resolution:

RESOLUTION NO. 215

"WHEREAS the City of Overland Park, Kansas will celebrate its tenth anniversary May 20, 1970, now therefore

"BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas that the Mayor and City Council of the City of Leawood congratulate the City of Overland Park and its citizens, and

"BE IT FURTHER RESOLVED that the Governing Body of the City of Leawood, Kansas and all the citizens of the City of Leawood wish the City of Overland Park and its citizens unparalleled prosperity for the future."

Upon motion by Councilman Blattenberg, seconded by Councilman Roach, the resolution was unanimously adopted.

On motion by Councilman Gray, seconded by Councilman Johnson, the meeting adjourned to June 1, 1970, 7:00 P.M.

[Signature]
Mayor

[Signature]
Council Reporter

[Signature]
City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 p.m. on Monday, June 1, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Roach, Gray, Ballard, Bruns, Jordan.

Minutes of the meeting of May 18, 1970 were unanimously approved as submitted on motion of Councilman Bruns, seconded by Councilman Blattenberg.

REPORTS:

Treasurer: Councilman Blattenberg reported as of May 31, 1970, total revenue, $214,146.73; expenditures as of Ordinance No. 276A, $196,369.08; total balance, all funds, $62,898.34. Report approved on motion of Councilman Bruns, seconded by Councilman Gray. Mayor Dostal called attention to the supplemental analysis of expenditures.

Police Judge: Chief Kelly reported fines of $2,243.00 for the month; 201 cases docketed. The report was approved on motion by Councilman Bruns, seconded by Councilman Blattenberg.

Fire Department: Chief Toman reported 24 calls, including 11 rescue car calls, made during the month of May; fire loss for the month, $7,550; fire loss, year to date, $23,150. Report approved on motion of Councilman Gray, seconded by Councilman Blattenberg.

Police Department: Chief Kelly reported 142 arrests, 329 calls handled and 103 homes checked periodically during the month. Report approved on motion of Councilman Bruns, seconded by Councilman Gray.

Street Department: Paul Myers' report of activities of the month was approved on motion of Councilman Blattenberg, seconded by Councilman Roach.

COMMITTEE REPORTS:

Budget & Finance: Councilman Blattenberg reported preliminary budgets from all departments had been received. The Committee will meet, then meetings with the various departments will be arranged.

Building Code: No report.

Intergovt. Coop., etc.: No report.
Ordinance: Councilman Jordan reported this Committee has met with all committees functional on the codification and all sections of the ordinances have been considered. Tonight is the deadline on material to be considered for the codification. Councilmen received copies of sections of an ordinance relating to multi-family and a section on definitions which are required to implement the planned industrial section. Any further suggestions should be presented before June 8. The planned multi-family revision, a new planned industrial district and a definition section on the new code will go before the Plan Commission June 8.

Councilman Jordan added the charter ordinances which were presented at the last meeting failed of passage because there were fewer than six members present.


Park Commission: Councilman Bruns reported the north and south ramps of the park between I-35 have been paved. A check for $329 has been received from the Leawood Woman's Club for the purchase of a merry-go-round for the park. It has been ordered.

Plan Commission: Councilman Smith reported the public hearing on June 8 on the ordinance creating a zoning classification for planned industrial park has already been mentioned. Councilman Smith submitted to the Council plans for a second office building at approximately 89th Street and State Line Road with the Plan Commission's recommendation that it be approved. The plans were reviewed by the Council. Councilman Bruns moved that the plans be approved, seconded by Councilman Roach. Councilman Ballard stated he was quite concerned about the sewer situation and said he would like to see this go back to the Sewer Committee. Councilman Bruns amended his motion to the effect that the plans be approved by the Council subject to the approval of the Sewer Committee; amendment seconded by Councilman Roach. Mayor Dostal pointed out that the City Architect has to completely approve the building before permit is issued. Motion passed as amended.

Councilman Smith said there was considerable discussion in his Committee concerning the heavy industrial area at 103rd and State Line, and that the Committee intends to put in writing a program to be implemented with the sanction of the
June 1, 1970

Council and the people in the neighborhood. It is hoped that very little if any City money will be required.

Public Safety Commission: Councilman Roach reported with the recent emphasis on the danger inherent in spraying, and prior to contracting for fogging for mosquitoes in Leawood, the Public Safety Commission addressed a letter to the Kansas State Department of Health asking for an analysis of the fogging agent, Batex, which the City of Leawood has been using. The Health Department in its reply stated that Malathion is the No. 1 choice for controlling mosquitoes because of its low toxicity, but added that fogging for mosquitoes once annually seems to be a waste of the employees' time and of the City's funds; that this type application gives relief for only about twelve hours; the fog kills only the adult mosquitoes and has little or no effect on larvae and pupae that are developing. Draining all bodies of water, which is not feasible, seems to be the only alternative. In view of the information from the Kansas State Health Department, and on the recommendation of the Public Safety Commission, Councilman Roach moved that the City of Leawood not fog for mosquitoes this year, seconded by Councilman Gray. Motion passed.

Councilman Roach asked for Council permission to hold a reception on Sunday, June 7, 3:30 p.m. in honor of former Police Chief Gerald Jarvis, in the Council chamber with the Mayor, Council members and the administrative staff invited. Councilman Jordan moved that permission be granted, seconded by Councilman Blattenberg. Motion passed unanimously.

Councilman Roach cited a dangerous situation in which Chief Kelly entered a house and disarmed a man armed with two weapons. Councilman Roach read the following letter written to Chief Kelly by one of the patrolmen present:

"I am taking time to write this letter to express my congratulations on duty performed. I think I could be speaking for the entire Leawood Police Force on commending your actions that particular evening. A police officer is often called in very dangerous and touchy situations but it takes a real professional to walk into a residence knowing that there is an armed man inside somewhere. I will go further to say that without your help someone could have very easily been shot and maybe killed. I am sure that every man on this Department is proud to call you Chief, and I think if every officer could have been at the address to see what actually took place, they would all write or verbally commend you on the job well done. Any of our officers would be proud to serve under your leadership in any city, any police department anywhere."

Sanitary Sewers & Storm Drainage: Councilman Ballard reported the two men he had interviewed would be hired for
the Sewer Department. He stated he met with Phil Kline of Shafer, Kline & Warren to discuss the overall situation concerning the Dykes Branch and the Indian Creek Branch. Councilman Ballard said if we had all of the information compiled which Phil Kline has we would have a fairly decent set of plans. These plans would be a first step toward fulfilling the requirements of the Kansas State Board of Health. Councilman Ballard moved that the Council authorize an expenditure not to exceed $300 to Shafer, Kline & Warren for bringing the current sewer plot plan up to date; seconded by Councilman Blattenberg. Motion passed. Mayor Dostal suggested that the Sewer Department consider submitting to the Council in memorandum form a proposal for limited authority to spend up to $500 without coming to the Council.

Councilman Ballard reported he had met with Myron Nelson, chief engineer for the several sewer districts in the county. The sewer system that Leawood is going to be responsible for consists of primarily the Dykes Branch, Indian Creek Branch and Verona Gardens. The rest of the entire watershed will be going into the Johnson County system. The Sewer Committee has spent a good deal of time on the Verona Gardens problem. As a result, the Department is going back into the records to determine some of the reasons for the $800 connection fee.

Councilman Ballard stated the Sewer Department is going to have to purchase a truck, rodding equipment and some auxiliary equipment.

Wage and Salary: Councilman Gray moved approval by the Council of the following two payroll rate reviews:

Jerry L. Strack, Fire Department, Probationary Captain to Captain @ $625 per month effective 7/1/70;
Clark Ullom, Police Judge, to $200 per month, effective 7/1/70;

and the following employee status changes:

Gerald B. Jarvis, retirement effective 7/2/70;
Employment of Brian Andrew Lane, Patrolman, $500 per month effective 6/1/70;
Allan Hayden Buford, from Patrolman to Patrolman 1st Class @ $575 per month effective 7/1/70;
Richard L. Cunningham, Patrolman to Patrolman 1st Class @ $575 per month effective 7/1/70.

Motion seconded by Councilman Bruns; passed unanimously.

Councilman Jordan moved that Senate Bill #13 be considered in executive session at the end of the agenda; seconded by Councilman Roach; motion passed.
Visitors: Sam Hahn, E. J. Oke, Mrs. John L. Gall, Joseph E. Sieben, John Fields, Murl L. Johnston, Mrs. Arthur B. Smith, Mrs. C. J. Hein, Mrs. Kathryn M. Lundmark, J. S. Skaptason, W. R. Judd, Ralph D. Cowan, C. J. Weltsch, L. D. McDonald, Kenneth Krueger, Mrs. Edwin Korpi, Ed Lewis, Mrs. T. G. Jay, Mr. and Mrs. Jerry Manning, Mr. and Mrs. R. C. Raisbeck, Mr. and Mrs. Calvin E. Gross, Dr. and Mrs. Harry L. Lydick, Mr. and Mrs. Robert Hamilton. Members of the Press: Elaine Bessier and John Wozniak.

The following visitors made comments:

Jerry Manning said the only benefits of the Tomahawk Reservoir would be to land in Missouri; that he did not want to see the City divided; that people would not want to pay the added taxes. Charlotte Raisbeck commented the people might be willing to pay for water. Kenneth Krueger said he objected to the Mayor and the City Councilmen stating publicly that the City of Leawood does not want the Tomahawk Reservoir when the citizens of Leawood have not had an opportunity to express themselves by direct vote. Mrs. Kathryn Lundmark said she was in favor of the reservoir. Dr. Calvin Gross questioned the right of the Mayor or the City Council to pretend to represent all the citizens of Leawood on the evidence they have. W. R. Judd requested Council consideration of the calling of a special election for resolving the question of the reservoir. Mrs. John L. Gall expressed disappointment in the City Council in allowing the mailing to every resident in Leawood without presenting the other side of the question, and said she was in favor of the reservoir. J. S. Skaptason supported the actions of LEDAC. Mrs. C. J. Hein said she didn't see how the reservoir can hurt the average citizen of Leawood. Mrs. Harry Lydick questioned the mailing of the report in a City envelope and said things should be done to help the most people. Dr. Gross summarized an engineering report from Burns & McDonald to Water District No. 1 which concluded that the reservoirs proposed in the Blue River Basin would be a valuable source of raw water for Water District No. 1 but the advantages of this source would be reduced significantly if Tomahawk Reservoir were not included in the plan. Dr. Gross said any referendum is going to be in the mail baskets of our senators and congressmen in Washington. Mr. R. C. Raisbeck asked who paid for the trip to Washington and whether anyone on LEDAC owned land in this area. Mr. L. D. McDonald, president of the Homeowners Association of Leawood South, said he was opposed to the reservoir being located in the middle of the now prime tax area of this community.

Appropriation Ordinances: Nos. 277A and 270S in the amounts of $74,542.85 (including $39,780.00 U. S. Treas. Bills) and $85,792.46 (including $39,835.39 U. S. Treas. Bills) providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.
There was a short recess while visitors left the Council chamber.

The Council reconvened at 8:50 p.m. following the recess. Councilmen Blattenberg, Smith, Roach, Gray, Ballard, Bruns, Jordan were present.

Tape No. 6 The Council adjourned to executive session on request of Councilman Jordan.

The Council returned to regular session at 9:40 p.m. Councilmen Blattenberg, Smith, Roach, Gray, Ballard, Bruns, Jordan were present.

Councilman Blattenberg moved that the Council declare that LEDAC is not an official body of the City and, further, that the Council encourage the reformation of LEDAC under the format of a Leawood Chamber of Commerce with Council endorsement; seconded by Councilman Bruns; motion carried.

There was a discussion of the requirements of Senate Bill 443 as they relate to the Mayor and City Councilmen.

On motion by Councilman Bruns, duly seconded, the meeting adjourned to June 15, 1970, 7:00 P.M.

Attest:

Mayor

Council Reporter

City Clerk

1079
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 P.M. on Monday, June 15, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Smith, Roach, Gray, Ballard, Johnson, Jordan.

Minutes: Councilman Johnson stated in the future minutes should be approved by someone in attendance at the meeting. Councilman Jordan asked that in the minutes of the meeting of June 1, 1970 the word "clarify" be changed to "declare" in the first line of the fifth paragraph on page 1079. On motion of Councilman Gray, seconded by Councilman Smith, the minutes were approved as corrected.

Councilman Johnson made the following comments relative to the minutes of June 1: The Police Judge was absent. He should be reminded again that he is to be here for the first meeting of each month. When will the Council start reviewing the budget reports? I would have disagreed with the decision not to fog for mosquitoes. I don't think LEDAC should be using the name Leawood and our Mayor defending the position when he is only talking for himself. I think the Council should consider that LEDAC be dropped altogether officially.


Ordinance No. 379: Councilman Smith, on recommendation of the Plan Commission, moved the adoption of Ordinance No. 379 relating to the creation of a zoning classification for planned industrial district and amendment of certain sections of the ordinances. Vote: aye, Smith, Roach, Gray, Ballard, Johnson, Jordan. Adopted unanimously.


Codification: Councilman Jordan complimented Council members for time and cooperation given the Ordinance Committee on the codification. She reported the Administrative Committee, Street Department, Park Commission, and Sewer Committee have reached an agreement that a Public Works Commission be formed. Primary responsibility of this Commission would be to coordinate budgetary recommendations, establish priorities as far as the work force utilization and work toward the purchase of common equip-

1080
ment to cut down duplication. The ordinances now proposed
would envision a three man commission be set up consisting
of the Sewer Commissioner, Street Commissioner and Park Com-
missioner. Upon their recommendation and discovery of a need
therefor, the City would employ a Director of Public Works
who would be the direct supervisor of the Superintendent of
Public Works, now our presently titled Street Superintendent,
Paul Myers, and that under the Department of Public Works our
City working force would be employed and directed. The Director
of Public Works is a position that at the present time would
be part-time and probably would not be filled for the remainder
of this year. This person would need a practical operating and
engineering background and would be one to whom the Superin-
tendent of Public Works could apply for help and clarification.
The Director of Public Works would be on a day-to-day contact
basis with both the Commission and the Superintendent of the
Public Works Department. Councilman Jordan requested that the
Council make an expression on this organizational chart since
it represents a considerable departure from the format under
which the City has operated to date.

Councilman Johnson said before we have any of this we need a
City Manager, a professional, to guide us; the people of Leawood
are being short-changed by not having someone to represent them
on a full-time basis.

Councilman Smith questioned whether the City has the money to
hire a City Manager. Councilman Johnson said he was bringing
it up now because we are going into the next year in our budgets.
Mayor Dostal said the main difficulty is the tax lid. Councilman
Johnson stated he thought that what we are talking about could be
handled by the Administrative budget. Councilman Smith stated
the money is not there, that a study on future planning in
additional areas of Leawood had to be delayed for lack of funds.

Councilman Roach stated the citizens of Leawood have not been
short-changed by not having a City Manager, they have gotten a
bargain in the number of hours given by people working for
nothing in the affairs of the City.

Mayor Dostal suggested if you are thinking in terms of a City
Manager you should check with the Budget and Finance people and
see if it is possible or feasible and proceed from that point.

Councilman Jordan stated we have been very fortunate to date in
having people who are qualified by terms of experience and pro-
fessional training to give a great deal of help of a fairly
professional character. The entire idea of setting up the
Commission in this way is so that in the event through the
fortunes of our elections we are without professionally qualified
men in the areas that are required for the operation of the City,
there will be the mechanics available to insure that this help is
available. Creation of a post of Director of Public Works will
give us this insurance when we are up against an almost impossible
budgetary situation at this time. We have men who are able and
have expressed willingness to carry on without the necessity for the appointment of a Director of Public Works which at this time would seem financially impossible. The position is such that it can be filled gradually. We don't have to hire a full time man.

Councilman Roach complimented Mrs. Jordan on the highly expert job she has done on the codification.

Councilman Jordan added that in view of the growth and expansion we envision we will become increasingly in need of technical assistance provided by the setting up of a Public Works Commission who will be a policy-making group for the City. Councilman Ballard stated that if we do not leave this position open for a future employee there would probably sometime have to be an appointive position there, and the job is far too much for someone who already has a job. What we envision here is the need for a professional sometime in the future to handle these problems. He suggested there are a lot of retired engineers around who would like to have a job for a few hours a day. It would be an administrative position for a nominal amount of money but we would have a professional representing us to the other communities when we are dealing with them on such things as negotiating sewer contracts, negotiating arrangements for street financing, etc.

Councilman Johnson said he wanted it to be a matter of record that he finds nothing wrong with Margaret Jordan's work on the codification, she has done an outstanding job.

Councilman Roach moved that a Public Works Commission be established by the City of Leawood; seconded by Councilman Gray; motion carried. Councilman Johnson stated he was opposed because he thought a City Manager was needed before a Public Works Commissioner.

Councilman Ballard moved that the Council accept the organization chart proposed which envisions the Director of Public Works as being top man with the Superintendent of Public Works answering to him; the Director of Public Works being responsive to the Public Works Commission. Motion seconded by Councilman Gray.

Councilman Jordan explained that the present members of the Commission would be Mr. Bruns in the dual position of Park and Street Commissioner and Mr. Ballard as Sewer Commissioner. They have met and it is their joint recommendation that this administrative personnel be appointed. Councilman Ballard added there would not really be any change in the way things are operating. The Street Superintendent, Paul Myers, would be over the people working in the Sewer Department. Councilman Ballard takes the sewer problems to Mr. Myers and Councilman Bruns takes the problems of the streets and parks to him. Councilman Jordan stated the position would be filled upon recommendation of the Public Works Commission to the Council, any time the Board of Public Works felt we need a director and the recommendation for filling the post and the specific person to fill it would come before the Council to be reviewed.
and accepted by the Council. The problem now is to give a skeleton for future Council action. The Commissioners will be appointed by the Mayor with the advice and consent of the Council.

Motion passed, Councilman Johnson voting nay because he felt a City Manager was needed first and the position will not be filled now and he did not think it was necessary.

Mayor Dostal said the idea for a Public Works Commission did not emanate from the Mayor.

Councilman Jordan requested that the Public Safety Commission together with Chief Toman review the fire prevention code and make a recommendation. Recommendation on fireworks may be made separately. The Public Safety Commission already has the sections on traffic offenses and public offenses and will have the section on the municipal court now in preparation. Councilman Jordan recommended that the fee for cereal malt beverage license for off and on premises consumption be raised to $200 and the license for off premises consumption in original container be raised to $100; similarly alcoholic beverage license which is only an occupational tax (in lieu of any other occupational tax) be raised from $100 to $300. Anyone who holds a cereal malt beverage license pays an occupation tax in addition to the cereal malt beverage license. This is specifically denied under the retail alcoholic beverage license. Councilman Jordan stated the Ordinance Committee would recommend that the cereal malt beverage use age limit be set at 18 years which is the prevailing limit in the state and surrounding communities, and the dispensing provision be limited to persons over the age of 21. It was agreed that the Public Safety Committee should act on the recommendations pertaining to the beverage sections.

Councilman Johnson moved that material prepared by the Ordinance Committee on the codification be made available for examination by Councilmen at the City Hall. Motion seconded by Councilman Smith; passed.

Participation in the Johnson County Human Relations Commission: Councilman Roach moved that the City of Leawood contribute to the Human Relations Commission its pro rata share of expenses not to exceed $25 a year; seconded by Councilman Johnson. Motion passed. City Attorney Bagby pointed out the fee was not to exceed $25 for each member and we are allowed two. Councilman Roach amended his motion to "not to exceed $25 per member", seconded by Councilman Johnson; motion passed as amended.

Visitors: Mr. and Mrs. Sid Moore, Mr. and Mrs. Sam Hahn, Mr. and Mrs. E. M. Woodrich, L. D. McDonald, Ralph D. Cowan, W. R. Judd, Virgil H. Pollock. Members of the Press: Elaine Bessier, Judy Goodman, Paul Campbell.

Ethel Hahn observed that following the Leawood South Homeowners meeting on the pros and cons of Tomahawk Reservoir, nothing was
printed in any of the papers against the reservoir. She said some of the facts brought up there should be printed.

Sam Hahn said contrary to a letter published in The Squire which said the majority of the people in Leawood South were for the reservoir, from the meeting the other night we realize the majority of the people in Leawood South are against the reservoir. He said it was a meeting of Leawood South residents, a Corps of Engineers man, L. D. McDonald, president of the Homes Association, and Mayor Dostal was there presenting facts.

Councilman Jordan asked Mayor Dostal if this presentation was made by LEDAC. Mayor Dostal answered no, that he made the presentation as an individual. He said after the presentation he asked the citizens present to come to the Council and state if they were for or against the reservoir. He said he did not put himself forward as Mayor. Mr. Grey and Mr. Blattenberg were invited as Councilmen from the area.

Councilman Jordan moved that we further implement the City's position in relation to LEDAC and request that the name LEDAC not be used any further in order to eliminate any possibility of confusion on the existence of this committee; seconded by Councilman Johnson. Motion carried unanimously.

E. M. Woodrich asked who would pay for replacing the sewer which would be under water if the reservoir is built. Mayor Dostal answered if the sewer plant is put under water by the Corps of Engineers, this is a portion of the cost which the Federal Government would have to pay. He added further that this cost is not calculated in the figure the Corps of Engineers have proposed and the damages to Leawood South have not been calculated in the Corps of Engineers figures. He said his position was that it is not economically feasible, that if it is built it will cost the taxpayers of the City of Leawood and the County of Johnson a disproportionate cost to the benefit derived.

Councilman Jordan stated she felt impelled to take exception to Mayor Dostal using his position and seat as Mayor to present the material that has been prepared by LEDAC; we have agreed that this is going to be separated as a City function. She said she had no objection to citizens getting factual information; there are conflicting reports available, the LEDAC report and a similar report available from Overland Park. Councilman Jordan said there is no point at this time in dividing the Council and dividing the City on an issue that is far out of our control. She added, if you want to take action, if you want to be effective, go to the Federal level where this is being acted on now. She asked that the Council be allowed to proceed with the very pressing problems before the City. Mayor Dostal stated the people could talk to him or the Councilmen at any time.
Report from Sanitary Sewer Committee: Councilman Ballard gave copies of documents pertaining to the sewer system to all Councilmen, including the original agreement signed in 1964 plus one supplement signed in 1968. He read from a review made by the law firm of Watson, Ess, Marshall and Enggas of the agreement the City of Leawood signed with Kroh Bros. in 1957:

"As an inducement to Leawood to obtain its approval of the agreement of October 7, 1957, the company represents a number of factual matters as of November 9, 1957, including the fact that the system is of adequate size and properly located to serve the designated area and up to 5,500 connections, and that the company has no knowledge of defects except for the absence of certain designated laterals."

Councilman Ballard took exception to the statement that it was designed and properly sized and located to serve the designated area and up to 5,500 connections. Councilman Ballard said the agreement of March 23, 1964 with Kansas City, Missouri made it clear that we are not at all obligated to Kansas City, Missouri for any capital expenditures; all our capital expenditures as far as Kansas City, Missouri is concerned is included in the present fee which we pay of $2.88 a month per connection. He said there has been a lot of confusion as to why we have the connection fee as high as it is. He said by contractual agreement and by several expressions from Glen Hopkins, there is no possibility of our having to finance any capital expenditures at the Blue River facility, so we do not need to have any money for other than taking care of our own system. Councilman Ballard confirmed that negotiated for Verona Gardens would not affect this. Councilman Ballard presented the following facts gleaned from correspondence: On April 7, 1964 we had 4,561 connections in the whole system; August, 1966, 4,776 connections; April 30, 1970, 5,037. Connection fee was established on November 18, 1963 at $400. It was raised on March 2, 1964 to $500. It was raised again on August 15, 1966 to $800. November 18, 1963 was the point at which Kroh turned over the system to Leawood. He said he had not yet been able to tie down what was happening between May, 1963, and March 23, 1964. The system was turned over to the City by default. Councilman Ballard said he was asking the Council to make a decision tonight on what the sewer connection fee should be at Verona Gardens.

Councilman Ballard said in 40 months of time since the $800 connection fee has been established, there have been 87 connections made. In 27 months prior to that, there were 133 connections made at $500. There have been other connections made, but Kroh Bros. had bought a lot of prepaid connections during the last couple of months of 1963; how many they purchased is not definite. As of April 30, 1970 there were 139 prepaid connections on the Dykes Branch and 103 prepaid connections on the Indian Creek Branch, owned by various people. Some were paid for at $800, some at $500 and some Kroh bought
when they turned the system over to us. These were given to Kroh in exchange for a certain amount of capital to pay for the expansion at the new treatment facility at the time we took the system over. Councilman Johnson said Kroh Bros. actually gave the system to us with a deficiency of about $38,000 but they wound up with approximately 100 prepaid connections. Councilman Ballard said they got at least 400 prepaid connections; that he could already track down that many. We presently have 3,521 connections either used or prepaid on the Dykes Branch, 1,748 prepaid or connected on the Indian Creek Branch, the total of those subtracted from 6,000, leaves 731 connections available on those two systems; at $800 per connection that is worth $585,000. At the present rate, it would take 350 months to use up those connections. Councilman Ballard said he had previously recommended the $800 connection fee, that he based his recommendation on the fact that apparently other developers were developing in the Dykes Branch and Indian Creek areas paying the $800 connection fee. He said after looking at the figures he did not believe there was very much development going on in either one of these areas. Councilman Ballard said there was no question in his mind that an $800 connection fee in an area like Verona Gardens is extremely high, but that he would not like a separate fee for Verona Gardens. If we see fit to lower it for one of the systems, we should lower it for all three of them; Verona Gardens should be brought into the system with Indian Creek and Dykes Branch and handled as one. The monthly charge for that area is going to be the same as Dykes Branch or Indian Creek. What we are faced with is whether or not $800 is an equitable connection fee.

Councilman Ballard said he believed when the $800 fee was established it was intended to raise a certain amount of capital to defray future costs from Kansas City, Missouri. Mayor Dostal said it had been his opinion that we would pay a certain amount of money for capital improvements of the Kansas City facility. He did not know whether this was the reason for the $800 fee. Councilman Johnson said he knew we were saved by the agreement that was being signed; it was felt we needed money to make repairs especially regarding the pop-off valves. Councilman Ballard said the pop-off valves have to be eliminated. He said if we got all 731 of these connections made on Dykes and Indian Creek, that would only give us $585,000. By the same token if we had the 300 connections at Verona Gardens at $800, $250 of that goes to Kansas City, Missouri, so we are left with $550 per connection, or $165,000. We are not about to get the $165,000 or $585,000 quickly. A lot of the connections on Dykes Branch may never be used. He said he did not know about the ones on Indian Creek. Councilman Ballard said he personally thought $800 is somewhat of an exorbitant figure and it is obviously not doing what it was intended to do, which was raise capital. In a period of 40 months it has raised only $69,000, or $23,000 a year. Our income into the sewer system at $10.44 per connection is $52,585 per year. That is about how much the Johnson County system spends on maintenance every year.
We should be spending on our lines probably about $8.00. A new line on Dykes Branch would probably now cost $400,000 or $450,000. That one line would take about every penny we have right now. He said eventually we are probably going to have to raise the $10.44 per year.

Mayor Dostal asked about comparative figures in other districts. Councilman Ballard said Johnson County charges a $30 permit and they have a levy based on assessed valuation or front footage. They only have a connection fee for industry. Maintenance over there is about $10 per connection. Councilman Johnson said he thought we should have the figures on the actual charge in Overland Park and Prairie Village. Councilman Ballard said we are the only municipality in Johnson County operating a sewer system. The others are benefit districts. Councilman Jordan said actually these benefit districts are special assessments and in the place of our connection charge they have a bonded indebtedness against the land the connection serves and this actually is a tax lien against the property. The assessment could be calculated for a typical lot and compared to our connection charge; these assessments run considerably over our connection charge in most cases. Councilman Johnson said he thought we needed to know the charge for sewer service in the other districts.

Virgil Pollock said he thought where the comparison is really direct is what it cost the Nichols Company for sewers over in Verona Hills which is in the very same watershed as the small district we are discussing. The main sewers and plant are being paid for over there exactly the same as they will be in the small district plus maintenance and operation for $.88 per month. They also charged for joint sewers. Verona Hills Plat No. 6 average lot cost was $111.40; Verona Hills Plat No. 5 average lot cost was $102.80. It cost more for lateral sewers there. Over in Kansas, Indian Creek Subdistrict No. 1, cost per lot averaged $290.00; in Indian Creek Subdistrict No. 2 the average was $272.60; Indian Creek Sewer Subdistrict No. 3, average was $335.00; Indian Creek District No. 4, $270.57. The average of those is $292.04 for an average lot in Indian Creek subdistricts. Mr. Pollock said that is quite comparable adding in the $30.00 mentioned earlier. Laterals are built and paid for by the developer. There are different ways the sewers are paid for: one is the valuation in Mission Township Main Sewer District 1, the other sewer districts are on a square foot basis. Mr. Pollock said he believed the $800 fee is high; that it would slow down building in the City of Leawood; that it is in the neighborhood of $500 too high in competing with other areas.

In answer to questions by Councilman Jordan, Mr. Pollock said the first sewer district was established in Kenilworth in 1962 and that at that time the average lot cost to builders was around $5,000 or $6,000. Councilman Jordan said in other words the cost would be somewhat around $300 per connection for a $5,000 to $6,000 lot, or around 5% of the cost of the lot.
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Councilman Jordan reasoned that if the Verona Gardens lots sold for about $15,000, the $800 fee compared with the value of the lot does not seem to be out of line with present development costs and increasing scarcity of land. Mr. Pollock said he hoped these lots would not sell that high. The Missouri lots are around $7,000 or $8,000.

Ralph Cowan said some properties in Kansas have assessments from more than one sewer district.

Councilman Smith asked if it were possible to arrive at a fair cost that we could feel was the right figure. Councilman Jordan stated the Johnson County Board of Realtors has some figures on typical assessment and sewer cost. Councilman Johnson said he thought the actual cost between the connection and the assessment is far greater than we have been paying in Leawood Sewer System and we need those figures. Councilman Jordan said we have two questions (1) what is the fair market value of a connection for a certain type development, lot size, area, and (2) how much our connection charges are going to have to increase over what we pay Kansas City to pay for the repair and rehabilitation. Councilman Ballard said it would appear right now that for the $10.44 per year we can take care of our repair but there would be almost no capital involved for replacing lines.

Councilman Johnson asked how many have connected to our line in the 40-month period during which 87 were paid. Councilman Ballard answered 261 connections. Councilman Ballard said he felt $800 is high but he would not recommend going below $500. Councilman Johnson said we do not have enough information to increase or decrease the rate at the present time. We should know what the current cost is in Overland Park, Prairie Village, etc.

Councilman Ballard continued his report. One new employee was hired this morning, Bill Gray. The Committee is preparing some operating policies and procedures for the Sewer Department primarily for handling such things as user complaints. The City Clerk’s office will log the complaints and make a record so we will have a permanent indication of where the problems lie. Councilman Ballard said they were trying to get the maps up to date. They hope to do some maintenance with the people on the job permanently. There will be an official sewer permit issued prior to issuing a building permit. The situation concerning overloaded conditions of Dykes Branch is being studied with the intention of presenting a resolution to the Council to stop all further construction or new connections in this area until the pollution from pop-off valves can be controlled. Councilman Ballard said unless the Council expresses a desire otherwise, no further connections will be allowed on a prepaid basis until the City Attorney and the Chairman of the Sewer Committee are satisfied that the claims for the connections are entirely valid. Building permits for the two office buildings in the vicinity of the Leawood Country Club will be withheld until the status of the prepaid connections can be established.
Resolution No. 215 - relating to purchase of sanitary sewer equipment: Councilman Ballard moved that the following resolution be adopted:

Resolution No. 215

"WHEREAS the Sewer Committee of the City of Leawood, Kansas, has been charged from and after June 1, 1970 with the maintenance by use of City employees, as well as the operation of the Leawood Sewer System,

"BE IT RESOLVED by the Governing Body of the City of Leawood that the following rules and regulations of the Sewer Committee for said operation and maintenance of the Leawood Sewer System be approved:

"1. All purchases in excess of $500 for equipment to be used for the operation and maintenance of the Leawood Sewer System shall be approved by the Governing Body.

"2. Equipment purchases in excess of $500 will be subject to a requirement that three bids be obtained and, with the recommendations thereon of the Sewer Committee Chairman attached, submitted to the Governing Body for approval by resolution.

"3. All work to be performed for which the estimate exceeds $2,000, other than that to be performed by City employees or performed under a previously approved contract, shall be approved by the Governing Body, by separate resolution."

Resolution adopted with Councilman Johnson dissenting.

Mayor Dostal asked the Sewer Committee to make a definite recommendation at the next meeting on the amount of the sewer connection fee after getting additional facts.

Leawood South Homeowners Resolution: L. D. McDonald, president of the Homeowners Association of Leawood South, told the Council that at a recent meeting of the Homeowners Association members voted unanimously to go on record in opposition to the proposed Tomahawk Reservoir and asked that it be put into resolution form and distributed to city and county officials and national representatives. Each Councilman was handed a copy of the resolution.

Petitions on Fireworks: Councilman Roach stated the City was presented recently with petitions signed by some 70 people to change the current fireworks law to state that fireworks approved by the Kansas State Fire Marshal be legal for individual use on private property from 8:00 a.m. to 11:00 p.m. on each July 4th. He reported the consensus of the Public Safety Commission was that the ordinance should remain as it is and that fireworks not be permitted to be discharged or sold in the City of Leawood.
June 15, 1970

Group Discussions on Drugs: Councilman Roach reported the Police Department of the City of Leawood plans to embark upon a program of group discussion led by Detective Becker for youth of the community concerning problems of drug abuse. Chief Kelly added that groups would be separated by age with no more than 10 nor fewer than 4. The purpose of meetings would be to break down resistance to law enforcement and authority on the part of the young people, to let them know police are there to prevent crime and encourage cooperation and communication. It is hoped to prevent further spread of drug abuse in the area. Councilman Roach moved that the program be approved; seconded by Councilman Johnson. Councilman Jordan commented as an attorney she could not think of anything that would forward the efforts to control drug abuse more. Motion passed.

Somerset Lake: Councilman Johnson stated something should be done about the problems at Somerset Lake which, according to Shafer and Kline, demand immediate maintenance. Mayor Dostal said the matter had been turned over to the City Engineer and he is discussing it with Shafer, Kline and Warren and with people who are concerned.

Request for permission to station workers at Ranch Mart: Mayor Dostal read a letter written on behalf of the American Medical Center at Denver requesting permission to station volunteer workers in the Ranch Mart area August 27, 28 and 29. Councilman Johnson moved that the Council has no objection to their request but the City really has no voice in the matter; they will have to discuss it with the Ranch Mart people. Motion seconded by Councilman Roach; passed.

On motion by Councilman Jordan, duly seconded, the meeting adjourned to July 6, 1970, 7:00 P.M.
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 P.M. on Monday, July 6, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Roach, Gray, Ballard, Bruns, Johnson, Jordan.

Minutes: Mayor Dostal requested that on page 1089 of the minutes of the meeting of June 15, 1970 the resolution number be changed to 216 rather than 215. Minutes were approved as corrected on motion of Councilman Johnson, seconded by Councilman Smith.

REPORTS:

#1030 Treasurer: Mr. Hodson reported as of June 30, 1970, total revenue, $318,338.37; expenditures as of Ordinance No. 278A, $265,102.96; total balance, all funds, $77,200.53. The overall percentage of budget expenditures for the year is 50%. Report approved on motion of Councilman Bruns, seconded by Councilman Blattenberg. Mr. Hodson added that in the audit report we were criticized for not having purchase orders in accordance with municipal accounting rules of the State of Kansas. He and the City Clerk are investigating pre-numbered purchase orders and will report at the August 3rd meeting.

#1058 Police Judge: Judge Ullom reported fines of $2,125.00 for the month; 237 cases docketed. Councilman Johnson inquired if we were supplying Topeka with the necessary information concerning violations; the court is responsible for this. The report was approved on motion of Councilman Bruns, seconded by Councilman Smith.

#1080 Fire Department: Chief Toman reported 23 calls for the month; including 13 rescue car calls; no fire loss this month; fire loss for year to date, $23,150. Report approved on motion of Councilman Bruns, seconded by Councilman Gray.

#1090 Police Department: Councilman Roach reported for Chief Kelly who had been called from the room, as follows: During the month of June there were 159 arrests, 438 calls handled and 265 homes checked periodically. Report approved on motion of Councilman Bruns, seconded by Councilman Johnson.

#1125 Street Department: Paul Myers' report of activities of the month was approved on motion of Councilman Roach, seconded by Councilman Gray.

#1145 Visitors: Mrs. Paul Campbell, Ralph Cowan, Dr. Dick Underwood, Roger Pilley. Members of the Press: Elaine Bessier, Judy Goodman, Paul Campbell.
COMMITTEE REPORTS:

Budget & Finance - 1971 Budget: Councilman Blattenberg reported that with respect to the 1971 budget, two things are present that have never been present before, a budget lid and a tax lid. Basically, the budget lid says that the City's budget may increase not more than 105% of what it was in 1970. The tax lid says that the City's tax levy may not increase. If the valuation increases, then budget may increase to take account of that valuation increase but the levy cannot increase. That means that if our budget is to increase five per cent, then our valuation has to increase five per cent. We have as yet two major questions open as far as the 1971 budget goes: (1) In his certification of our budget, the County Clerk, Donald Curry, who has to approve all budgets under the statute, has said that our budget may be 105% of our total last year, including our General Operating Budget, our Sewer Fund, the Special Fire Equipment Fund, and the Public Works Notes. This is a major problem because both the Sewer Fund and the Fire Equipment Fund are accumulative funds. Since they are included in our budget, any increment in that fund is an increase in our budget. In municipal accounting, the budget for the sewer fund is the going in balance to the fund, plus the income to the fund, minus the expenditures from the fund. Any increase over five per cent would have to come out of some other spot in our budget. It makes no sense but it is there. Councilman Blattenberg has contacted Mr. Curry, the man who gave the certification that the sewer fund is included in our budget and the one who has to approve our budget after we have it prepared. Mr. Curry agreed that it makes no sense to have an accumulative fund under the budget, but under governmental accounting procedures it is there. He is trying to find a loophole to get that out of the budget. The City Clerk has talked with our auditors and to the head of the post audit department in Topeka and in both cases it is their feeling that these accumulative funds and especially non-tax-supported funds should not be included in our budget. We may have to go to the County Attorney or Attorney General. If it is ultimately determined they must stay in the budget, then we could lower the going-in balance by making some expenditures. Councilman Johnson asked if such expenditures were in the 1970 budget, reply yes. Councilman Jordan asked if the entire amount of the sewer reserve fund were expended, would that be an enlargement of our tax base to the extent of our expenditures over the balance at the beginning of the year. Councilman Blattenberg answered yes, but at that point the tax lid takes over. Councilman Blattenberg explained that if the sewer question is not solved any other way and if it has to be included in the operating budget, then the operating budget will not be able to increase any. At the moment, it is not a consideration as far as our budget goes.

Councilman Blattenberg said he pointed out to Curry that we did not want to be forced to make an expenditure because the timing might not be right. The basis for Curry's certification to include the fund was because it was included in the budget.
last year and every prior year. Councilman Johnson suggested we give Curry a date so we can plan our budget properly. (2) Councilman Blattenberg said we do not yet have the public utilities valuation nor the personal property valuation; those will not be available until July 15 and they may have to be projections. The Fire Equipment Fund is a tax-supported fund and Councilman Blattenberg suggested we may want to make some expenditures out of that fund this year. We do have our real property valuation and that is up 2½% over last year. On a tentative basis the Budget & Finance Committee has been proceeding on the theory that we will have essentially a 2½% increase in our operating budget.

Councilman Blattenberg called attention to the overall comparisons on the budget worksheets. The 1970 budget, including the funds, totaled $1,127,534.00. Maximum expenditure for 1971 at 105% is $1,183,000.00 which is what Curry has certified to us. The worksheets have been prepared on the very tentative basis that our operating budget can increase 2½% this year, the 2½% coming from the increase in our valuation. In all departments so far the one consideration has been that we retain our valued employees and make whatever other reductions have to be made. In Administration, we do not feel that we would be able to put out the newsletter this year which would amount to an estimated $3,300. The Budget Committee has met with each department and has come up with what is mutually felt to be the most expeditious utilization of what there is.

Councilman Roach observed that when the squeeze is on public relations and communications should not go out the window.

Councilman Blattenberg stated in the police budget new automobiles were reduced to two instead of three. The Fire Department budget is exactly as it was originally presented. We will not have in the whole budget many of the things which we feel would be desirable. In the Public Works Department reductions are in street sealing, repairs and replacement. It does not appear there will be funds to carry those projects forward as rapidly as we had hoped last year. In the Parks proposal, the Budget Committee felt $1,500 to put in drinking fountains was in order. The Van Keppel firm has agreed to let us have another year lease on a loader which was a $5,000 reduction. We were supposed to purchase it next year, but with the tax lid, they will lease it at 6% interest. Street sealing and overlaying were cut from $32,500 to $30,000.

Councilman Blattenberg said Administration is down 4% from 1970, KPRS is up 32.9%, Police is up 4.6%, Fire is up 16.8%, Streets are down 8.2%; total increase 2½%. That is the way it looks very tentatively until we get the final item of information on valuation. Councilman Johnson established that the 1970 figures were budget, not projected expenditures. Councilman Jordan suggested we should have projected actual expenditures for salaries in the Fire Department through 1970 on the basis of the 56 hour schedule.
Councilman Blattenberg said he could not give an exact timetable on the budget because we don't know exactly when we will get valuation figures from Curry, but he will get a memo out as soon as we get the figures. Councilman Roach said he thinks that departmental budgets will be affected if Curry decides the $500,000 does not count against us. Councilman Blattenberg said if it does count against us, then we are going to have to take other steps, otherwise there would be a major decrease in the general operating budget; this budget is prepared as though it did not count against us. Councilman Blattenberg said he thought the actual figures would be close to those we have assumed in this budget. He said Social Security and KPRS would show as separate items; this will not help us in 1971 but it may in 1972. Councilman Ballard surmised we could spend the whole budget in the sewer fund and not go over our budget at all. Councilman Blattenberg said this is so because the fund is assumed to be spent in toto every year.

Councilman Johnson asked when the budget would again be reviewed by the Council. Councilman Blattenberg answered, as soon as we get the valuation figure from Curry; we should have something by our next meeting. We have to advertise it August 5; hearing to be the 15th. A detailed analysis of expenditures will be prepared by the bookkeeper and sent to councilmen so that projections may be made.

Police Salaries: Councilman Roach said he believed Councilman Blattenberg has done a fine job, but the amount allowed for police salaries is going to cost us police personnel. There are no fringe benefits to speak of, there are no appreciable increases, we still are next to the bottom in Northeast Johnson County as far as our salary structure for police. He wished there was some way before this becomes final that we could give consideration to these men who risk their lives daily in behalf of the citizenry of Leawood. They receive little enough as far as compensation is concerned. It costs a lot of money to train these men and if we lose them it is going to cost the City of Leawood that much more to try to get other men on a rookie basis and train them. Councilman Blattenberg said the original budget for police department salaries had been cut from $133,500 to $126,800. He explained that one person would have had a 5.8% increase, one a 21.4% increase, two a 17.4% increase, three a 19.2% increase, two a 13% increase, two a 21.7% increase, two a 40% increase, and two a 20% increase. Mayor Dostal said what was done was done to be as equitable as possible under a very stringent law, and added, "I think the people on our force are dedicated, I think the people love their city, they are responsible and I think they will stick with us."

Councilman Bruns said he would like to see every department in our city being paid not comparable but better than surrounding cities because when a man is better paid he will do his work better; he said he had no criticism of the Budget & Finance Committee but when we get the final figures first priority should be given to the salaries and
fringe benefits in the Police Department. Councilman Gray agreed police salary structure was important. Councilman Johnson said there wouldn't be any question about an increase for the Police Department if we have more than the 2 1/2% increase in valuation; Councilman Blattenberg agreed but added the chances of it coming are thin. Councilman Blattenberg said it is the mill levy lid which is hitting us. Councilman Jordan said if the revenues from the sewer district were increased so none of the revenues of the sewer fund come from ad valorem taxes, that expenditure would not be limited by the mill levy lid but only by the budget lid.

Councilman Bruns offered to forego from the Park Department budget: ground maintenance material, $1,300; the drinking fountain, $1,500; fertilizer and seed, $1,000; electricity, $750, or a total of $4,550 that could be transferred to the Police Department. He said he would have a definite figure at the next Council meeting. Councilman Roach expressed appreciation to Mr. Bruns for his spirit. Councilman Jordan suggested we might appeal to public philanthropic projects for some of the needed equipment. Councilman Johnson suggested since the full Council was present we should have the Council's thinking concerning an increase for the Police and work toward it. Councilman Blattenberg determined by a poll that the Council was unanimously in favor of increasing the amount tentatively budgeted for police salaries by $7,000.

Newsletter: Councilman Blattenberg stated the newsletter had not been included in the budget. Whereupon Councilman Bruns said he would like to see it continued and his company would be happy to donate their facilities, the plates, printing, folding and paper if the City could do the composition, addressing and furnish postage. Councilman Jordan moved that the Council recognize and accord Mr. Bruns a vote of thanks for his generous offer; seconded by Councilman Johnson. Motion passed.

Building Code: Councilman Johnson moved the Building Code Committee recommends to the City Council that the present building code regulations be saved from repeal by the adoption of the pending codification which would repeal and replace all general ordinances; it is further recommended that said sections be compiled as a model code to be published by the City and incorporated by reference; seconded by Councilman Jordan.

Councilman Jordan stated the decision had been reached because of the complexity in adopting the 1970 Code and the far sweeping revisions we are making in the structure of the Building Department, we are considering the adoption of the National Plumbing Code and the National Electrical Code together with revisions tailored to our present fire code, our present BOCA code and to require mechanical as well as structural inspections in the areas beyond R-1 and
R-2 use districts. As our projected expansion becomes more complex and we enter the field of multifamily and planned industrial building, we are in an area that is far beyond the reach or control of our present building ordinance and building code enforcement. Because of the immense amount of technical work that has to be done on it, it is the feeling of the Building Committee and of the Ordinance Committee that this area should not be neglected or done in a hurried fashion and therefore sufficient time should be allowed to get the technical assistance that will be required. It would make it available to anyone that is interested in compact form. Incorporating a model code that can be updated in toto annually if required without the necessity for distributing supplements, would seem to be a particularly apt solution to the problem with which the Building Code Committee is faced in trying to incorporate this vast amount of material into codification at this time. City Attorney Bagby agreed. Motion passed.

Intergovt. Coop., etc.: No Report.

Ordinance: Councilman Jordan asked that her lengthy report be deferred to the end of the agenda.

Request for a special council meeting re ordinance codification: Councilman Jordan said since we have a full council here tonight and most of the people have reviewed their portions of it, she would like to make at least a tentative presentation of the material tonight with the possible point in view of being able to eliminate a special meeting. There are certain technical sections which are not controversial and could be released for publication. She said this would be the basis of the report she would make later, and discussion of the special council meeting might be deferred as part of the report from the Ordinance Committee.

Park Commission: Councilman Bruns stated the merry-go-round is installed, the park is in beautiful shape, and is being used.

Contract on Overlaying: Councilman Bruns reported bids were opened for the overlaying of streets for this year. The bids are as follows:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Bid (per ton in place)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reno Construction</td>
<td>$9.09</td>
</tr>
<tr>
<td>Union Construction</td>
<td>$9.45</td>
</tr>
<tr>
<td>American Paving</td>
<td>$9.97</td>
</tr>
<tr>
<td>Holland Construction</td>
<td>$10.10</td>
</tr>
<tr>
<td>McAnany Construction</td>
<td>$11.00</td>
</tr>
</tbody>
</table>

The Reno bid was low, they are a Kansas corporation and buy their materials in Kansas. Councilman Bruns moved Council approval to award the contract to Reno Construction Company at $9.09 per ton as they were the low bidder and comply with all of the regulations; seconded by Councilman Smith.
Councilman Jordan asked what the estimated cost was on the project. Mr. Myers answered it would be around $35,000. Motion carried.

Lease - Leawood Park: Councilman Bruns moved that the lease on the city park with Kroh Bros. Development Co. be extended for a period of five years at $1.00 per year, seconded by Councilman Gray. Councilman Johnson asked what option we have on it. Mayor Dostal said the written contract calls for the initial five year agreement, an option to renew for five years with an option to purchase the land. This is the last five year option. Councilman Ballard asked that a copy of that agreement be made and sent to each councilman. Motion passed unanimously.

Plan Commission - Industrial District Improvements: Councilmen had copies of a report prepared by Kroh Bros. concerning improvements in the industrial district at 103rd and State Line and suggesting actions to be taken by the City, property owners, and Kroh Bros. On recommendation of the Plan Commission Councilman Smith moved the report which is an attachment to the Plan Commission minutes of June 22, 1970 be adopted, and that the departments of the City take appropriate action to see that the plans outlined are carried out; seconded by Councilman Bruns. The Plan Commission will take the responsibility of giving a progress report from time to time. A letter or call on behalf of the City explaining the plans for the area will go to the people involved and then the report will go to the homes association. Motion passed.

J. C. Penney Company: Councilman Smith reported Mr. Cates of the J. C. Penney Company and Mr. Fogel of Karbank Co. had discussed with the Plan Commission their plans for the use of the A. Y. McDonald building at 10342 State Line Road. Their operation would be a service center for large appliances, requiring approximately five people in their office and use of four trucks. They stated it was their intention to improve the appearance of the building and to improve the driveways and parking area. They will submit their remodeling plans prior to receiving a building permit from the City. Councilman Smith moved on recommendation of the Plan Commission that the J. C. Penney Company plans be approved subject to plans being submitted to the City Architect for final approval; seconded by Mr. Bruns. Councilman Johnson said we should know if this was to be a service unit for all Penney operations in the Kansas City area and we should determine where the trucks will be. Councilman Smith will make sure the building plans provide for inside parking or proper screening of their trucks. Motion passed.

Hideaway Pet Inn: Councilman Smith reported the Plan Commission has reviewed the architectural plans for the Hideaway Pet Inn in this same area, and according to the City Architect these plans meet the Building Code require-
ments. The City Attorney has reported this type establishment falls within the present zoning requirements. Two sewer connections will be required. The plans were presented to the Council. All of the dog pens are located underground. Councilman Smith moved on recommendation of the Plan Commission that these plans be approved, seconded by Councilman Roach. Motion passed unanimously.

#475 Ordinance to retain present ordinances relating to subdivision and zoning: Councilman Smith moved on recommendation of the Plan Commission that the presently in force portions of the City of Leawood ordinances relating to subdivision and zoning be saved from repeal by adopting the pending codification which will repeal and replace all general ordinances, and further that the following sections be saved and compiled as "Subdivision and Zoning Regulations of the City of Leawood, Kansas 1970": Ord. #17, Sec. 1, 2, 4; Ord. #49, portion of Sec. 1 designated as 5-405 Light Ind. Dist.; Ord. #50, Sec. 1; Ord. #94, portions of Sec. 1 designated as 5-408 Prohibitions (c) (d) (f) (h) (i), and 5-603 Powers; Ord. #174, Sec. 1; Ord. #175, Sec. 2; Ord. #225, Sec. 2; Ord. #254, Sec. 3, 1st Paragraph, Sec. 4, 6, 7, 8, 9, 11 (a), 12, 13, 14, 15; Ord. #282, Sec. 2; Ord. #283, Sec. 2; Ord. #284, Sec. 2; Ord. #287, Sec. 2, 3, 4, 5; Ord. #292, Sec. 1; Ord. #294, Sec. 3; Ord. #296, Sec. 2; Ord. #321, Sec. 2, 3; Ord. #333, Sec. 2; Ord. #334, Sec. 1; Ord. #353, Sec. 2, 3, 4, 5, 6; Ord. #378; Ord. #379; Ord. #380. This compilation would be published and incorporated in the codification by reference under the provision of KSA 12-3009 and 12-3301 (c). All Councilmen received a list of the sections to be saved. Motion seconded by Councilman Johnson; passed unanimously.

#495 Public Safety Commission: No report.

Human Relations Commission: Councilman Roach regretted he would be out of town on the date of the opening meeting. Mayor Dostal will try to attend.

#500 Sanitary Sewer & Storm Drainage: Paul Myers reported on activities of the recently created Sewer Department of the City. A number of maintenance problems have been corrected. The two employees hired are very reliable men and have been associated with this system for quite a number of years. Councilman Ballard reported complaints from residents come through the City Clerk, she makes a record of them, they are transferred to the Public Works Department and the results are finally brought back to the City Clerk for filing. Councilman Johnson suggested the sewer report be something like the Fire Department report, including number of complaints and major problems encountered or solved. Report approved on motion of Councilman Johnson, seconded by Councilman Gray.

Sewer Connection Fee: Councilman Ballard reported in the letter sent out regarding the sewer connection fee there was
a typographical error in the second paragraph. It should read $250.00 instead of $25.00. In this letter Councilman Ballard recommended that the sewer connection fee remain at $800. This was passed on to Mr. Pollock today. Councilman Ballard said he felt $800 was relatively high but because of the requirements of the Kansas Board of Public Health and other reasons, he felt it should not be changed. Councilman Ballard moved that we keep the sewer connection fee at $800, seconded by Councilman Jordan. Motion passed unanimously.

Kroh Bros. prepaid connections: Councilman Ballard reported he had been unable to find anything to substantiate user connections 4,501 through 4,625 by Kroh Bros. He has sent a letter to John Kroh stating if they can find anything to substantiate their claim for those connections, we will be happy to discuss it with them. However, unless they can find some substantiating evidence to lay claim to those connections, the City Clerk has been instructed not to issue those 125 connections.

Bids on Truck for Sewer Department: Councilman Ballard reported he had two quotations (three bids were invited) on a 3/4 ton Ford pick up truck for the Sewer Department. The bids were $2,684.67 from Griff Crawford Ford and $2,914.67 from Ray Smith Ford. Councilman Johnson pointed out Ray Smith Ford is in Missouri and should not be considered, that we should have another bid from a Kansas dealer. Councilman Ballard moved that the Council invest in him the authority to get one more bid and accept the low one of the three; seconded by Councilman Gray. Motion passed unanimously.

Sewer Connections for Hideaway Pet Inn: Councilman Ballard confirmed that two connections for the Hideaway Pet Inn is satisfactory as far as the Sewer Committee is concerned.

Sewer Connections for Two Planned Office Buildings on State Line: Councilman Ballard stated he had not introduced a resolution to cut off connections on the Dykes Creek Branch and would not want to introduce it to eliminate anything that has already gone through the Plan Commission (both of the two office buildings have). Mr. Kleb is concerned about having to buy 30 connections and is supposed to write Mr. Ballard stating his concern. It has not been received. He can buy his building permit at any time he wants to; the question is that Kroh does not have 30 prepaid connections available, they only have a maximum of 9 unless they can substantiate the 125 referred to above. It is Mr. Ballard's understanding when Mr. Kleb bought the property he bought 4 connections. At the Sewer Committee meeting Mr. Pilley delivered a check for $3,200 for these four connections because at that point we were not sure whether Kroh had nine connections left or whether they were two in the red. Councilman Ballard said he believed the $3,200 check should be returned to Mr. Pilley. Nine more connections will be honored but nothing in excess of that. Mayor Dostal asked
Councilman Ballard to keep the Council advised of progress in the matter. Councilman Ballard said right now the Sewer Committee has no objection whatsoever to either one of those two buildings going in because they have gone through the Plan Commission. The only thing is, and this is a situation between the developer and the real estate people, it takes 30 connections for the building; how they get the 30 connections is up to them. They can buy the 30 connections any time.

#625 Wage & Salary: Councilman Gray moved approval of the following status changes:

New employees
Sewer Department: Will Gray, Sewer Superintendent, $750 per month
Ivan Archer, Sewer Assistant, $600 per month
Street Department: Jackie Evans, hourly employee, $2.65 per hour

Termination
Street Department: Lee Wilson, hourly employee

Increases
Police Department: James S. Cox, Patrolman, from $500 to $525 per month
Veldon D. Prince, Patrolman, from $500 to $525 per month
Gale K. Welch, Patrolman, from $500 to $525 per month.

Motion seconded by Councilman Bruns. Councilman Johnson asked if new sewer employees started at mid-point, answer yes. Motion passed unanimously.

#645 Request for permission to license three dogs: Councilman Johnson moved that permission be granted to Donald W. Mills, 3110 West 93rd Street, to license three dogs. Motion seconded by Councilman Gray; passed unanimously.

#650 Abatement of Nuisance - Dead Trees: Chief Kelly said the Police Department had taken no action as they are not capable of deciding on whose property the tree is located. They could be in a position of making a false arrest if they do not know. Councilman Ballard moved that the City Engineer be assigned the task of determining whose property the tree is on and then report back to Chief Kelly; second by Councilman Johnson. Motion passed unanimously.

#680 Proclamation for Physical Fitness Week: On motion by Councilman Gray, seconded by Councilman Bruns, the week of July 20, 1970 was proclaimed Physical Fitness Week as requested by the Board of Commissioners, Johnson County Park and Recreation District.
Appropriations Ordinances: Nos. 278A and 271S in the amounts of $33,971.03 and $2,446.96, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

Screening at Roach Cadillac: Councilman Johnson asked what had been done concerning screening on Roach Cadillac property. Councilman Smith said a letter was sent along with a copy of that portion of the minutes relating to proper screening that was agreed upon. Councilman Johnson said we should have a follow-up on that letter and then we should take some action. Councilmen Smith and Johnson will drive over there this weekend to look at the area. Councilman Johnson said we should have the rendering showing how it was proposed to look.

Councilman Roach requested a short recess.

The Council reconvened at 9:50 P.M. following the recess. Councilmen Blattenberg, Smith, Roach, Gray, Ballard, Bruns, Johnson, Jordan were present.

Ordinance Codification: Councilman Jordan stated councilmen had copies of the portions of the code undergoing the major changes. There are small technical changes, mostly changes of reference section numbers, that have been made in other portions but because of the volume of reproduction required these were not presented. She said we are somewhat over our deadline with the League but this is not the critical point. The critical point is that in the memorandum the Ordinance Committee has outlined its feelings on the philosophy behind the codification which is basically that the codification is a handbook for the use of councilmen, a reference for what their duties, responsibilities, powers and limitations are. The limitations that have been incorporated are the limitations that are prescribed by State ordinances and the State ordinances have been adopted by local ordinance as a way of making this material readily available to the people on the Council. The areas in which the Committee felt utmost scope should be given to imaginative administration and to innovations in procedure that will help streamline our operations, have been made open-ended clauses; they are simply suggestions, reminders to people and for the guidance of city personnel. There has been no intention to try and limit what can be done. A tax levy section which is so special and so questionable under the new tax lid legislation will be considered a special ordinance. An ordinance is included that allows us to elect a police judge and appoint a treasurer, to vary the requirements of residency for certain of our city officers, namely, city attorney, assistant city attorney, city engineer, police officers and police chief. Also included is the ordinance acted on last meeting which raises our permissible fine and imprisonment penalties for public offenses and will take effect after the adoption of the ordinance. There was an ordinance to repeal the ordinances that were ineffective to date, a technical housecleaning, and the ordinance you have tonight creating a traffic violations bureau. Ordinances have
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been written leaning toward the type of legislation that would be required of a first class city. Included are such things as a second reading of ordinances, purchase orders, and changes in the duties of City Treasurer. As our chief executives come and go there will be various approaches to administrative details and, therefore, these internal matters should be kept as fluid as possible to make it possible for the chief executive to implement his own particular plans for the City.

Administrative Chapter: Councilman Jordan said the largest changes have naturally occurred in the administrative chapter. We have created an entirely new section on committees and commissions, we have outlined in detail the duties of the city officers, we have prescribed rules of order and have a suggested agenda. We have remodeled the claims against the city section so that we may use the up-to-date warrant checks that are now allowed under state statutes and would request that a resolution be prepared and passed by the city as required by state law authorizing the use of these warrant checks which we have done for some five years. There is a reorganization of the wage and salary practice upon recommendation of the Administrative Committee on the basis that each department as we are becoming increasingly departmentalized will be in the best position to recommend the wage and salary ranges for their own employees. It is the feeling of the committee that it is unlikely that any wage and salary committee can be gotten together that would be equally expert on police salary, sanitary sewer workers and clerk typists. The wage and salary committee as such has been eliminated from the administrative detail. We have, however, created several new committees, one of them being the Public Works Commission, a Sanitary Sewer Commission, a Park Commission, and a Street Commission. All of these were somewhat in force under our old ordinances but they were not operating under the type of uniformity that is outlined within these ordinances. The Administrative Committee has no duties assigned to it because it actually embodies the duties of all committees. This is under the direct chairmanship of the Mayor and is the way that he will be used to implement all of the other regulations, standing committees and business of the City. She said the preliminary recommendations of the Ordinance Committee have been reviewed on a piecemeal basis with each committee or with each officer that is jurisdictional over that portion of the code.

Councilman Bruns moved that the preliminary recommendations presented by the Ordinance Committee be authorized for publication by the League of Municipalities in Topeka. Seconded by Councilman Blattenberg.

Mayor Dostal asked if the changes in the Administration sections discussed at the meeting of the Ordinance and Administrative Committees had been incorporated in the sections presented to the Council for approval tonight. Councilman Jordan said she had not incorporated the changes
suggested by the Administrative Committee, that she was recommending these sections be passed as presented to the Administrative Committee. She said now is the time to make recommendations for changes to be incorporated. Councilman Bruns stated at the meeting the other night we had some changes to be made in the sections on Administration which we all agreed to. Councilman Jordan said you agreed to them among the committee and if you wish these to be made, they should be recommended to the Council at large. Councilmen Bruns and Blattenberg said they did not bring their notes, that they had assumed the changes would be incorporated before presentation to the Council. Mayor Dostal asked if the recommended changes were not on tape. Councilman Bruns stated they were. Councilman Jordan said the City Clerk was going to have them transcribed, to which Mrs. Oberlander stated she had asked Mrs. Jordan what should be done and did not get an answer. Councilman Johnson stated we cannot vote on them until we see them.

Proposed Section 1-102 - Compelling Attendance of Absentees:
Councilman Jordan said she had her notes on the meeting. The first recommendation was that the section on compelling the attendance of absentees should be modified so that the minority of councilmen may compel the attendance of absentees if a quorum is lacking. The first step should be a request to the absent councilmen for their presence at the meeting and if this still does not develop a quorum, that the city marshal shall be dispatched directing the absentees to appear. The fine was to be eliminated and the word "arrest" was to be taken out.

Mayor Dostal suggested in view of the length of time it would take to go through all of these, would it not be feasible to get these typed from the tape. Councilman Jordan said she believed there are relatively few that are going to be questionable, that she was asking the Council's indulgence now because if we cannot have the meeting Wednesday night we are stymied on this. We should be able to finish inside an hour. Councilman Jordan said it was suggested Section 1-102 read: "The Council having failed of any reasonable method of producing a quorum, a minority of councilmen may compel the attendance of absentees by attachment issued in the name of the City and directed to the city marshal, commanding him to bring them forthwith before the Council in order to secure a quorum unless an excuse be offered." Mr. Bagby said that may not be the exact language--the exact language is on tape.

Proposed Section 1-103 - Order of Business: Councilman Jordan said Section 1-103, Order of Business, is a suggested agenda for reference simply to remind councilmen what kind of things come up and in what order so that we can have some sort of a guide. Right now the agenda is completely done by the City Clerk. If she were absent we feel it is appropriate to have some sort of a check list for the order of business, including in it the specification that is not on your sheet.
"items not included on the agenda may be discussed and acted upon at the request of any citizen or member of the governing body", so that it is in nowise intended to be a limitation on the order of business. Mayor Dostal stated this sets out a rather rigid method of proceeding. We felt it would be an undue limitation on the Council to stick to a rigid agenda. Councilman Jordan said why couldn't we say, "Items not included on the agenda may be discussed and acted upon at the request of any citizen or member of the governing body upon application to the presiding officer and approval of the governing body." Mayor Dostal repeated, "I think it is unduly restrictive." Councilman Ballard suggested adding the words "or as prescribed by the Mayor". Mayor Dostal said he did not think we should give the Mayor the authority.

Councilman Jordan stated the Mayor is going to preside and control it by ordinance under the powers of the Mayor no matter what we write in here. Councilman Blattenberg said the thinking was that if we have an order in there it is possible at some future date to get some councilman who is going to insist on following it rigidly. Councilman Johnson suggested we indicate "in lieu of a typed agenda", then we follow this. Councilman Jordan stated the Ordinance Committee feels we should have some guide to what is going to appear on the agenda. There is no reason why this is fixed. I think it should be specified that this order can be varied by the presiding officer as the need arises. This is what I mean by having a handbook type of operation. This is standard in any city ordinances I have found that have been updated. Councilman Bruns stated we felt the other night that from a workability standpoint rather than having a textbook, even if Jinny were absent, it would be very simple to go back and get previous agendas and make one. We do not have to have a guide. I personally would not like to see us hamstrung with that. Councilman Ballard said I do not see how you can possibly be hamstrung if you put "the following recommended order or as prescribed by the presiding officer". Mayor Dostal said there you give the presiding officer a lot of power I do not think he should have. We have never had a situation like this where the ordinance tells us what business we have to conduct.

Councilman Jordan moved that Section I-103, Order of Business, be modified by saying "conducted in the following recommended order or as recommended by the presiding officer. Items not included on the agenda may be discussed and acted upon at the request of any citizen or member of the governing body." Motion seconded by Councilman Ballard.

Councilman Smith said the Plan Commission had a set way of conducting a meeting; to a novice it has been most helpful. I assume this is something a lot of people have labored over setting out these procedures; we can always change them; so what is the big deal? Councilman Jordan answered these originate with the League of Municipalities and they are fairly standard. Councilman Roach stated he had mixed emotions; I can see the advisability of having a guide but
at the same time I can see the inadvisability of having something cast in concrete. I wonder if this language might be in compromise, "In lieu of a prepared agenda the following order of business shall prevail."

Councilman Jordan amended her motion to include, "In lieu of a prepared agenda the following order of business shall prevail." Councilman Ballard seconded the motion as amended.

Mayor Dostal said, I have to interpose my feelings here. We went over this thoroughly in the Administrative Committee, and the Committee in a body completely, unanimously, felt that this should not be done. In the years I have been in city government we have never been faced with a situation like this. The least governed people are the best governed people; the least restricted councils are the best councils in my opinion. Any time you put a set of rules in front of people you are beginning to tell them exactly how to conduct their business. Tonight, Mrs. Jordan wanted to leave a certain portion of her business to the end of the agenda and we did without any difficulty. I do believe once you begin to restrict yourself you are going to get into trouble. To give the Mayor authority to change it, I think is a terrible mistake. Why shouldn't he follow the agenda? Councilman Ballard said there is nothing sacred about the agenda prepared by the City Clerk. Councilman Bruns said he thought we were writing something that is not necessary. Councilman Jordan stated to those new on the council it is a help. I certainly don't think this could be interpreted as being unduly restrictive. Motion passed 6 to 2.

Proposed Section I-104, Organizational Meeting: Councilman Jordan said this section is set forth in the same way as the preceding section, outlining what needs to be done and how it should be done. These are simply reminders of how your business is conducted. She said the recommendation was made by the Administrative Committee that the Organizational Meeting Section I-104 not be included in the administration ordinance and the Ordinance Committee proposes its inclusion.

Councilman Jordan moved the adoption of I-104 on the same basis and for the same reasons as Section I-103 above; seconded by Councilman Gray.

Councilman Blattenberg said the reason for striking it was the same as Section I-103; if you struck one you would strike the other to be consistent; I don't feel we should have the other and I don't feel we should have this one. Councilman Roach said that does not necessarily follow. One has to do with organizational meeting, the other has to do with any agenda of any meeting at all. Mayor Dostal said I deeply dislike making this observation, but let us assume the Ordinance Committee met with the Safety Commission and after going over something for 4½ hours and after there was a solid unanimity on the part of the Commission as opposed to the preparation of the Ordinance Committee, don't you think it
would have been fair for the chairman of the Ordinance Committee to have had the corrections suggested and presented to the Council? I think we are being put at a distinct disadvantage here and I see no reason for it. I believe you are yielding to the wishes of the Ordinance Chairman on these matters. I understand that the Ordinance Chairman was asked what she wanted to have done with these recommendations and I think they should have been typed up and presented. I feel you should know the basis of this. We did not spend 4½ hours just toying with these things, this was a sincere expression on our part.

Councilman Roach stated, in view of the fact that Mayor Dostal said we are acquiescing to the wishes of the Ordinance Committee Chairman, I shall abstain from all future votes this evening on this matter. Councilman Bruns stated, after spending 4½ hours the other night on this thing and then having it the way it is, frankly I had just as soon excuse myself and go on back home. I had just as soon not cast a vote. Councilman Smith agreed he would feel the same way.

Councilman Ballard asked who is on the Administrative Committee and who is on the Ordinance Committee? Councilman Jordan answered, the Administrative Committee consists of the Mayor as chairman, Chairman of Budget & Finance, Mr. Blattenberg, President of the Council, Mr. Bruns; the City Treasurer, Mr. Hodson. Invited to attend at the Mayor's request were City Attorney Bagby and City Clerk, Mrs. Oberlander. Councilman Jordan said she would like to speak out on behalf of the Ordinance Committee that consists of myself, Dr. Underwood and Mrs. Kastman. In every other committee I have dealt with, the committee disapproving the draft made has reported back in the Council. If the recommendations are not to the taste of the Administrative Committee I would request that the Administrative Committee bring it out of their committee with their objections to it. This has been the procedure followed throughout the year. I have tried to present this as fairly as possible. I called attention to every single change, everything that had been deleted and everything that had been added. I did not try to sneak anything by. The meeting was held Wednesday night; Thursday the copies were run on the last sections for Council distribution; Friday was a holiday; we are meeting Monday night and I regret that a common set of minutes or whatever you wish to have done was not brought up. I did keep my own set of minutes and I am endeavoring as impartially as possible to bring up what areas we feel are in conflict and give the Administrative Committee an opportunity to lay these objections before the Council. If the Council finds the objections are valid and they wish to adopt them, certainly the mandate is clear. I do not feel under the circumstances anything more fair could be done and if you feel so then I think it is true we are wasting our time here tonight and that there is no sense trying to resolve the questions that are before the body.
Mayor Dostal replied: Let me make these comments. I do not know when our first meeting with the Administrative Committee was, but it was some time ago. At that time I had a list of the various ordinances, I had gone through my book very diligently, I had them summarized. At no time was the Administrative Committee ever given suggested change of 1-103, 1-104 or any of these we are now discussing until Wednesday night when it was at Mrs. Jordan's suggestion that we met with the Ordinance Committee. I am glad we did because this was the first time I saw these detailed ordinances and to me, I was quite surprised. If we had not had that meeting, all this wording would have been presented without the Administrative Committee even seeing these suggested changes. It was the feeling of the Administrative Committee these changes should be made and under normal procedure the changes would have been submitted to the Council with the originals for discussion. I am somewhat surprised that a motion is made in toto for the incorporation of all these ordinances. To me, this is not the proper way to do business.

Councilman Bruns withdrew his motion and said he had assumed the changes were made. Councilman Blattenberg withdrew his second of Councilman Bruns' motion.

Councilman Jordan stated these sections as I told you last meeting had already been drafted and were in folders here and were available. Every member of the Administrative Committee was a member of the Council or was privileged to these meetings. This material has been available for two weeks. There was no requirement in the codification ordinances drawn that any of this material should be submitted to the Council in advance of the time the publication was made. I have endeavored to review it with each committee and Wednesday was the first opportunity to meet with the Administrative Committee in advance of this Council meeting.

Councilman Ballard moved that any Council action be delayed on the chapter on Administration until the next meeting, and that the Ordinance Committee and the Administrative Committee at that time present to the Council for a final decision any differences they cannot work out. Motion seconded by Councilman Smith. Motion passed with Councilmen Roach and Jordan abstaining. Councilman Jordan pointed out that she would be unavailable for the next two meetings.

Councilman Roach said if the Administrative Committee felt so strongly about these points that they did not want the discussion on it, it should not have been on the agenda in the first place. Mayor Dostal said it is not that we do not want it, but we want our ideas to be on paper. Mr. Blattenberg made most of the suggestions and they were on tape and could have been typewritten. Councilman Jordan said she was sorry, that she had assumed the Administrative Committee was preparing its recommendations as committees usually do when they oppose the ordinances drafted. Mayor Dostal said if it was my error not getting those things typed, I apologize to every one of you.
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but I was under the impression that was the Ordinance Committee function.

Councilman Johnson stated when we have voted on something that is it, we have voted, we have discussed it and we should not have any other comments whether it is good or bad as far as the Council is concerned. I think that if you lose in something, that is unfortunate. I am referring to I-103, it was voted on and that's it. As a committee you do not always get everything you want. You can have your comments but after we vote on it, that's it. It seems as though it comes up too many times and I say that because I think we should have a closeness to our Council meetings and we should not fight one another.

Councilman Roach, in order to correct the record and be in compliance with Councilman Ballard's motion and since he voted for the amendment of I-103, moved for reconsideration of the motion on I-103; seconded by Councilman Ballard. Motion passed, Councilmen Johnson and Jordan abstaining.

Whereupon, the Council reconsidered the motion on Section I-103 made by Councilman Jordan, seconded by Councilman Ballard, that Section I-103, Order of Business, be modified by saying "in lieu of a prepared agenda the following order of business shall prevail. Items not included on the agenda may be discussed and acted upon at the request of any citizen or member of the governing body." Motion defeated.

Chapter 3, Beverages: Councilman Jordan moved for the adoption of Chapter 3, Beverages. Councilman Roach said the Public Safety Commission had no suggested changes. Motion seconded by Councilman Blattenberg. Councilman Ballard asked Mrs. Jordan to review in general terms what is different in this from what was before. Councilman Jordan said in essence it will reduce all of our beverage provisions to two occupational licenses, one to retailers of alcoholic beverages and one for cereal malt beverages which is divided into two categories, on-premise and off-premise consumption. We have lowered the drinking age to 18, raised the dispensing age to 21, raised the fees on retail alcoholic beverage license to $300 and raised the fees on cereal malt beverages to $100 and $200 for off and on premise consumption from the present $50 and $100. The present retail liquor license is $150. We have doubled all of these in the beverage section. We have issued one liquor license. It will be up for renewal August 14. Councilman Jordan recommended this ordinance be adopted independently since it is unlikely we will have the codification in effect before that time. Motion that Chapter 3 be approved passed unanimously.

Chapter 6, Elections: Councilman Jordan moved the adoption of Chapter 6, Elections. She stated this embodies the provisions of our charter ordinance and includes the boundaries of the wards updated to the present time; seconded by Councilman Blattenberg. Motion passed unanimously.
Chapter 7, Fire Code: This is under the jurisdiction of the Public Safety Commission. Councilman Roach stated the Public Safety Commission has no objection to the proposed section. Councilman Roach moved for the adoption of Chapter 7, seconded by Councilman Bruns. Motion passed unanimously.

Chapter 9, Municipal Court: Councilman Roach moved for the adoption of Chapter 9, Municipal Court, seconded by Councilman Gray. Councilman Blattenberg asked City Attorney Bagby if it was all right from the legal standpoint. Mr. Bagby said he did not see a lot of changes in it other than the appointment of the Clerk by the Judge which is desirable. It has been reviewed by the City Marshal, City Judge and Prosecuting Attorney. Motion passed unanimously.

Chapter 10, Public Offenses: Councilman Roach stated Public Safety Commission has no objection to the proposed section and moved its adoption; seconded by Councilman Bruns. Motion passed unanimously. Councilman Jordan said this section on Public Offenses probably represents the most sweeping changes made in any section of the code.

Chapter 14, Traffic Offenses: Councilman Roach stated the Public Safety Commission has no objection to the proposed section and moved its adoption, seconded by Councilman Bruns. Councilman Jordan commented that Article I on standard traffic regulations is suddenly tenfold in size because we incorporated within the last week all of the provisions of Senate Bill 485 which has substantially altered the provisions of Article VIII on regulations affecting traffic on the highway. This brings us up to date with the 1970 session laws and substantially in advance of the present standard traffic ordinance. Councilman Ballard suggested in Section 14-111, Article VII, paragraphs a and b, should read "The Chief of Police shall cause to have erected appropriate traffic controls", etc. Motion with this correction passed unanimously.

Charter Ordinance No. 9 - Creation of a Traffic Violations Bureau: Councilman Jordan stated the memorandum attached to it outlines the reasons why it has been recommended. It has the approval of the Prosecuting Attorney, the Chief of Police, the Judge of the Municipal Court, and has been submitted to the City Attorney for approval of form and content. Councilman Jordan moved the adoption of Charter Ordinance No. 9. Vote: aye, Blattenberg, Smith, Roach, Gray, Ballard, Bruns, Johnson, Jordan.

Councilman Ballard amended his motion that any Council action be delayed on the chapter on Administration until the next meeting to include only Chapter 1, Article I of Administration; amendment seconded by Councilman Smith. Motion passed unanimously.

Articles II through X, Chapter 1, Administration: Councilman Jordan moved that Articles II through X, Chapter 1, Administration, be approved for publication; seconded by
Councilman Gray. On recommendation of the Budget and Finance Chairman the sick leave provision is brought into line with the practices currently in industry. Actually, it makes provision for more sick leave in the lower ranks of employment and gradually increasing sick leave up to a maximum of 30 days after five years. Motion passed.

Mayor Dostal complimented Mrs. Jordan, the Ordinance Committee and all the committees of the City for all they have done on the codification, a very tedious piece of work.

On motion by Councilman Blattenberg, seconded by Councilman Gray, the meeting adjourned to July 20, 1970, 7:00 P.M.
Minutes of a special meeting of the City Council of the City of Leawood, Kansas.

A special meeting of the City Council was held at 7:30 P.M. on Wednesday, July 8, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Councilmen present were: Blattenberg, Smith, Gray, Bruns, Jordan.

Mayor Dostal announced this meeting has been called pursuant to the following request addressed to the Mayor:

"The undersigned Councilmen of the City of Leawood, Kansas, respectfully request a special meeting of the Council to be held Wednesday, July 8, 1970 at the City Hall at 7:30 P.M. for the purpose of considering and recommending for publication Article I of Chapter 1, Codification of Ordinances."

He stated the request was signed by three councilmen as required by ordinance--Councilmen Blattenberg, Smith and Jordan.

Mayor Dostal stated that at the last meeting the request was made that recommendations of the Administrative Committee be considered regarding Articles I-103, I-104, I-105, I-106, and we are here for that purpose.

Article I-103: Mayor Dostal stated in going through the articles presented which the Chairman of the Ordinance Committee so graciously typed, and after consulting with the City Attorney, he noted the Administrative Committee at the very end of Article I-103 had added the phrase "except that by majority vote such order may be changed." Mayor Dostal added this was done so the Mayor could not arbitrarily keep the agenda as he wished. The entire Order of Business section as recommended by the Administrative Committee reads as follows:

"At the hour appointed for the meeting the members shall be called to order by the presiding officer and the order of business shall proceed as specified by the presiding officer except that by majority vote such order may be changed."

Councilman Jordan recommended that it read "by majority vote of the governing body such order may be changed."

Councilman Jordan noted that because of an error in mechanics the only thing from the joint meeting of the Administrative Committee and the Ordinance Committee that was recorded on tape was Section I-102.

Article I-104, Organizational Meeting: Mayor Dostal read this section, as follows:
"On the first Monday of May of each year the governing body as constituted before the election of the first Tuesday in April shall meet and proceed to any unfinished business and thereafter seat the new governing body, and the new governing body shall proceed to the order of business as hereinabove described."

Mayor Dostal said we would then have to change Roberts Rules of Order Revised to I-105 and the following one to I-106. Those are the recommendations of the Administrative Committee regarding these particular articles. He said in view of the great deal of material that was presented in Administration these changes are very minor. It is now before this body for consideration.

Councilman Bruns moved for approval, seconded by Councilman Jordan. Motion passed unanimously.

Articles I-101 through I-106, inclusive, of Chapter 1 are attached hereto as a part of the record.

Councilman Bruns stated for the record that this meeting was called by the Ordinance Committee and Councilman Jordan, not by the Administrative Committee, and the purpose for calling this meeting was to expedite the codification of ordinances. Mayor Dostal said he appreciated the fact that Councilman Jordan did that and he appreciated the Councilmen appearing because this is a very important matter.

Councilman Jordan reported that the balance of the chapters and Articles II through X of Chapter 1 were delivered to the League of Municipalities yesterday for publication.

Since the business for which the meeting was called has been completed and there being no further business that can be considered at this meeting, Councilman Blattenberg moved for adjournment; seconded by Councilman Jordan. Motion passed.
ARTICLE 1  MUNICIPAL ADMINISTRATION

1-101  MEETINGS. The Mayor and councilmen shall have regular sessions on the first Monday of each and every month, at 7:00 P.M., and adjourned sessions at any other time they may deem proper. In case the first Monday of any month falls on a holiday, the regular session shall be held on the next day thereafter which is not a holiday. Special sessions shall be called by the Mayor upon the written request of not less than three members of the Council, specifying the object and purpose of such meeting, which request shall be read at the meeting and entered at length on the journal. All sessions shall be held at the City Hall unless circumstances make that place impracticable for a particular session, in which case it may be held at any convenient place within the City. In all cases, it shall require a majority of the councilmen-elect to constitute a quorum to do business, but a smaller number may adjourn from day to day.

1-102  COMPELLING ATTENDANCE OF ABSENTEES. In order to secure a quorum in the absence of any other reasonable means, the minority of councilmen may compel the attendance of absentees by attachment issued in the name of the City and directed to the city marshal/chief of police, commanding him to bring any such absentees forthwith before the council.

1-103  ORDER OF BUSINESS. At the hour appointed for the meeting, the members shall be called to order by the presiding officer, and the Order of Business shall proceed as specified by the presiding officer, except that by majority vote of the Governing Body, such order may be changed.

1-104  ORGANIZATIONAL MEETING. On the first Monday of May of each year, the governing body, as constituted before the election of the first Tuesday in April, shall meet and proceed to any unfinished business, and there-after seat the new governing body, and the new governing body shall proceed to the Order of Business as hereinabove prescribed.

1-105  ROBERT'S RULES, REVISED. Robert's Rules of Order, Revised, shall be and the same are hereby adopted for the conduct of the meetings of the Governing Body.

1-106  STANDING COMMITTEES. The following shall be the standing committees whose membership shall be designated by the mayor, by and with the consent of the council, at the meeting held on the first Monday in May.

(a) Committees composed from the membership as designated to serve on an annual basis:

   Administrative: Membership to consist of the City Treasurer, the Chairman of Budget and Finance Committee and the President of the Council, chaired by the Mayor.

(b) Committees whose membership is established by statute and ordinance:

   Board of Zoning Appeals
   City Plan Commission

(c) The following committees and commissions shall be appointed by the mayor by and with the consent of the council, with a membership of no less than three (3) electors of the city, each member serving for a three (3) year term with approximately one third of the membership retiring in rotation each year. At all times, at least one member shall be a councilman.
Should his term as councilman expire before the expiration of his committee term, he shall remain as a member of the committee and the committee vacancy occurring at the expiration of such member's council term shall be appointed from the council, should no other councilman then be serving on the committee for a term extending into the succeeding year. The Mayor shall on an annual basis, by and with the consent of the council, designate the chairman of such committees.

Budget and Finance - one member to be city treasurer
Building Code - one member to be Chief Building Official
Intergovernmental Cooperation and Community Affairs
Ordinance
Park Commission
Public Safety Commission
Public Works Commission
Sanitary Sewer and Storm Drainage
Streets and Sidewalks
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 P.M. on Monday, July 20, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Roach, Bruns, Johnson.

Minutes - Meeting of July 6, 1970: Councilman Johnson requested that the names of Councilmen Johnson and Jordan, as the two voting against the motion, be added at the end of the third paragraph on page 1105. Councilman Blattenberg requested that on page 1094, second paragraph, the word "by" be added before the words "August 5" and before the words "the 15th" and that the words "at the latest" be added at the end of the sentence, so that the sentence would read: "We have to advertise it by August 5; hearing to be by the 15th at the latest." The minutes of the meeting of July 6, 1970 were approved as corrected on motion of Councilman Bruns, seconded by Councilman Johnson.

Minutes - Special Meeting of July 8, 1970: Councilman Johnson inquired how councilmen were notified of this special meeting. Mrs. Oberlander, City Clerk, replied that a notice was sent out to all councilmen prior to the meeting. Councilman Johnson stated he did not receive a copy of the notice. Councilman Blattenberg stated the notice came to him in the regular Council envelope. Councilman Bruns asked Councilman Johnson if he was at home at that time, to which Councilman Johnson said he was available. Councilman Bruns moved that the minutes of the meeting of July 8, 1970 be approved as submitted; seconded by Councilman Smith.

Councilman Bruns pointed out that these minutes show that the meeting was called by Councilman Jordan. Mayor Dostal stated he approved the request for the special meeting. Councilman Johnson asked when the request was made, to which Mayor Dostal and the City Clerk stated they believed it was Tuesday, July 7. Mrs. Oberlander added that Councilman Jordan telephoned council members to determine who would be present. Councilmen present confirmed this. Councilman Johnson said he did not believe this was handled properly; there was not a phone call at his home nor did he receive a letter. He added, "The assumption should not be that I am going to be out of town, the assumption should be that I am home and my home is called if all the other councilmen are called. The only point I make is that I think we should go all out to notify all members, we do not want to assume anybody is out of town." Councilmen Bruns said he felt all efforts were made to get in touch with everybody. Motion to approve the minutes carried with 4 aye votes, Councilman Johnson abstaining because he did not attend the meeting.

Ordinance No. 381 - Relating to Sale of Alcoholic Beverages: City Attorney Bagby stated he had checked the ordinance and
it is satisfactory as far as the statute is concerned. Councilman Bruns moved for approval of Ordinance No. 381. In answer to inquiry by Councilman Roach, City Attorney Bagby stated the old section is being repealed to increase the annual fee, to increase the penalty from $100 to $500 and to conform to a few changes in the statute. Vote: aye, Blattenberg, Smith, Roach, Bruns, Johnson. Ordinance approved.

Visitors: Mr. Leon A. Jacobs, representing the Taxpayers Association of Johnson County, and Mr. W. R. Judd. Member of the Press: Mrs. Judy Goodman.

Proposed 1971 Budget: Councilman Blattenberg stated under the budget lid law our budget lid for 1971, excluding principal and interest on temporary notes, Social Security, Kansas Public Employees Retirement, and the Sewer Fund, is $568,909,53. The aggregate levy limitation, again excluding temporary notes and interest, Social Security and the retirement plan, is $232,064,13. It is of interest that our real estate valuation includes new valuation of $717,100,00 for new improvements (not including new land or increase in land value) which is somewhere around 2.5%. Total real estate valuation is $28,327,485,00. Utilities, $1,436,475,00 (new improvements element in that, according to the County Clerk, is $35,112,00). Personal property (we are instructed to use the same valuation this year as we used last) is $3,530,460,00. That gives a total valuation this year of $33,291,420,00. Last year it was $35,189,313,00. Last year real estate was on an 18% basis, this year it is on a 24% basis. Councilman Johnson noted for that reason there would be a sizeable increase in our real estate assessment. Councilman Blattenberg agreed saying it jumped from $20,000,000 to $28,000,000 and all but $800,000 of that is simply the shift from 18% to 24%. The $800,000 is increased valuation of land, according to the County Clerk.

Department Budgets for 1971: Councilman Blattenberg stated the Administration budget is the same as last meeting except that Social Security has been taken out and $1,550,00 has been added back for the newsletter which hopefully will permit the mailing of a newsletter every other month. This budget was $56,000,00 in 1970; $55,280,00 in 1971. The Police Department budget is the same as last meeting except that the salaries item has been increased from $126,800,00 to $133,500,00 which was originally requested. We picked up a few more dollars in our levy limit because there was some increase in utilities valuation. Fire Department budget total is $111,045,00; the only change from last meeting is the elimination of Social Security to put it into a special account. Councilman Blattenberg explained that the reason for taking Social Security out of all the budgets is that it is an exception to the budget lid. Councilman Blattenberg asked that the following changes be pencilled in the Public Works Department budget: At the bottom of the 1970 budget,
add Account 422-1, Ground Maintenance Material, $750.00; that will change the total from $170,595.00 to $171,345.00. After taking out the Special Streets Fund, the total is $127,745.00. In the Park section, for the 1969 budget put a bracket around those figures and put in $9,500.00 (this account was included in the 1969 Administration budget as Recreation Area and Public Works). Do the same for the 1970 budget, amount is $5,200.00. Those are included in Line 423, and should be arrowed down below because they relate to parks. With respect to the 1971 Public Works Department budget, the only difference from last meeting is Social Security is taken out and in Account 400-1 we have taken out 20% of the Street Superintendent's salary because that will be covered by the Sewer budget this year. Councilman Blattenberg designated some new line items in the interest of clarity: Line Item 450-1 is Equipment, 450-2 is Ground Maintenance Material, 450-3 is New Facilities, 450-4 is Fertilizer and Seed. Public Works Facility Improvements budget for 1971 is $7,280.00. At that point, the note will be paid off. This is the first time a proposed budget for the Sewer System has been prepared because for the first time we have a direct operation of our sewer system. The budget for the year for the Sewer System is $705,827.00 in governmental accounting practice. Assessments have been estimated at $45,000. It appears the Sewer System Fund will increase from $439,000.00 estimated beginning balance to $484,000.00 estimated ending balance. The fifteen connection fees is a guess. Councilman Johnson inquired how many employees were included in the Sewer budget. Councilman Blattenberg said it includes two new men, two of the girls in the City Hall office, the City Clerk's percentage, and twenty per cent of the Street Superintendent's salary. Only difference from prior years is the two new men and the twenty per cent of Street Superintendent's salary. It includes Social Security, estimate on overtime, KPRS, Workmen's Compensation and hospitalization.

Overall Comparisons: Councilman Blattenberg asked that the following figures be pencilled in: Public Works Improvements, 1969, $8,500.00; 1970, $9,000.00. KPRS in 1969, $11,600.00. Sewer System 1969, $260,000.00; 1970, $560,949.00. Special Fire Equipment Fund 1969, $1,000.00; 1970, $45,237.00. Building Fund no entry in 1969 or 1970. Special Streets Fund no entry in 1969; 1970, $43,600.00. General Operating Fund 1969, $10,995.00; 1970, $41,715.00. Total, 1969, $702,070.00; 1970, $1,127,534.00. Councilman Blattenberg suggested a line be added down below: Without Sewer, 1969, $42,070.00; 1970, $566,585.00; 1971, $589,337.00. He said the levy rate, 1971, for Social Security shown as 1.62 should be .4 85, and that total levy rate for 1971 will be 8.266. Councilman Blattenberg made the following comments: Social Security has jumped from $10,000 to $13,000 to $16,000; KPRS jumped from $11,600 to $14,500 to $19,700; Sewer System is a non-levy item; Fire Equipment Fund levy rate has been one-tenth of a mill and that continues; General Operating (excluding items shown above) 4.10 in 1969, 4.41 in 1970, drops to 4.17 in 1971, but includ-
ing the Special Street Fund (the gasoline tax) it goes from 4.84 in 1970, to 4.97 in 1971, which is a 2.6% increase in the General Operating Budget, eliminating the Sewer Fund, it is a 4.1% increase.

Councilman Blattenberg stated the budget this year is predicated on the levy limit, not the budget limit. Councilman Bruns moved for approval of the 1971 budget as presented by the Chairman of the Budget and Finance Committee; seconded by Councilman Roach. Councilmen Smith and Bruns complimented Councilman Blattenberg on the nice job he did on the budget. Motion passed with four aye votes; Councilman Johnson abstained stating he had too many figures tossed at him to intelligently vote on it.

Mayor Dostal complimented Councilman Blattenberg and his committee and all the committees for the hard work done on this budget under very trying circumstances. He said he hoped we will be able to operate within it and that the legislature will take some action at the earliest appropriate time to do away with the budget lid.

Budget Hearing: Councilman Blattenberg stated the budget must go to the printer by this Friday; it will be published July 29, and the hearing must be set no earlier than August 10 and no later than August 15. Councilman Blattenberg moved that the budget hearing be set for Monday, August 10, at 7:00 P.M.; seconded by Councilman Bruns. Motion carried unanimously.

Mayor Dostal asked Councilman Blattenberg to work with the City Attorney and the City Clerk to see that all the official publications and notices are made properly.

Mr. Leon Jacobs, representing the Taxpayers Association of Johnson County, asked, with the change in the assessment valuation, this levy will result in an increase of how many dollars in the tax bill? Councilman Blattenberg said the increase in the total amount which the City may levy is $10,150.00. The reason for the increase is new homes built. The mill levy per homeowner cannot increase under the law, as adjusted per the increase in valuation. Last year a $10,000 home would have been valued at $1,800; this year it will be valued at $2,400, so that the actual levy rate must decrease. Mr. Jacobs asked with the rate decreasing and the valuation increasing, what approximately would be the increase in tax expense? Councilman Blattenberg stated there would be none. He said there are certain exclusions to the levy limit law, such as bond payments and bond interest which will affect certain cities, Social Security, retirement plan, etc.

Abatement of Nuisance - Dead Trees: Mayor Dostal called attention to the City Engineer's report on this subject. Councilman Bruns stated the suggestions of the City Engineer were most realistic and moved that the matter be left with Engineer John Martin to contact the individual owners and
July 20, 1970

Kroh Bros. and see what arrangements can be made to abate this situation; seconded by Councilman Blattenberg. In answer to inquiry by Councilman Johnson, City Attorney Bagby stated we have an ordinance which permits the City to go in and cut down trees that are determined to be infested with Dutch elm disease and charge it to the person on whose property the tree is located. Motion passed unanimously.

Councilman Bruns reported he had been talking with The Kansas City Southern Railway and it appears that they are going to donate a caboose to the City which would be put on tracks with railroad signals, etc. and placed in the City Park. Toilet facilities will be installed in the caboose. He said the caboose would be an interesting item for the City Park and would save the City a considerable sum of money over building structures for toilet facilities. Councilman Bruns said he thought John Belger would donate the crane and low bed to bring this down to the park, and that The Squire and The Kansas City Star have agreed to take pictures and make a nice story for Kansas City Southern, Belger and the City of Leawood.

On motion by Councilman Roach, seconded by Councilman Blattenberg, the meeting adjourned to August 3, 1970, 7:00 P.M.

#1990

#2018

V. M. Dolce
Mayor

June Lile
Council Reporter

Attest:

J. C. Clark
City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 p.m. on Monday, August 3, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Ballard, Bruns, Johnson, Jordan.

Minutes: Minutes of the meeting of July 20, 1970 were unanimously approved as submitted on motion of Councilman Johnson, seconded by Councilman Blattenberg.


REPORTS:

Treasurer: Mr. Hodson reported as of July 31, 1970, total revenue, $326,971.00; expenditures $313,022.00; balance, $37,914.00; Treasury Bills purchased $29,631.00; cash on hand, $8,283.00. Report approved on motion of Councilman Johnson, seconded by Councilman Blattenberg.

Police Judge: Judge Ullom reported fines of $3,290.00 for the month; 280 cases docketed. Councilman Johnson referred to three cases in the report in which the defendant had pleaded not guilty to speeding charges and the Judge had concurred. Mayor Dostal and Councilman Bruns each said if names were to be mentioned, the Council should go into executive session. Councilman Johnson said he wanted to do it this way and he had the right to do that. He asked Judge Ullom if radar was used in these cases, to which Judge Ullom said he assumed probably it was, either that or paced. Councilman Johnson said he did not know of any instance where we have not used radar in apprehending anyone for speeding. Judge Ullom said there are always cases paced. Councilman Johnson said he disagreed with the findings of the court, that where we have radar in most instances they are guilty. He asked the City Clerk to furnish him a copy of the report. Mayor Dostal stated he hoped Mr. Johnson did not express the attitude of the Council; these are matters that are tried in court and whether we agree with the decision or not, the strong statement that someone charged is automatically guilty should not be made in public. Councilman Johnson said he was not saying they are automatically guilty; he wanted an explanation on these three. Judge Ullom suggested that Councilman Johnson sit in court and listen to the evidence. Councilman Bruns moved approval of the Police Judge report, seconded by Councilman Blattenberg. Motion carried, Councilman Johnson abstaining.
Fire Chief: Chief Toman reported 34 calls for the month of July, including 14 rescue car calls; fire loss for the month of July, $100.00; fire loss for year to date, $29,393.23 (not a final figure). Councilman Blattenberg moved for approval of the report, seconded by Councilman Bruns. Councilman Ballard said when he saw the telephone number for emergency calls with the Olathe prefix, he assumed it must be out of date. He wondered if people felt they would get fast police service if they realized that was an Olathe number. Chief Toman stated when the Fire Department gives out the number they explain that this is the Sheriff's office in Olathe and that it dispatches all the city police departments. The Fire number has a Hedrick prefix. Councilman Ballard suggested we should have some publicity to explain the situation. Chief Toman said the Newsletter shows emergency, police and fire numbers and gives the City Hall numbers for other business. Councilman Jordan said the fact that we are a part of the network covering Johnson County for all of these calls might be a good thing for the next Newsletter. Councilman Ballard asked if any delay was experienced by coming through the network. Chief Kelly stated sometimes there is a delay, because police work is growing. He said we hope some day to have dispatchers of our own. No delay is occasioned on the fire calls. Mayor Dostal agreed that perhaps an article would call attention to the fact. Motion to approve report passed unanimously.

Police Department: Chief Kelly reported 150 arrests, 520 calls handled and 347 homes checked periodically during the month. The officers have made 11 illicit drug or narcotics arrests in the last nine days. Councilman Bruns moved for approval of the report and congratulated the Department on the fine work they are doing in trying to keep narcotics out of Leawood; seconded by Councilman Blattenberg. Motion carried unanimously.

Street Department: Paul Myers' reported activities of the month, including laying of track in the park for the caboose. Councilman Bruns added Kansas City Southern had indicated they should go ahead and lay the track for the caboose. Upon inquiry by Councilman Blattenberg, he said the caboose would be brought to Lenexa and then by low boy (furnished by John Belger) on I435 to the park. This is all donated. On motion made and seconded, the report was approved.

Councilman Ballard stated he would like to have Paul Myers make the report for the Sewer Department the same as he does for the Street Department.

Sewer Department: Paul Myers reported two problems that were letting water into the sewer system had been found and corrected. On motion by Councilman Bruns, seconded by Councilman Johnson, the Sewer Department report was approved.

Traffic Safety Award: Mayor Dostal read a letter from Governor Docking dated July 23, 1970, informing that Leawood...
is Second Place Award Winner in Class B (population 10,001 to 75,000) in the 1969 Kansas Traffic Safety Program, and asking that the Safety Department be notified when this award presentation could be made. Mayor Dostal said a response had been sent that we would like to have this presentation made at the next meeting.

Councilman Johnson stated in view of Councilman Ballard's request above that Paul Myers make the Sewer Department report, it should be a separate report section from now on in view of the fact that we have full time employees. Councilman Jordan stated after September, it will be in the Public Works Department.

COMMITTEE REPORTS:

Budget & Finance: No report.

Building Code: Councilman Johnson reported that more than likely matters pending as far as Building Code is concerned will have been handled to completion by the next meeting.


Ordinance: Councilman Jordan stated all sections have gone to Topeka for publication with the exception of the model code required in sewer, planning and zoning, and building code. Since the regular part-time secretary for the Ordinance Committee is on vacation the month of August, Councilman Jordan requested part time assistance be authorized for the next three weeks, probably not to exceed $250.00. She said he did not estimate this is going to exceed the budget that was set aside. Councilman Johnson moved that the Council authorize the expenditure of $250.00 for secretarial assistance for the Ordinance Committee during August; seconded by Councilman Blattenberg. Motion passed.

Park Commission: Councilman Bruns reported that comments were very favorable from persons using the park and he was amazed at the number of persons using the shelter houses and the playground equipment. Upon request, he has given suggestions for next year's donations to the park by the Leawood Women's Club.

Plan Commission: Councilman Smith reported the Public Safety Commission has submitted the recommendation for installation of additional lighting in the industrial area to the Kansas City Power & Light Company, and they will be giving their recommendations within the next two weeks and it will be just a formality to get that lighting installed. Two people on the plan commission have volunteered to work with Councilman Jordan on the revision of ordinances as they relate to city planning. They will meet tonight after this meeting.

Public Safety Commission: No report. Councilman Ballard
August 3, 1970

Councilman Jordan added it was decided there would be no 20 miles per hour speed zones in Leawood except for school zones in the codification.

Sanitary Sewers and Storm Drainage: Councilman Ballard reported he, David Whyte, Mr. Duncan and one of his assistants from the Kansas State Health Department, Phil Kline and one of his assistants had met. He said it was clear the Health Department representatives are not interested in what we have tried to do, they are interested in what we are going to do to stop the by-pass valves. Nothing short of getting this thing stopped is going to satisfy Mr. Duncan. Phil Kline is making an engineering study of portions of the Dykes Creek Branch to see what is the best solution. Basically, we have three possible alternates: (1) A method whereby all of the houses north of Somerset Road might be carried down Somerset Road with a new line which would be cut through the grade in front of Somerset School over to the Prairie Village maintenance area where Johnson County Sewer System has a pump station, and hopefully with the study the Johnson County System is carrying out we might possibly be able to convert that number of houses off the north part of the Dykes Creek Branch. (2) In about 1972 construct a by-pass line similar to the one planned before which was not allowed to be built because of Kansas City, Missouri's overloaded capacity on their line. (3) We might put in some holding stations along the mains of Dykes Creek Branch to hold the sewage until such time as the line can take it. This is an expensive method of solving the problem and at best is a temporary solution. The first one would be the best. We do not know if it will be possible. Phil Kline is looking at the situation and we are going to present it to Myron Nelson as soon as it is completed. We want Myron Nelson to have our plan for consideration at the time he evaluates the comprehensive study Black & Veatch is preparing. Upon inquiry by Councilman Johnson, Councilman Ballard said around 900 connections were involved north of Somerset.
August 3, 1970

1971 Sewer Assessment: Councilman Ballard reported the $10.44 per connection per year for maintenance is adequate. All that would be accomplished by increasing the assessment would be to build the fund by an insignificant amount compared with the cost of the improvements being studied.

Wage and Salary: Councilman Bruns moved approval of the following payroll rate change:

Larry Sidebottom, Fire Department, from Probationary Firefighter at $75, to Firefighter First Class at $520 per month.

Seconded by Councilman Johnson. Motion passed unanimously.

Legislative Tour: Mayor Dostal said all members of the Legislature were to tour Johnson County this year. The City of Leawood has been asked to contribute $700, based on population. He said he thought the $700 could be bypassed due to the fact that there are more organizations interested. Mayor Dostal asked Councilman Smith to get in touch with the Chamber of Commerce leader and take care of it.

J. C. Nichols Request for Permission to Create a Sewer District for Verona Gardens: William V. McLeese, representing the J. C. Nichols Company, said they have decided to have a joint sewer district formed under county jurisdiction. Under the laws of the State of Kansas they must have the consent of the city in which the land is located. He said he was here to see if they could get a resolution from the City of Leawood consenting to the formation of a sewer district by the county. Councilman Ballard said he had no objection; however, if the Council approves this resolution he would request that the boundaries of the sewer district be approved by the Council. Councilman Ballard said he did not believe a sewer district could be established unless it covered the entire drainage area or a given segment of this drainage area based on an engineering study. Mr. McLeese said they were probably going to pump over the hill into the other district. Councilman Ballard said this district might include nothing more than the area that is pumped or it might include the area that is pumped and some additional area. Mr. McLeese said they were not going to form a sewer district for everybody. Councilman Ballard said Myron Nelson is the man who finally lays out the outlines for the sewer districts and he will not be interested in just the Nichols area, he will be interested in more than that. Mr. McLeese said we do not want to be in a position of requiring a lot of other people to get into expenditures as far as the sewer district; we are perfectly willing to go ahead with ours, we do not want to cause any trouble for anybody else. Councilman Ballard stated anyone in the area the district would serve would probably be happy to come into the district. Councilman
Johnson said he believed J. C. Nichols Company was trying to avoid paying the $800 per connection fee that we have assessed for using our sewer system and he did not believe this should be permitted; an honorable company had a sewer district in the City before and the City had to take it over. Councilman Jordan stated that was not a sewer district. Mr. McLeese stated consent of the City is required for formation of the district, the county commissioners then are the governing body of the district and it is a county sewer district. Councilman Ballard said this is much more desirable from Leawood's standpoint as long as we get the boundaries properly established. Councilman Johnson said he thought it should be approved by our consultants. Councilman Bruns moved that the J. C. Nichols Company get together with Councilman Ballard and outline the area of the proposed sewer district on a city map, and if Councilman Ballard sees fit, have a resolution drawn and presented to the Council recommending or not recommending approval; seconded by Councilman Ballard. Councilman Jordan said she would certainly be most happy to see J. C. Nichols organize a sewer district and break the boundary that has tied us so tightly to Kansas City, Missouri. Mr. McLeese cautioned that they were not going to make a sustained effort to get people in the district. He said they would like to get this on the market as soon as possible. They have discussed it in a general way with the Commissioners and Mr. Nelson. Councilman Ballard offered his help if needed to make sure there is no question. Councilman Johnson said he was under the impression that anything south of a certain line would be in a sewer district and would be handled by the county. Councilman Ballard said there is no way we can do that, these areas have to be considered one at a time by drainage areas. Motion passed unanimously.

**#2697 Application for Retail Liquor Occupation License - Ranch Mart Liquor Store:** Mayor Dostal stated the City Attorney had advised that the application is in order. Councilman Jordan moved for approval of this application, seconded by Councilman Bruns. Motion passed unanimously.

**#2705 Appointment to Solid Waste Management Committee as required by House Bill 1141:** Mayor Dostal said he had a communication from the Chairman of the Board of County Commissioners stating that House Bill 1141 requires each county to organize a Solid Waste Management Committee with a representative from each of the cities. The Commissioners requested the nomination before August 15 of a representative of our City government to serve on this committee. Mayor Dostal nominated Councilman Ballard to serve on this committee. Nomination unanimously approved.

**#2725 Resolution No. 217 - relative to facsimile seal and signatures:** Councilman Jordan moved for adoption of Resolution No. 217 as follows:
RESOLUTION NO. 217

"WHEREAS the use of a facsimile city seal and facsimile signatures for authorized officers of the city is permitted under K.S.A. 75-4001 et seq.,

"BE IT RESOLVED by the Governing Body of the City of Leawood, that the City Clerk be and hereby is authorized to cause the seal to be printed, engraved, stamped or otherwise placed in facsimile on any public security or instrument of payment where required by law in execution thereof and

"BE IT FURTHER RESOLVED that the following officers are authorized to use facsimile signatures and that the City Clerk be directed to obtain and file with the Secretary of State the certified signature as required by the above act of those officers:

Mayor
President of the Council
City Treasurer."

Resolution adopted.

Resolution No. 218 - authorizing use of combination warrant checks: Councilman Jordan moved for adoption of Resolution No. 218 as follows:

RESOLUTION NO. 218

"WHEREAS the use of combination warrant checks is provided for under K.S.A. 1969 Supp. 10-801,

"BE IT RESOLVED by the Governing Body of the City of Leawood that the City Clerk be and hereby is authorized and required to use combination warrant checks for the payment of claims against the city."

Councilman Jordan said the advantage of this is that it does not require a separate warrant cancellation procedure. Resolution adopted.

Appropriation Ordinances: Nos. 279A and 2723 in the amounts of $117,310.62 (including $69,391.15 in U. S. Treasury Bills) and $7,448.52, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

Date for Budget Hearing: Councilman Blattenberg stated that at our last meeting the budget hearing had been set for August 10, 1970.

Corrections in City Map: Councilman Jordan stated certain small corrections need to be made in the City map to have it up to date when we start with the new code, and some work
should be instituted to bring these corrections into an official form and have it filed and recorded with the Register of Deeds and the County Clerk. Councilman Jordan said it would require the assistance of our City Attorney and engineers Shafer & Kline. Mayor Dostal requested all concerned to work toward updating the map.

Councilman Johnson requested the Press to delete the names mentioned in discussion of the Police Judge report.

Homes Association Care of Islands, etc.: Councilman Ballard said there was a small area next door to his house that was not being cared for properly. Paul Myers volunteered to take care of it.

Diseased Pin Oak along Parkway: Councilman Johnson stated he had called the homes association early this spring about a diseased pin oak, they cut some of the limbs, and now the tree is dying. He suggested a letter from the City might help. He said he was firmly convinced that we should not have homes associations, that this should be controlled and charged for by the City. Chief Toman said quite a bit is involved to cure pin oak blight—systemic spraying around the root area and frequent spraying of the tree. Councilman Johnson stated he felt the homes associations are responsible for caring for these trees in view of the fact that we are paying for it. Councilman Bruns said he thought the homes association is falling down on the job and also in the matter of trash collection. He said he was opposed to putting trash barrels outside the garage doors. He said he believed the homes associations have plenty of money to do a proper job. Councilman Bruns moved that the president of the appropriate homes association be contacted officially and asked to look into the situation Councilman Johnson mentioned, and give a reply to the Council stating what action they plan to take; seconded by Councilman Smith.

Trash Collection: Councilman Bruns stated this should become a function of the City and before any further contracts are signed by the homes associations something should be done about the situation. On inquiry by Councilman Smith about the structure of the homes associations, Councilman Bruns stated there are different homes associations each having its own officers, negotiating separately and assessing different dues. Councilman Jordan stated this new solid waste management committee to which Mr. Ballard has just been appointed may give a different slant on trash collection. She said committees are being formed on a county-wide basis to start operation September 1 to study on a city-wide, a county-wide or some other coordinated regional approach instead of the fragmented trash disposal we now have. Mayor Dostal suggested in the meantime it might be well to invite the presidents of the homes associations to attend our next Council meeting. Councilman Bruns said he did not believe it would be of much value to have the presidents of the homes associations here because they have signed their contracts.
August 3, 1970

and nothing can be done until those contracts expire. He suggested that Councilman Ballard look into this with Councilman Jordan and before any new contracts are signed to make recommendations in this regard.

Motion that homes association president be contacted concerning care of trees passed.

On motion by Councilman Blattenberg, seconded by Councilman Bruns, the meeting adjourned to the budget hearing on August 10, 1970, 7:00 p.m.

[Signature]
Mayor

[Signature]
Council Reporter

Attest:

[Signature]
City Clerk
Minutes of a budget hearing of the City Council of the City of Leawood, Kansas.

A budget hearing of the City Council was held at 7:00 p.m. on Monday, August 10, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Ballard and Bruns.

Mayor Dostal announced that there was not a quorum present for this public hearing on the budget. Despite the fact that there was no quorum, Mayor Dostal asked if there was anyone in the audience who had any questions or any comments regarding the budget which was previously presented to the Council. No one responded.

Mayor Dostal stated: "Let the record show that after due notification in the proper newspaper of the county, a public hearing was set on the budget. No one appeared in the Council room for any explanation, or any deletion or any expansion of the budget and, therefore, as presiding officer of the Council, I must assume there are no objections to the budget. There being no quorum, we cannot take any further action on this matter and we will put over the formal approval of the budget to our next regular meeting unless it is necessary to call a special meeting before that time. At the next meeting, if there is anyone who wishes to be heard with respect to the budget, we will give them a hearing at that time."

On motion by Councilman Bruns, seconded by Councilman Ballard, the meeting adjourned to August 17, 1970, 7:00 p.m.

\[Signature\]
Mayor

\[Signature\]
Council Reporter

Attest:

\[Signature\]
City Clerk

1127
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 p.m. on Monday, August 17, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Roach, Ballard, Johnson, Jordan.

Minutes - Meeting of August 3, 1970: Mayor Dostal requested that on page 1122 the second sentence of the paragraph entitled "Legislative Tour" be corrected by striking the words "has been asked to contribute" and substituting therefor the words "had previously contributed". On motion of Councilman Johnson, seconded by Councilman Blattenberg, the minutes of the meeting of August 3, 1970 were approved as corrected.

Minutes - Budget Hearing of August 10, 1970: On motion by Councilman Ballard, seconded by Councilman Jordan, the minutes of the budget hearing of August 10, 1970 were approved as submitted.

Approval of 1971 Budget: Mayor Dostal asked the audience if there were any questions regarding the proposed 1971 budget. No one responded. Councilman Blattenberg moved that the budget as submitted and published be approved; seconded by Councilman Roach. Motion passed unanimously.

Presentation of Safety Award: Mr. Fred Stewart of the Kansas Highway Commission presented to the City of Leawood the second place award for Class B cities (population range 10,001 to 75,000) in the Traffic Safety Program. He said this award was indicative of a workable traffic safety program.

Request for permission to solicit contributions: Councilman Johnson moved that permission be granted to the National Cystic Fibrosis Foundation to solicit contributions in Leawood during their September campaign with the stipulation that names of the canvassers be submitted; seconded by Councilman Smith. Motion passed unanimously.

Air Conditioning for City Hall: Councilman Jordan reported on her investigation into what it would take to bring the air conditioning in City Hall up to an acceptable minimum. She said the City Hall had a 100 amp service which is presently operating a 5-ton air conditioning system, all of the office equipment, plus the police equipment downstairs. George Ranallo of the Building Code Committee spent a Saturday morning going over our service and the problems. He estimates that a new 200 amp service would cost between $450 and $500. Councilman Jordan outlined these possible solutions to the air conditioning problem:

1. Add to the present system a 3-ton cabinet type air conditioner. It would be located on the top floor. It
would have two disadvantages: (a) a high water bill, and
(b) would not have sufficient capacity for removing latent
heat to make it comfortable for Council meetings. It would
do the job for the six people who work here all day. A
guaranteed used unit would cost $300.00.

(2) Install a 3-ton roof-top unit in the attic space,
completely independent of the present furnace. It would do
a good job of air conditioning this space at all times.
Minimum bid was $1,551.00 including complete installation.
We would need one room air conditioner installed downstairs
in the Police Department. The room air conditioner and the
3-ton unit could operate on the present amp service.

(3) Install a large unit in the attic to use the stairway
to get the air conditioning downstairs and two sheet duct
returns. This would cost $2,000.00, installation included,
assuming we could use the existing amp service.

(4) Install a 6½-ton roof-top unit to do the whole building;
cost $1,579.00. This would be a minimum investment in duct
work, a maximum in equipment. It would be amenable to
adaptation in the event of expansion.

Councilman Jordan reported Truog Nichols Company has
predicted that our present unit will not run much longer.

In answer to inquiry by Councilman Smith, Councilman Jordan
stated she believed the $1,551.00 roof-top unit would be the
best alternative if the expansion of City Hall were to be
accomplished fairly soon. In answer to inquiry by Councilman
Johnson, Mayor Dostal said the plan for financing expansion
of City Hall had been to use the fund from the Kansas City
Power & Light Company and assess a levy each year. Council-
man Blattenberg said the tax lid makes that impossible. He
said we could levy the additional tax but this would come out
of the operating levy. Councilman Blattenberg added if we
wanted to go the route of getting a bond issue, that would
be exempt from the levy lid.

Councilman Johnson said he thought we were first going to
have to decide when we are going to accomplish expansion
of City Hall and if it is going to be at a late date perhaps
we need the air conditioning. On the other hand, it is now
the middle of August, the heat wave will be over by the first
of September and it will not be installed by then. We would
be in a better position to bargain and do more research after
that time. Mayor Dostal stated the question is do we have
$1,551.00. Councilman Johnson moved that action on the air
conditioning be postponed until a later date; seconded by
Councilman Roach.

Councilman Smith suggested that a date be set as a reminder.
Councilman Johnson amended his motion to include that action
on the air conditioning be postponed to the first meeting in

August 17, 1970

1129
August 17, 1970

November; amendment seconded by Councilman Roach. Amended motion passed by a vote of 5 to 1, Councilman Jordan casting the nay vote.

Status of City Hall Expansion: Councilman Roach requested a report in the near future on the status of the City Hall expansion.

Visitors: W. R. Judd. Member of the Press: Elaine Bessier.

Resolution No. 219 - Creation of Sewer District for Verona Gardens: Councilman Ballard displayed a map which defined the area of the proposed sewer district. He reported Myron Nelson has said the approach J. C. Nichols wants to take here is routine for establishing sewer districts. It would not be practical to establish the whole drainage area at once. When the other people in the drainage area want to come in they will have to pay an amount proportionate to what is paid by initial customers for the construction of the sewer line. Myron Nelson will see that the mains and lines are adequately sized based on good engineering judgment and J. C. Nichols understands that once the sewer district is created by Johnson County, we will not have any responsibility as far as maintenance is concerned. Upon inquiry by Councilman Johnson, Councilman Ballard stated the City of Leawood may in the future be asked to pass one or two additional resolutions to include other groups. Councilman Jordan moved that the resolution for creation of the Tomahawk Creek Joint Sewer District A, Johnson County, Kansas, be adopted as follows:

RESOLUTION NO. 219

"WHEREAS, the City Council of the City of Leawood, Kansas, has received a request for the consent of the City of Leawood, Kansas, for the creation of Tomahawk Creek Joint Sewer District A, Johnson County, Kansas, which district is to be created in accordance with Sections 19-270a to 19-2715 of the Kansas Statutes Annotated and all acts supplementary and amendatory thereto by the Board of County Commissioners of Johnson County, Kansas, and

"WHEREAS, it appearing to the governing body of the City of Leawood, Kansas, that the following described real estate is located within the city limits of the City of Leawood, Kansas:

"All that part of the North Half (N-1/2) of the North Half (N-1/2) of Section 22, and the Northwest Fractional Quarter (NW Frac. 1/4) of the Northwest Quarter (NW-1/4) of Section 23, all in Township 13, Range 25, Johnson County, Kansas, more particularly described as follows:

1130
"Beginning at the Northeast corner of said Northwest Fractional Quarter of the Northwest Quarter of Section 23; thence West along the North line of said Northwest Fractional Quarter to the Northwest corner thereof; thence continuing West along the North line of said Section 22 to its intersection with a line 640 feet East of and parallel to the West line of said Section 22; thence South along last said parallel line to its intersection with the South line of the North Half of the North Half of said Section 22; thence East along said South line of the North Half of the North Half of Section 22 to the Southeast corner thereof; thence continuing East along the South line of aforesaid Fractional Quarter Quarter Section of Section 23 to the Southeast corner thereof; thence North along the East line of said Northwest Fractional Quarter of Section 23 to the point of beginning.

and,

"WHEREAS, it appearing to the governing body of the City of Leawood, Kansas, that the best public interest can be served by consenting to the creation of the Tomahawk Creek Joint Sewer District A to include the areas heretofore described and to serve all residences and owners within said land area and acreage;

"NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

"That in accordance with Sections 19-2704a to 19-2715 of the Kansas Statutes Annotated and all acts supplementary and amendatory thereto, the City of Leawood, Kansas does hereby consent to the creation of Tomahawk Creek Sewer District A in Johnson County, Kansas.

"BE IT FURTHER RESOLVED that the governing body of the City of Leawood, Kansas does hereby consent to the enclosure within the said sanitary joint sewer district of the following described real property located in the City of Leawood, Kansas:

"All that part of the North Half (N-1/2) of the North Half (N-1/2) of Section 22, and the Northwest Fractional Quarter (NW Frac. 1/4) of the Northwest Quarter (NW 1/4) of Section 23, all in Township 13, Range 25, Johnson County, Kansas, more particularly described as follows:

"Beginning at the Northeast corner of said Northwest Fractional Quarter of the Northwest Quarter of Section 23; thence West along the North line of
said Northwest Fractional Quarter to the Northwest corner thereof; thence continuing West along the North line of said Section 22 to its intersection with a line 640 feet East of and parallel to the West line of said Section 22; thence South along last said parallel line to its intersection with the South line of the North Half of the North Half of said Section 22; thence East along said South line of the North Half of the North Half of Section 22 to the Southeast corner thereof; thence continuing East along the South line of aforesaid Fractional Quarter Quarter Section of Section 23 to the Southeast corner thereof; thence North along the East line of said Northwest Fractional Quarter of Section 23 to the point of beginning."


#200 Police Personnel Commended: Councilman Roach stated two of our police personnel have been commended recently. Chief Kelly read a letter of commendation from Major Charles H. Lane, Chief of Detective Division, Johnson County Sheriff's office, thanking Detective Robert Becker for his assistance in obtaining a search warrant which resulted in confiscation of a quantity of marijuana and charges against two juvenile subjects and one adult.

Chief Kelly then read a second letter from Major Lane commending Sergeant Joseph Ozorkiewicz in connection with the search of a residence in which a large quantity of narcotics and dangerous drugs were confiscated and a number of suspects arrested and charged. Major Lane stated the outstanding cooperation and fine work displayed by these officers is a credit to law enforcement in Johnson County.

#218 School Crossings: Chief Kelly reported Paul Seaton, Safety Director of the Shawnee Mission School District, had informed him that the Police Department will no longer be charged with the responsibility of escorting children across the street at any public school in our territory. This year, teacher aides will escort the children across the street. Upon inquiry by Councilman Johnson, Chief Kelly stated we will maintain our student patrols. The arrangement at Cure of Ars will remain the same.

#230 Traffic Problems: Councilman Ballard asked if the Public Safety Commission had considered the traffic situation on Meadow Lane from 83rd to 81st, 81st from Lee to Meadow Lane and Manor Road from Somerset to where all these streets converge. He said he would like to have something done by the time school starts. Councilman Ballard suggested stop signs on Manor Road and on Meadow Lane. He said a speed limit sign on 81st Street off Lee Boulevard is bent. Paul Myers will take care of the bent sign. Councilman Roach said the Public Safety Commission had considered this area
briefly, a traffic survey is being made and the situation will be studied further.

Councilman Johnson suggested the caution signs on 91st Street at Pawnee Lane are no longer needed since stop signs have been installed on Pawnee Lane. Councilman Johnson added that the sign on the island at State Line and 85th Street is tilted.

Councilman Ballard suggested changing the Council meeting from Monday night since there is going to be a televised game each Monday night during the football season. Mayor Dostal said the meeting times are set by ordinance.

Ordinances - Article 6, Board of Zoning Appeals: Councilman Jordan reported Section 6 is an adaptation of the requirements of the Kansas statutes concerning the Board of Zoning Appeals and is the last of the new sections that will go into the codification to be adopted at the next meeting of the Council. Councilman Johnson asked if this section had been approved by the Board of Zoning Appeals. Councilman Jordan said she required a recommendation of the Council to send it to the Board of Zoning Appeals. Then it will come before the City Plan Commission. Councilman Johnson moved that the Council authorize the Ordinance Committee to submit the section relating to the Board of Zoning Appeals to that Board for review and recommendations; seconded by Councilman Roach. Motion passed unanimously.

Councilman Jordan said this completes everything that will be adopted by the codification. Chapter V on Building Code has been very largely amended. We have adopted a completely new section on business regulation and licensing. Another large section is the model codes that have had to be adopted for sanitary sewer and storm drainage and the model zoning code. The model zoning code cannot vary in the subdivision zoning regulations from what has been published and accepted by public hearing. The Board of Zoning Appeals and the City Plan Commission sections have been expanded to bring them up to date with the 1969 Supplement. The Sewer Code has been approved by the Sewer Committee and includes adoption of model sewer code for the minimum standards.

On motion by Councilman Roach, seconded by Councilman Ballard, the meeting adjourned to September 8, 1970, 7:00 p.m.
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 p.m. on Tuesday, September 8, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Ballard, Bruns, Johnson, Jordan.

Minutes: Councilman Johnson requested that on page 1132, the next to last sentence in the paragraph entitled "School Crossings" be corrected by adding "concerning Cure of Ars", so that the sentence as corrected would read: "Upon inquiry by Councilman Johnson concerning Cure of Ars, Chief Kelly stated we will maintain our student patrols." Upon motion of Councilman Johnson, seconded by Councilmen Bruns, the minutes of the meeting of August 17, 1970 were approved as corrected.

REPORTS:

Treasurer: Councilman Blattenberg reported with approximately three months remaining, expenditures have been $338,000 out of a budget of $512,000, or 66%. Report approved on motion of Councilman Bruns, seconded by Councilman Johnson. Councilman Johnson commented we were doing well since 75% of the year has passed and we have expended only 66% of budget.

Police Judge: Chief Kelly reported for Judge Ullom fines of $936.00; 110 cases docketed (court was closed for two weeks in August). Councilman Johnson asked how many cases were pending. Chief Kelly said 80 cases were handled last week, the officers have been scheduling some cases at a later time and we are somewhat behind. Councilman Johnson said he thought we had a former councilman to take care of the court during any unforeseen or scheduled vacation, and asked why that did not happen in this instance. He said if this should ever happen again we should call upon an alternate. Mayor Dostal said he was not aware of this situation; that if he had been advised he was sure Mr. Cope would have handled the court. Councilman Johnson said Judge Ullom should be told again that he is to attend the first Council meeting each month. Mayor Dostal said he had checked into that and actually his presence is not required under state law and the mayor has no authority to force him to come. Councilman Johnson said the Council could require his attendance. City Attorney Bagby said there would be some doubt whether we could make that a duty unless the state statute requires it. The statute requires that he present his report within a certain number of days after the first of the month, pay over all funds collected to the City Clerk, receive a receipt for them, and turn over a list of all defendants, the charge, amount fined or disposition made. Councilman Johnson asked City Attorney Bagby about the Judge's duty to be in court.
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every Thursday. Mr. Bagby stated he has a duty to hold court at regular times exclusive of vacation period. Councilman Johnson said the Judge should be reminded that if he does not intend to hold court at any time, Mayor Dostal should be notified. The Police Judge report was approved on motion by Councilman Bruns, seconded by Councilman Smith.

#410 Fire Department: Chief Toman reported 25 calls for the month of August, including 11 rescue car calls; fire loss for the month, none; year to date, $29,393.23. On motion by Councilman Johnson, seconded by Councilman Bruns, the report was approved.

#427 Police Department: Chief Kelly presented to Mayor Dostal a pedestrian safety achievement plaque for pedestrian program activities awarded to the City of Leawood by the American Automobile Association. He said the remarkable part was that it is an eleven year achievement. Our City tied with Gladstone, Missouri, as the only two cities in Kansas and Missouri with over ten years without a pedestrian fatality. Mayor Dostal accepted the award and asked the City Clerk to acknowledge the plaque.

#435 Chief Kelly reported 204 arrests; 700 calls handled; 315 homes checked periodically during the month of August. Councilman Smith asked if the dog control ordinance was helping. Chief Kelly said as the City grows, this problem grows, and citizens are confused about the requirement for a signed complaint before we can enforce the ordinance. Councilman Ballard asked if the Police Department kept a record of the particular area of speeding arrests. Chief Kelly said we have a spot map and that determines where we put our radar units. Upon motion by Councilman Blattenberg, seconded by Councilman Smith, the report was approved.

#485 Chief Kelly commended Fire Chief Toman for his excellent cooperation with the Police Department.

#495 Street Department: Councilman Bruns reported that during the past month major repairs were made to streets throughout the City, extensive repairs were made to 95th Street, a railroad caboose was obtained and installed, a merry-go-round was constructed and installed in the park, plus routine activities. Councilman Bruns moved that a letter of appreciation be written to the Kansas City Southern for donating the caboose, to Belger Cartage Service for donating the equipment to move the caboose to the park, and to the Frisco Railway for putting the caboose on the siding at Lenexa for us; seconded by Councilman Johnson. Motion carried unanimously. Councilman Johnson moved that the Street Department report be approved; seconded by Councilman Blattenberg. Councilman Bruns stated he had had numerous complaints on the section of 95th Street in Overland Park. He said he had talked with W. Jack Sanders who indicated there was nothing wrong with the section in
Overland Park except washboarding and they do not have the budget to do anything about it. Councilman Bruns suggested a letter be written on behalf of the City of Leawood to the Mayor of Overland Park suggesting that they take a look at that section and see if something can be done. Mayor Dostal agreed to contact Mayor Enoch. Councilman Bruns said our own Street Department was going to sandblast and paint the caboose, the City Architect is working on plans for the facilities inside and plexiglass will be installed in the windows. Motion to approve report passed unanimously.

Sewer Department: No report. Mayor Dostal stated Mr. Myers is very pleased with the work of the employees of the Sewer Department. Mayor Dostal complimented Councilman Ballard and his committee on the fine meeting with Mr. Duncan and on the report sent.


Additional Traffic Lanes at 95th and Lee Boulevard: W. R. Judd suggested repair work at the southeast corner of 95th and Lee as there is a dangerous rut. Councilman Bruns said he had a call requesting turn lanes for north and south bound traffic at that intersection similar to those installed for east-west traffic. Mr. Judd said he did not feel the turn lane was essential as most of the turning is done by vehicles coming south turning west. Chief Kelly said the volume of traffic at peak periods is great and suggested a stacking lane to accommodate two cars; it would move the traffic up closer to the light and avoid the jam at the light. Councilman Bruns said it would not take much for the Street Department to do that if the Council feels it would be beneficial. Mr. Judd said we must bear in mind that there is a power and light transmission pole, street pole and a tree. Councilman Bruns said there was sufficient area to put in the lane. Chief Kelly agreed with Councilman Blattenberg that there was more southbound traffic turning west than northbound traffic turning east. Councilman Blattenberg asked if we had the right-of-way available; Councilman Bruns and City Attorney Bagby agreed we did. Councilman Blattenberg moved the approval of the installation of turning or stacking lanes for north and south bound traffic at the intersection of 95th and Lee Boulevard; seconded by Councilman Bruns. Councilman Johnson said it would be fine if we do not have to remove any trees. Councilman Blattenberg amended his motion to include the stipulation that no trees be removed; amendment seconded by Councilman Bruns. Councilman Jordan said as a matter of consistency where we have a lanes intersection in one direction it is well as a matter of safety to lane it both directions. Councilman Ballard suggested the lanes be painted. Councilman Jordan stated that it is a requirement of the new standard traffic code that restricted turning lanes be designated and painted on the pavement. Motion as amended passed unanimously.
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Separation of Street and Sidewalk at 95th and Lee: Mr. Judd stated since 95th Street was widened it is awfully close to the sidewalk at the northeast corner. There had been assurance that there would be 18 inches to 2 feet of dirt between the sidewalk and the pavement. There have been innumerable narrow escapes for people on the sidewalk—it is being used as street. There should be some way to separate that widened area from the sidewalk. Councilman Smith suggested that perhaps we need to get an objective professional viewpoint, traffic recommendations, and a report. W. R. Judd suggested installation of curbing perhaps on all four corners. Councilman Bruns said an asphalt curbing could be installed; his department will look into the problem.

J. R. Swihart, 9221 Cherokee Lane stated he filed a complaint on June 22 about the odor and noise from three dogs in back of his home belonging to Donald Mills, 3110 West 93rd Street. Mr. Mills moved in a year ago last spring. The Police made four charges (1) three dogs without permission, (2) no licenses, (3) structure obnoxious and unprovided for, and (4) the charge signed by Mr. Swihart that they were creating noise and unbearable odor. The case was originally set for July 2nd or 3rd. Mr. Mills asked for permission for a continuance and during that time he secured permission for the third dog. Mr. Swihart said this seems preposterous in view of the fact there was a warrant out complaining about his dogs and the obnoxious condition they had caused and the damage to my property, that in the intervening time the City of Leawood would grant permission for the third dog. Mr. Mills was fined $10.00 and costs on August 6 for the obnoxious condition. Mr. Swihart said he was contemplating offering his home for sale and he was sure if a prospective buyer walked out in that yard and the three dogs came running and barking and he smelled that odor, he would drive away without even asking the price. Mr. Swihart said the judge admonished Mr. Mills to clean the place every day which is rather impossible for the man to do as he travels some. Mayor Dostal explained that Mr. Mills wrote a letter asking permission for the third dog and we were probably negligent in not checking into the situation. Mayor Dostal said he would ask the City Attorney whether or not we can revoke that permission, and if so, under the circumstances, the Council would probably revoke the permission for the third dog. Mayor Dostal said if Mr. Mills is maintaining a continued nuisance, another complaint could be filed. Councilman Ballard suggested this matter be put on the next Council agenda. Chief Kelly stated that the ordinance reads that if the majority of the residents within 200 feet complained, the Council may revoke the permission. Mayor Dostal asked Councilman Johnson to check into this and advise us at the next meeting. Councilman Jordan said this is the kind of thing that should be regulated under our zoning and not made a special exception under the animal control law.
Councilman Blattenberg suggested we might require consent of adjoining property owners within a certain number of feet and a minimum notice and hearing. Mayor Dostal asked Councilman Jordan to see that this is done and presented at the next meeting.

**COMMITTEE REPORTS:**

**Budget & Finance:** Councilman Blattenberg stated that using the September expenditures for the projection for the remaining three months, it appears every department will be in the black at the end of this year, although very slightly.

**Building Code:** No report.

**Intergovt. Coop. & Comm. Affairs:** Councilman Smith said he had made an attempt by letter to follow through with the legislative tour but has not received a reply. He will write again.

**Ordinance:** Report deferred to later on the agenda.

**Park Commission:** Report included in Street Department report.

**Plan Commission:** Councilman Smith stated all members of the Council had received copy of the minutes of the last Plan Commission meeting and there is no point in commenting on items discussed at that meeting.

**Public Safety Commission:** Chief Kelly stated Councilman Roach had asked him to present the plaque which he did earlier in the meeting. Chief Kelly reported that with the approval of the Public Safety Commission Mrs. Bert Coons would begin work as part-time help for Mrs. Selsor.

**Sanitary Sewers & Storm Drainage:** Councilman Ballard stated he had a request from Marvin Rainey, attorney for a group wanting to develop the Corinth Swimming Pool off Somerset Road. They are talking about several multi-family units that would require 60 connections. Councilman Ballard said he turned this over to Phil Kline and sent a letter to Mr. Rainey indicating we would be forced to deny that number of connections. Those 60 connections plus the present prepaid connections and the septic tanks on the north side would run us over 3600 on the Dykes Creek Branch. Councilman Ballard commented that the sewer line from Foxcroft comes across State Line, through the Hall farm, through the City Park, has a pump station in the City Park and then goes into the Indian Creek Branch a few feet west of State Line. He said he had written to Kroh Bros. asking for as-built plans on that particular line and any connections within the city limits. He has not received a response. He did call them and got a set of plans. Councilman Ballard said he would like to turn this over to the City Attorney to find out what the agreement is because sooner or later we are
going to be faced with it. The line was built prior to the time the property was annexed by Leawood, however the line was hooked into the Leawood system. He said as far as he knew there was no agreement whatsoever where Kroh Bros. had the right to hook into that line. City Attorney Bagby said there is an agreement with Kansas City, Missouri. Councilman Ballard said he was concerned about who was going to maintain this line and pump station in case Kroh Bros. decided not to maintain it any longer. Councilman Ballard said our consultants were not aware of the pump station two weeks ago.

#840 Wage and Salary: Upon motion by Councilman Johnson, seconded by Councilman Blattenberg, the following new employee was approved:

Larry Francis Podzimek, Fire Department, Probationary Firefighter @ $495.00 per month.

Upon motion by Councilman Johnson, seconded by Councilman Blattenberg, the following new employee was approved:

Robert Henry Wells, Police Department, Patrolman @ $525.00 per month.

#850 Absence of Councilman Gray: Councilman Johnson said Councilman Gray has been absent so many times he is not doing his ward any great benefit—perhaps we should ask him to resign and a replacement be appointed. Mayor Dostal agreed to talk to Councilman Gray about his attendance.

#865 Official City Map: Councilman Jordan presented a map prepared by Shafer, Kline & Warren with corrections to the boundaries. She said the zoning classification of areas is separated from the official city map and will be prepared on a future zoning map. This is a map including boundaries, dedicated streets, street numbers only. There is some zoning shown but this is not a zoning map and should not be interpreted as such. It includes the present occupation of the industrial area, platting behind Leawood Country Club and extension of High Drive and 91st Street, platting of Leawood Heritage, platting of Leawood South, and corrects certain deficiencies in outline. Councilman Blattenberg asked if this were adopted now, would we lose zoning in the interim period until we adopt the new zoning ordinances, since the zoning is included on the present city map.

Councilman Jordan said there are existing zoning maps that under the saving clause would be considered in effect insofar as they go. Councilman Jordan moved that with the deletion of any zoning designation and with the correction of the location of the state line, this official city map be adopted. Chief Toman pointed out that Ensley Place is incorrectly labeled Ensley Lane. Councilman Jordan withdrew her motion. This will be on the agenda at the next meeting.
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Adoption of the Official Map for the Leawood Sewer System:
Councilman Jordan said the map has been examined in the field by the sewer employees for verification of any doubtful connections. This map shows simply a representation of the division between the two districts into which the Leawood Sewer System is being divided for administrative purposes. Councilman Ballard moved the adoption of this sewer plan map as the official map for the Leawood Sewer System; seconded by Councilman Bruns. Motion passed unanimously.

Adoption of Model Codes - Ordinance Codification:

Basic Building Code, 1970 edition (Sec. 5-101): Councilman Johnson moved that the Council approve the adoption of the Basic Building Code, 1970 edition (Sec. 5-101). Councilman Bruns asked if anyone had reviewed this. Councilman Johnson said it has been reviewed by members of his committee and discussed. Vote: aye, Blattenberg, Smith, Ballard, Bruns, Johnson, Jordan. Adopted unanimously. Councilman Jordan said we are indebted to Overland Park for donating these five copies so that we would be able to adopt it tonight since our delivery did not come.

National Electrical Code, 1968 edition (Sec. 5-201):


Model Code for Zoning and Subdivision Regulations, 1970 edition, Leawood (Sec. 15-101): Councilman Smith stated he wanted to recognize Councilman Jordan, Plan Commission members John Granstedt, Don Lutz and Gene Alt, Board of Zoning Appeals Chairman Charles Witthaus, and the secretarial staff here at City Hall for all the work they have done. Councilman Smith moved that the Council accept the recommendation of the Plan Commission adopted at its meeting of August 24, 1970 that the Model Code for Zoning and Subdivision Regulations be accepted; seconded by Councilman Johnson. Motion passed. Councilman Smith moved that the Model Code for Zoning and Subdivision Regulations be adopted by the Council. Vote: aye, Blattenberg, Smith, Ballard, Bruns, Johnson, Jordan. Adopted unanimously.

Resolution No. 220 - Fixing Price of Model Code for Zoning and Subdivision Regulations: Councilman Smith moved the adoption of the following resolution:

RESOLUTION NO. 220

"WHEREAS, the City Plan Commission of the City of Leawood, Kansas, has recommended to the City Council that copies of the Model Code for Zoning and Subdivision Regulations be made available to the public, and

"WHEREAS the cost of publication requires that a minimum return of five dollars ($5.00) per copy be obtained for such copies,

"NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, that the surplus copies of the Model Code for Zoning and Subdivision Regulations not required for the use of city officials be sold through the office of the City Clerk to the general public for the sum of five dollars ($5.00) per copy."

Resolution adopted unanimously.

Possible Change of Official City Newspaper: Charles T. Witthaus, Chairman of the Board of Zoning Appeals, stated that since statutes of Kansas now require that we have 20 days prior legal notice of any hearing before the Board of Zoning Appeals, the fact that the current official city newspaper is only published once a week poses a problem. It has been the Board's policy that if requests are in prior to the first day of the month, we can have the hearing the third Wednesday. It will be impossible to do this with the 20 days notice, which means we might have delays up to 60 days. Mr. Witthaus proposed that the Council consider changing the official city newspaper to one that is published daily. He said he believed The Olathe Daily News was the only daily in Johnson County. In addition to the
published notice, the Board of Zoning Appeals sends a notice to those residences that would be interested in any matter coming before the Board. Mayor Dostal said he would ask the City Attorney to look into the matter and ascertain whether The Olathe Daily News qualifies and report back to the Council at the next meeting.


APWA Storm Sewer Specifications & Standards: Councilman Bruns moved the approval (there being no changes) of APWA Storm Sewer Specifications & Standards. Vote: aye, Blattenberg, Smith, Ballard, Bruns, Johnson, Jordan. Adopted unanimously.

APWA Street Specifications & Standards: Councilman Bruns moved the approval (there being no changes) of APWA Street Specifications & Standards. Vote: aye, Blattenberg, Smith, Ballard, Bruns, Johnson, Jordan. Adopted unanimously.

Ordinance No. 382 - Adopting Codification of Ordinances: Councilman Jordan read Ordinance No. 382 adopting Codification of Ordinances, and moved its approval. Vote: aye, Blattenberg, Smith, Ballard, Bruns, Johnson, Jordan. Adopted unanimously. Mayor Dostal expressed heartfelt thanks to the Chairman of the Ordinance Committee, to Mrs. Kastman and Dr. Dick Underwood of the Ordinance Committee, to the office staff, and to various members of departments of the City who worked so hard on this matter. He said this is probably one of the greatest tasks the City has accomplished. Councilman Jordan stated the committee had marvelous cooperation all along the way and she particularly wanted to add her thanks to the Mayor's and have Mrs. Oberlander convey to her staff and take sincere thanks herself for a marvelous job. This has caused complete upheaval in City Hall.

Disposition of Balance of Codification Funds: Councilman Jordan said the balance of funds after the last expenditure is $952.24. Councilman Jordan moved that the Council designate this balance of $952.24 to continue the revision and modernization of the zoning maps and the model code for zoning and subdivision regulations in accordance with the recommendations that have been made by the City Plan Commission. The two areas needing particular work are (1) an ordinance creating a limited agricultural district which would protect land to the south that is not feasible to plat at this time and does not fit into our present residential designation, and (2) that our subdivision regulations be expanded and updated to a modern subdivision code; second by Councilman Ballard. Motion passed.
September 8, 1970

Death of City Engineer: Mayor Dostal noted the untimely death of our City Engineer John Martin and said he was not presently in the position to appoint a substitute. Mr. Kelly Viets has agreed to serve on a consulting basis pending the appointment of a City Engineer. Councilman Bruns moved approval of this arrangement; seconded by Councilman Blattenberg. Motion passed.

Mayor Dostal noted the passing of the father of Dr. Dick Underwood and stated the City is sending appropriate condolences.

Approval of By-Laws of Council of Mayors: City Attorney Bagby stated there was no conflict with any City ordinance or rule. Councilman Bruns moved the adoption of the following resolution:

RESOLUTION NO. 221

"WHEREAS, the Governing Body of the City of Leawood, Kansas desires to cooperate with the other cities of Johnson County in order to better serve the citizens of the City and in order to promote the general welfare of said City and its citizens; and

"WHEREAS, the Governing Body is authorized by the statutes of the State of Kansas to cooperate with governmental units; and

"WHEREAS, in order to effect such inter-governmental cooperation the Governing Body desires that the Mayor of the City of Leawood, Kansas, participate in the Johnson County Council of Mayors; and

"WHEREAS, the Governing Body approves of the purpose of a Johnson County Council of Mayors, which is the co-ordination, inter-relations and allied functions of cities in Johnson County; the efforts of Council of Mayors to better facilitate relations, services and cooperation between cities, so they can collectively serve their citizens better; and

"WHEREAS, the Governing Body, along with the purposes of said Johnson County Council of Mayors, approves and endorses the By-Laws and organization of said Council.

"NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, that the Mayor of the City participate in the Johnson County Council of Mayors in order to effect co-ordination, inter-relations and allied functions of cities in Johnson County and to better facilitate relations, services and cooperation between cities so they can collectively serve their citizens better.

1143
"BE IT FURTHER RESOLVED, that the City contribute Twenty-Five Dollars to the Johnson County Council of Mayors for said City's share of the cost of operation of said Council."

"BE IT FURTHER RESOLVED, that the City hereby approves and endorses the By-laws and organization of the Johnson County Council of Mayors."

Resolution adopted.

Authorization of Payment of Dues to Johnson County Council of Mayors: Councilman Blattenberg moved that the City Clerk be directed to pay the first year's $25.00 dues to the Council of Mayors; seconded by Councilman Johnson. Motion passed.

#1215 New Appointments and Designation of Terms: Mayor Dostal said he had just been handed a list of new appointments and designation of terms required under the newly adopted ordinances but was not presently prepared to act on it. Councilman Jordan added she had hoped Mr. Roach would speak on certain important changes that have taken place within the codification. One of them being that there are certain appointments that are now made that will no longer be continued once the current term expires. There are certain other appointments that are created by the codification and certain appointments that are made in different form. For instance, the Police Clerk is no longer a city official but is a civilian employee of the Police Department. The Court Clerk will be appointed by the judge of the court and as of September 22 there will be a Violations Clerk, appointed by the judge if he deems it necessary.

#1233 H. J. Lang Requests for Action on Pesticides and Disposal of Bottles: Mayor Dostal asked Councilman Ballard to study this and report back to the Council at the next meeting.

#1237 Appropriation Ordinances: Nos. 260A and 273S in the amounts of $33,081.68 and $3,525.35, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

#1240 Abatement of Nuisance - Dead Trees Near Leawood Country Club: Mayor Dostal stated that since the death of Mr. Martin, he was referring the matter to Mr. Viets for a decision.

Tree Service - Pin Oak: Councilman Johnson reminded Mayor Dostal that the City was to write to the homes association. Mayor Dostal apologized for overlooking this and said he would write the letter.

Authorization to Sign Contract for Water Line: Councilman Bruns said he had a final contract from the Water Department
to run water to the south end of the park for drinking fountains, and that the City Attorney has said the terms are agreeable to the City. Upon motion by Councilman Blattenberg, seconded by Councilman Johnson, authorization was granted to sign the contract for the water line to the south end of the park. Motion passed.

Title Page of New Code: Councilman Jordan moved that the title page of the new code show the Governing Body and the Ordinance Committee; seconded by Councilman Johnson. Motion passed. Council members agreed a history of the City was not necessary.

Health and Hospitalization Coverage: Councilman Bruns said there is a feeling that we are not getting the quality of benefits from our health and hospitalization insurance program for City employees that we could derive at the same cost. Councilman Blattenberg will investigate.

Charles T. Witthaus commented that the park is one of the highlights of our City and commended Councilman Bruns and Paul Myers for the work they have done.

Possible Course for Mini-Bikes and Go-Carts: Councilman Bruns said his department had under consideration the possibility of having a paved course for mini-bikes and go-carts in the southeast section of the park back of the shelter houses. He asked Council members to consider it carefully, and said they were not going to do anything until they have an expression from the Council, possibly have it publicized in the City newsletter, and hear residents' feelings on it.

On motion by Councilman Johnson, seconded by Councilman Jordan, the meeting adjourned to September 21, 1970, 7:00 p.m.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 p.m. on Monday, September 21, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Roach, Ballard, Bruns, Jordan.

Minutes: Upon motion by Councilman Bruns, seconded by Councilman Blattenberg, the minutes of the meeting of September 8, 1970 were approved as submitted.

Appointments and Term Designations: Mayor Dostal made the following appointments and term designations required by existing vacancies and/or requirements arising from Ordinance Codification:

**Budget and Finance Committee:** (Term Designation Required)
- Bob Blattenberg (Chairman) Term Expires 1973
- Raymer Hodson Term Expires 1972
- Bill Fish Term Expires 1971

Motion to approve term designation, Councilman Blattenberg; seconded, Councilman Bruns; passed unanimously.

**Building Code Committee** (Term Designation Required)
- Clifford P. Johnson (Chairman) Term Expires 1972
- John Granstedt Term Expires 1973
- Gene Kroh Term Expires 1972
- George Ranallo Term Expires 1971
- Lynn V. Bowman Term Expires 1971
  (H. C. Blazer, Jr. is no longer listed as he moved from the City.)

Motion to approve term designation, Councilman Roach; seconded, Councilman Bruns; passed unanimously.

**Intergovernmental Cooperation and Community Affairs:** (Term Designation and Two Appointments Required)
- John Lee Smith (Chairman) Term Expires 1971
- Loyd Jones Term Expires 1972
- Everett Mealman Term Expires 1973

Motion to approve appointments and term designation, Councilman Bruns; seconded, Councilman Roach; passed unanimously.

**Ordinance Committee:** (Term Designation Required)
- Margaret Jordan (Chairman) Term Expires 1973
- Dick Underwood Term Expires 1972
- Mrs. Alfred Kastman Term Expires 1971
Motion to approve term designation, Councilman Blattenberg; seconded, Councilman Bruns; passed unanimously.

Public Works Commission: Mayor Dostal stated this is a newly created commission, the membership of which will consist of the Chairman of the (1) Streets and Sidewalk Committee, (2) Parks Committee, and (3) Sanitary Sewer Committee. Mayor Dostal requested Council approval of Councilman Ed Bruns as Chairman of the Public Works Commission and requested that Councilman Bruns be reappointed to the Streets Committee and Parks Committee. He also requested that John Granstedt serve as Parks Chairman. Under the ordinance, this group will, when they find the need appropriate, recommend to the Mayor and City Council the hiring of a director of Public Works. Upon motion by Councilman Smith, seconded by Councilman Roach, these appointments were approved.

Sanitary Sewer and Storm Drainage: (Term Designation Required)

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<tr>
<th>Name</th>
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<tr>
<td>Don Ballard (Chairman)</td>
<td>1973</td>
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<tr>
<td>David Whyte</td>
<td>1972</td>
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<td>J. S. Skaptsson</td>
<td>1972</td>
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<td>John Granstedt</td>
<td>1971</td>
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<td>Mark Medved</td>
<td>1971</td>
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Motion to approve term designation, Councilman Bruns; seconded, Councilman Blattenberg; passed unanimously.

Streets and Sidewalk Committee: (Term Designation and two new Appointments Required)

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<tr>
<th>Name</th>
<th>Term Expires</th>
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<tbody>
<tr>
<td>Ed Bruns (Chairman)</td>
<td>1973</td>
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<tr>
<td>Mark Medved</td>
<td>1972</td>
</tr>
<tr>
<td>Lee R. Hardwick</td>
<td>1971</td>
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Motion to approve term designation and appointments, Councilman Blattenberg; seconded, Councilman Jordan; passed unanimously.

City Engineer: Mayor Dostal stated Mark Medved had agreed to serve as City Engineer. Upon motion by Councilman Bruns, seconded by Councilman Roach, this appointment was approved.

Alternate City Architect: Mayor Dostal stated Louis Geis cannot serve in this capacity and also on the Board of Zoning Appeals. He stated he was leaving Mr. Geis on the Board of Zoning Appeals. No appointment will be made to the position of Alternate City Architect.

Councilman Jordan pointed out that certain other committees and commissions are already in order and functioning and did not require further designation.

Visitors: Mr. and Mrs. W. H. Solts, Richard Yanofsky, Mr. and Mrs. N. K. Mitra, Mr. and Mrs. Ken Turner, W. R. Judd.
Miss Pam Terrill, Bill Blew, Mrs. Allan C. Appell, Earline McAndrew, George Martin, Joan Flannelly, Martha Harrod, Charles Kircher, Arnold Schottler, Larry Stewart, Frank E. Cassidy, and a member of the Press.

Sagamore School Crossing: Ken Turner, speaking for a large group of parents and residents, described the problem of about 12 children in an area of Leawood south of Somerset and east of Lee Boulevard crossing Somerset Road to attend Somerset School. He said traffic was extremely heavy at the time the children are going to school and even the mothers had difficulty getting the children across. This is a new problem as boundary lines have been redrawn and this area formerly was in the Corinth district. Mr. Turner stated his wife had appeared before the Prairie Village City Council and for the past two weeks Prairie Village has provided a police officer to help get the children across in the mornings. Mr. Turner proposed that something be done at that intersection and suggested (1) a police officer to help get the children across; (2) signs to slow the traffic; (3) push button control for these children to get across at some point possibly with a sidewalk that would join with Sagamore; (4) a traffic control center at this whole intersection. He said a Leawood police officer was there one afternoon to help the children and mothers. He said something more long-term and with more safety was needed.

Councilman Roach, Public Safety Commission Chairman, stated the Commission has been fully apprized of the situation and would consider it in its meeting Wednesday night. He said we have realized for a considerable period of time that this is a bad intersection. He said this really is a Prairie Village problem--actually where the children are crossing now is not in Leawood--however, we are not going to disavow our commitment and concern. Councilman Roach said Chief Huntley contacted our Chief Kelly and we asked Chief Kelly to put a patrolman there, and there has been a patrolman there on three afternoons. Councilman Roach added this is a temporary, not a permanent arrangement, and it is entirely a voluntary action because the jurisdiction is within Prairie Village. It is only to give the Public Safety Commission time to meet to consider how to go about arriving at a tenable solution to the problem. What it means is that two cities apparently are going to have to cooperate in some sort of traffic study.

Councilman Ballard asked what response was given by the Prairie Village Council. Mr. Turner read a letter from Chief Huntley recommending that a crossing be located south of the intersection of Lee and Somerset, thus lessening the amount of traffic passing through the school crossing, and added if this would be a satisfactory location there should be sidewalks built on the south side of the street from Sagamore to near the crossing area. Chief Huntley stated his personal feeling was that if there is an easement
between the homes located between Sagamore and High Drive near 81st Street, the children could travel on the easement to 81st Street crossing of Lee Boulevard, travel Manor Road which leads into Somerset one block east of the pedestrian light at Somerset and Belinder. Chief Huntley went on to say if the children continue to cross at the present location, it is quite urgent that some type of action be taken by the City of Leawood, Prairie Village, or both. He said he felt a precedent had been set concerning children from one city crossing to attend school in another city, with the responsibility for the guard resting with the city in which the children reside. He said his department would be willing to provide half the manpower in providing protection at this intersection until a satisfactory solution can be reached.

Mr. Turner presented a map with signatures which he said represented most of the people in the area.

Mayor Dostal asked Mr. Turner if he had any contact with any member of the School Board on this matter; Mr. Turner said they had not. Chief Kelly described a traffic program of training crossing patrols instituted with the recommendation of the Shawnee Mission School Board. Chief Kelly said this year Paul Seaton, Safety Director of Shawnee Mission Schools, has furnished paid teacher aides to get children across the street at Brookwood and Bagby; they have asked that we support these patrols and teacher aides by having a police car in the area. Chief Kelly said the fact is we have four schools, counting Somerset, and we have three officers to cover them. Mayor Dostal said we are not trying to evade our responsibility and we will work out something with the cooperation of the School Board and the Prairie Village Police Department. He said we have a lot of alternatives and he was sure our Safety Commission will come up with a feasible plan.

Mrs. Allan Appell said many of the older people had expressed the wish that they could feel safe to cross or drive their car across Lee Boulevard at the intersection. She said she would like to have Mr. Roach and his Commission consider not just the children, but the older families who live there and find it so difficult to get across to shop. George Martin offered to help in any way or to explain any of the problems from his own point of view. Councilman Roach said in the meantime, we will continue to have an officer there unless he has to be called away on an emergency.

Mrs. Ken Turner asked the City of Leawood to put up some signs and slow the traffic around the curves on Lee Boulevard. She said Chief Kelly told her he could put up a sign for ninety days to slow down the traffic. Chief Kelly said the statutes of Kansas gave him that power but the City policy is that such matters be taken up with the Public Safety Commission and the Council. Councilman Bruns said if the
Public Safety Commission wants his Department to put up a sign he will see that it is done.

Dykeman's Branch Runoff: Larry Stewart, 8420 Ensley Lane, asked if there is anything in the plans to relieve the flood situation on Dykeman's Branch. He said the branch is eating away at the dam of a lake behind his house. Councilman Ballard said to his knowledge there was no plan to improve the drainage basin itself. He said if a situation on the dam needed to be corrected, that was the responsibility of the lake association. Frank Cassidy said our problem is with the creek, not the lake. Mr. Stewart added the creek is getting so wide we are losing the wall between the creek and the lake. He also mentioned the raw sewage that comes down. Councilman Ballard agreed to take a look at the situation. Mayor Dostal said he was hopeful that some day the county will take jurisdiction of the overall problems and do something about them.

Mayor Dostal announced he had an acknowledgment from Mrs. Mary Martin for condolences expressed by the City on the passing of her husband, and that the University of Kansas Medical Center had acknowledged the City's contribution in memory of Dr. Dick Underwood's father.

Designation of the Official City Newspaper: City Attorney Bagby stated he had discussed the matter with Charles Witthaus and they had concluded the problem is not as bad as at first thought; some of the hearings of the Board of Zoning Appeals will have to be moved forward so there will be sufficient time for publication. There is no request at this time to change the official publication.

Adoption of the Official City Map: Mayor Dostal stated he was advised this should be deferred to the next meeting.

Dog Permission Granted to Donald Mills: Mayor Dostal said this was referred to Councilman Johnson who is not here. No one present had any further information on it.

Building Maintenance Increase: Mayor Dostal said Hook Maintenance Company has done our maintenance work for a good many years; they used to do it for $110 a month on a four day basis, then it was required that we have them on a five day basis. In December of 1967 they increased their fee $15. They have sent a letter requesting an increase of $25 per month. Councilman Jordan asked that this be deferred to later this meeting in view of discussion scheduled.

Service Contract for Air Conditioning: Mayor Dostal said if we renew the service agreement for one year at $250, Truog Nichols will absorb a $75 invoice for a service call made after the old contract expired. Councilman Jordan said we
have had extensive repairs in previous years and the equipment now is so marginal it would not be wise to continue it in operation without the $250 service contract. In answer to inquiry by Councilman Blattenberg as to why it was not renewed last July, Mayor Dostal said this was because there was talk of expanding and changing the air conditioning unit. Councilman Ballard noted that if we have a service contract we can get service, if we don’t, we are very unlikely to get service. Councilman Jordan moved that the service contract, back-dated to July and eliminating the $75 invoice, be approved for the next year. Seconded by Councilman Blattenberg. Motion passed unanimously.

#1816 Establishing Charge for Model Codes: Councilman Jordan said the uniform codes are easily available at area bookstores and she was recommending that we do not establish charges on them. She said since the BOCA Code is almost unobtainable by the public, she would recommend that a modest supply of these be ordered and made available to the public on the same basis as the Zoning and Subdivision Codes, at our cost plus 50¢ for handling, as well as the codes which we publish ourselves, such as the sanitary sewer code. Councilman Roach moved that the BOCA Code and the Sanitary Sewer Code be made available to those people wanting them from City Hall at cost plus 50¢; seconded by Councilman Jordan. Motion passed.

#1881 Charge for Ordinances: Mrs. Oberlander stated she had a letter from State of Kansas Department of Economic Development requesting a copy of the revised ordinances. Councilman Jordan said requests from sister cities and governmental agencies customarily are handled without charge. Councilman Jordan moved that Apeco copies of individual pages of the codification be made available to the public at a charge of 25¢ per side of each page; seconded by Councilman Bruns. Motion passed unanimously.

#1907 Charge for Complete Codification: Councilman Jordan said requests from a governmental agency or sister city or the League are ordinarily handled without charge on the basis of availability. To a citizen or anyone interested in the complete codification, the original charge would have to be a minimum of $25 and the yearly subscription service charge $10 a year, the first payment to be made at the time the original book is taken out. She said we have requested that the Multilith masters be saved by the League and they will be kept at City Hall. Councilman Blattenberg suggested we simply make Apeco copies of the whole thing. Councilman Jordan said there are approximately 120 sides, so to reproduce the whole thing would cost $30. The League has given us extra copies of certain sections that we need, such as the traffic regulations for Police Department use. The Council agreed to set a charge of 25¢ a page and request the City Clerk to keep a separate time record, and if we find this is not covering our cost, to come to the Council with a recommendation to re-adjust the charge.
Discussion regarding City Hall Expansion: Councilman Blattenberg reported a meeting September 15 of representatives of the Administrative Committee, Budget & Finance Committee and the City Hall Expansion Committee. He said it was the unanimous opinion that the need for additional space of Administrative Departments and the Police Department is just as critical as it was the last time we started talking about this. He said the estimated space requirements would be three private offices and a general work room, a minimum of 300 square feet for a file room and about 1,000 square feet for a Council chamber, which means about 2,000 square feet for Administration alone. The needs of the Police Department are just about the same. The present City Hall has an upstairs area of about 1,000 square feet and the basement area, excluding the furnace, of about 800 square feet. Councilman Blattenberg said basically there are two possibilities for financing the expansion in view of the tax limitations:

1. Accumulate funds from ad valorem tax levies, starting with approximately $50,000 franchise tax. He said we have not priced this out exactly, but working with the plans that we have presently, in view of the last strike and additional estimated costs, it would probably be in the area of $200,000. He said accumulating money out of tax levies with either the budget lid or the levy lid looks nearly impossible as this would have to be deducted from the current operating budget.

2. The next possibility is a bond issue. Mr. Bagby said he did not think it would be possible to get a bond issue on the November ballot as the necessary work would take approximately six months. This then would take a special bond election or hold it until the next April election.

The possibility of renting space was suggested. The Police Department could use this building in total which would just about take care of their needs, and move the Administrative side into some rented space of approximately 2,000 square feet. Mr. Regnier has some space available in the basement of the new western annex of Ranch Mart North. If we use this space for a Council Chamber, an exit door will have to be installed. The cost involved for 2,000 square feet would be somewhere in the vicinity of $6,000 a year. Councilman Blattenberg said interest on a $200,000 bond issue would run about $11,000 a year, so renting at least on a relatively short term basis would turn out considerably less than building. The other phase is the cost of the election. Mr. Bagby estimated the cost of an election at something under $10,000, including all fees.

Councilman Ballard stated $200,000 for 2,000 square feet is
extremely high. Councilman Jordan said this includes substantial remodeling to the present building, air conditioning and complete new mechanicals. Councilman Blattenberg said the initial estimates Mr. Granstedt made were $129,000. After the last set of raises, not the current one, Mr. Granstedt's guess was this would increase to around $150,000. Now we have another set of increases. We have not priced this out with Mr. Granstedt—it may be $175,000 or $200,000. Councilman Ballard said those figures are very, very high and if you start comparing that interest to rent, you get a false impression of what you can do by building. He said Commerce Towers did not cost $25 per square foot; there are some very well established figures to compare with. In answer to inquiry by Councilman Smith, Councilman Blattenberg said we have about $50,000 available.

Councilman Roach suggested one of the most popular forms of acquiring space is a lease-back; perhaps we could explore the possibility of a developer or builder building a City Hall and letting us use it. City Attorney Bagby said a difficulty with a lease-back proposition is that any lease the City makes is only good for one year because we cannot bind future Councils. He said a lot of the advantages in a lease-back arrangement are tax advantages and we do not pay taxes. Councilman Blattenberg said the Committee discussed the possibility of revenue bonds where part of the building is rented out to retire the bonds, and the consensus was that the costs in this area are substantially higher. He said the group gathered together on the 15th felt strongly that, at least as a temporary thing, the most practical possibility was to rent some space.

Councilman Roach stated he was in favor of giving the electorate a chance to voice their opinion. He said he believed the chances of the bond issue passing were at least fifty-fifty. He said he thought it would carry particularly in view of the fact that we have some promotional talent in the City, and before we consider a rental arrangement we should explore a bond election. Councilman Roach said he did not accept the figure of $10,000 for a bond election. City Attorney Bagby said the $10,000 estimate was for the whole thing; we would be committed to half of that through the election.

Councilman Bruns stated he did not feel the climate was right at this point for a bond election, or to spend $5,000 on something that has a fifty per cent chance. He said he would prefer to rent space for the time being.

Councilman Roach said he felt renting basement space was a step backward; we have something here in this City Hall to be proud of; this is a landmark in Johnson County; we should stay here as long as we can tolerate the conditions, and not split up our City Hall operation and go into the basement of some shopping center; he said it is psychologically bad.
Councilman Bruns said he did not believe it would hinder the operations of the City to split the Police Department and Administration; financially we would be better off leasing space at least for a year; I really cannot understand these figures. Councilman Roach stated until we get exact figures we should not consider renting anything; who wants to get into space down in the basement; the Police Department and Administration work hand in glove; it is going to be an awkward situation.

Councilman Roach stated we are never going to be able to build any cheaper than we can right today; we should gear up for it, and try to sell the election to add onto our City Hall. He said John Granstedt had an opportunity to purchase the kind of brick that had been used in the construction of the City Hall and he bought a sufficient amount to complete the addition. Mr. Bagby stated it was his recollection there was a time limit within which we had to take them at a specified price; he would hold them in the meantime free.

Councilman Smith suggested we get together a list of the definite needs that exist, explain how cramped things are, and survey the City to get the feeling of the people. He said there had not really been an explanation to the people. Councilman Jordan said the only comments she had heard since the articles came out on City Hall expansion two weeks ago have been very unfavorable. Councilman Bruns agreed with Councilman Smith that we should get publicity through the news media and follow up with getting the feel of the people before we spend the $5,000. Councilman Jordan said we have a problem with a timetable as far as the available space, we do not have too long before any available space will be used up. Councilman Ballard suggested renting a meeting room for the Court and the Council and better utilize the space we have. Councilman Blattenberg said he would estimate the time element for a commitment on the rental space at 30 days.

Councilman Bruns asked if we have the money in the budget to pay the rent. Councilman Blattenberg answered it is not a major sum; we would have to take it out of something else.

Councilman Bruns said it seems to me that when you look at all the elements, the need for space, the time it would take for a bond election, the climate of the people, the cost involved (and I am not at all sure of the cost figures that we have), we should make sure of what we are doing before we leap.

Councilman Blattenberg read the recommendation of his committee that (1) the present plans for expansion of City Hall be shelved indefinitely (pending the budget lid clarification) and (2) that a bond issue not be presented to the
public and the election fee be devoted for paying the architectural services performed to date and such architectural work as will be required in connection with remodeling of rented office areas, and (3) that a recommendation be presented to the Council at the Monday, September 21 meeting authorizing the City Hall Expansion Committee to undertake a lease of approximately 2,000 square feet of basement space.

Councilman Roach asked how much of that 2,000 square feet is going to be devoted to office space. Councilman Blattenberg answered, 300 feet storage space, 700 feet office space, and about 1,000 Council chambers. He said we would have fifty to sixty per cent more space than we currently have for Council meetings and two and a half times as much space for Administration. Councilman Jordan added we would also have a general work room; these chambers now double as a general workroom.

Councilman Roach stated the Council should be furnished with a floor plan indicating the number of square feet for office space, the number for assembly hall, etc.

Councilman Jordan stated she believed this discussion has pinpointed two things (1) that we need an authorization from the Council for John Granstedt to be retained to make preliminary drawings for the space, and (2) that the Committee be authorized to undertake negotiations to rent space.

Councilman Bruns moved that John Granstedt be authorized, on the basis of an allocation of approximately 2,000 square feet of space, to plan an administrative office suite for the use of the City in basement space, the negotiations for the lease of which is to be undertaken by the City Hall Expansion Committee, the lease and the plans to be subject to further approval of the Council; seconded by Councilman Blattenberg.

Councilman Roach stated the only reason he would vote for this motion is for psychological purposes--to help us get out of the situation we are in; he hoped this move would be temporary and that we could profit from it by adequate, proper publicity so that we can arrive at an expansion of our City Hall.

Councilman Ballard stated he was not convinced that we need to go out and rent space. He said this seems awfully premature and an awfully big commitment to make without a great deal of thought; I don't know how long this idea of renting space has been going on in the Administrative Committee but it is a big step in a direction I don't particularly like. Councilman Blattenberg said the need for City Hall expansion has been approved by two preceding City Councils; the rental idea was conceived at our meeting last week.
Councilman Smith stated he wanted to express his concern, that he feels it is a shame that this direction has to be taken. He said it was important that the people who did study this have a very clear understanding of the needs of the people who work here in making this move; that he had some reservations about it, although he would go along with the recommendations being made. Councilman Smith said he would hope that the people who are going to be spending most of the hours in this basement location have expressed their opinions; Councilman Roach agreed.

Councilman Ballard stated: I am totally opposed to any rented space and I will have to vote against it and I will continue to vote against it until the people have had an opportunity to vote for or against keeping their City Hall right here; I think a lot of people have a great deal of pride in Leawood and I think this is doing them a disservice to move without even giving them an opportunity to express their opinion; I think the $5,000 it would cost to make this attempt would be well spent; if they turn it down and we have to move, people will recognize at that point that it is critical; maybe we could vote on it a second time, but if we move over into that basement and try to get ourselves voted out it might be a long time; I just cannot buy it. Councilman Roach added that voting ourselves out of the basement might be harder than voting ourselves into an expanded City Hall.

Councilman Jordan stated basically we are trying to second guess whether or not a bond issue has a prayer and if it does not, it is money down the drain, and $5,000 is an awful lot of money to our budget right now; we have to get off dead center on this thing; perhaps just the publicity coming out of this meeting will get us some kind of show of opinion; I think some action is warranted to bring it to a head.

Councilman Ballard said he did not think there was anybody working in City Hall who would not go ahead and live in their cramped conditions for one more year and gamble on the possibility of having an expanded City Hall, as opposed to moving into that basement for an indefinite period of time.

Mayor Dostal stated he appreciated the way the Council had attacked the problem, on a very logical, sensible basis.

Councilman Bruns' motion passed by a vote of 4 to 2, Councilmen Roach and Ballard casting dissenting votes.

Mayor Dostal said he had a letter from Mr. Firth asking to be relieved of his duties on the City Hall Expansion Committee because of the stress of business.

Building Maintenance Increase: Councilman Bruns said in view of business conditions the increase does not seem out
of line. Councilman Bruns moved that it be approved; seconded by Councilman Jordan. Motion passed unanimously.

Councilman Blattenberg stated the basement of the Post Office at Ranch Mart is empty. Mr. Regnier owns that building. There is a possibility we might be able to sublease the basement. If the Post Office builds its own building, then the whole building would be available. Mr. Regnier is going to try to find out. The third alternative as to space was the proposed buildings on State Line. Councilman Ballard suggested the Police Department might be located in the industrial district in an Armco or Butler steel building; there are a lot of alternatives; we do not have to spend that kind of money to get a building.

Resolution No. 222 - Street Lighting: Councilman Roach stated sometime ago the Council approved action for lighting the Industrial District. Councilman Roach moved the following resolution be adopted:

Resolution No. 222

"BE IT RESOLVED that the Mayor be authorized to sign Resolution No. 19 under Ordinance No. 264, providing for five additional street lights in the City of Leawood, Kansas, to be paid for from the City's reserve fund with the K.C. Power & Light Co. (Industrial District)."

Councilman Jordan asked the height of the poles. Councilman Roach amended his motion with the stipulation that the height be comparable to other lights on State Line. Adopted unanimously.

Councilman Roach requested that the Council adjourn to executive session.

The Council reconvened to regular session at 9:40 p.m. Councilmen Blattenberg, Smith, Roach, Ballard, Bruns and Jordan were present.

Speed Limit on Lee Boulevard north of 83rd Street: Councilman Ballard moved that the speed limit on Lee Boulevard between 83rd Street and the northern boundary of Leawood be reduced to 25 miles per hour and that the Street Department with the help of the Police Department post the area; seconded by Councilman Blattenberg. Motion passed unanimously.

Tree Situation: Wait for report from Councilman Johnson.

Smoke Test of Sewer Lines: Mayor Dostal referred to Councilman Ballard the letter from Glen Hopkins on this matter and asked him to cooperate.
On motion by Councilman Roach, seconded by Councilman Bruns, the meeting adjourned to October 5, 1970, 7:00 p.m.

Mayor

June Lile
Council Reporter

City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 p.m. on Monday, October 5, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Smith, Roach, Bruns, Johnson, Jordan.

Minutes: Councilman Johnson commented that if he had been present at the meeting of September 21 he would have voted against the rental of office space at Ranch Mart because we did not budget for it and $5,000 or $6,000 cannot be found just any place as was indicated.

Mayor Dostal requested that the third sentence of the second paragraph (entitled "Public Works Commission") on page 1147 be corrected by adding "and that Ed Bruns serve as Streets Chairman", so that the sentence would read: "He also requested that John Granstedt serve as Parks Chairman and that Ed Bruns serve as Streets Chairman."

Mayor Dostal also requested that the words "the proposed seller" be substituted for the word "he" in the last sentence of the second paragraph on page 1154, so that the sentence would read: "Mr. Bagby stated it was his recollection there was a time limit within which we had to take them at a specified price; the proposed seller would hold them in the meantime free."

Upon motion by Councilman Bruns, seconded by Councilman Roach, the minutes of the meeting of September 21, 1970 were approved as corrected.

REPORTS:

#20 Treasurer: Mr. Hodson reported as of August 31, 1970, total revenue, $432,779.97; expenditures $383,337.37; balance, General Operating, $73,407.72. He stated there is $54,059.93 on hand in the Special Streets Fund. Upon inquiry by Councilman Johnson, Mr. Hodson stated the Special Streets Fund was gasoline tax monies received from the State. Report approved on motion by Councilman Bruns, seconded by Councilman Roach.

#35 Police Judge: Judge Ullom reported 374 cases docketed and fines of $4,747.00 for the month. Report approved on motion by Councilman Roach, seconded by Councilman Bruns.

#42 Fire Department: Chief Toman reported 55 calls for the month of August, including 15 rescue car calls; fire loss for the month, $30,000.00; fire loss for the year to date, $59,393.23. Report approved on motion by Councilman Bruns, seconded by Councilman Smith.
Police Department: Chief Kelly reported 241 arrests, 721 calls handled and 192 homes checked periodically during the month. Councilman Roach observed that this is a new record for police action. On motion by Councilman Bruns, seconded by Councilman Jordan, the report was approved.

Mayor Dostal stated the City had received an acknowledgment from Dr. and Mrs. Dick Underwood regarding the action taken at the death of Dr. Underwood's father.

Members of the Press: Elaine Bessler and Mike Stringer.

School Crossing - Somerset and Sagamore: Mrs. Ken Turner asked what action had been taken regarding their request that something be done to insure the safety of school children crossing Somerset Road at Sagamore, presented at the last Council meeting. Mayor Dostal said the Public Safety Commission had met and he read a letter which had today been mailed to Mr. and Mrs. Kenneth Turner advising them that the Council had taken action to reduce the speed limit on Lee Boulevard north of 83rd Street to the northern limits of Leawood from 35 miles per hour to 25 miles per hour; that the Street Department, in cooperation with the Public Safety Commission, will erect appropriate signs to warn motorists as to the hazards in this area; that the City will provide a policeman to assist at the intersection of Somerset and Lee whenever possible; however, the presence of a City policeman at all times cannot be guaranteed. The letter recommended that parents continue the practice of assisting the children whenever a policeman is not present and that the group contact Mr. Paul Seaton, Safety Director of the Shawnee Mission Schools, as he may be able to provide a competent person on a regular basis to assist the children. The letter went on to state our City officials will continue to work with the officials of Prairie Village looking toward future possible solutions to the problems in this area. Upon inquiry by Mrs. Turner, Councilman Roach stated the matter of a light at Lee and High Drive will be discussed with the City of Prairie Village.

COMMITTEE AND COMMISSION REPORTS:

Budget & Finance: No report.

Building Code: No report.


Ordinance: Councilman Jordan reported the additional copies punched for the binders have been received today from the League of Municipalities and the distribution of the new code will start this week.

Plan Commission: Report to be given later in the meeting.
Public Safety: Councilman Roach reported the Commission had discussed installation of a yellow flasher light at the north boundary of Ranch Mart on Mission Road just south of Cure of Ars School to draw attention to the fact that this is a school crossing. The Public Safety Commission unanimously recommends that an ordinance be drawn up requesting installation of such a flasher.

Public Works - Streets: Paul Myers reported on activities during the month, including clean-up after rains and sealing the parking lot at City Hall. Councilman Smith stated he noticed the crew was out right away after rains. Mayor Dostal said he would like to commend the Street Department, Mr. Akerly of Civil Defense, the City Clerk, and members of the Police Department for their public spirited effort. They were all here the night of the heavy rain. Mr. Viets came out free of charge and surveyed the area during the rain to see if there was any damage (it would appear there was some damage to the foundation). The Streets Committee report was approved on motion by Councilman Smith, seconded by Councilman Jordan.

Parks: No report.
Sanitary Sewer and Storm Drainage: No report.
Councilman Jordan stated the Ordinance Committee would be working with the Sanitary Sewer Committee on the regulations to govern other than residential usages. She said we are finding as our new zoning programs are adopted that the Sanitary Regulations have to be modified to keep pace with it.

Adoption of Official City Map: Councilman Jordan requested that this matter be deferred to the next agenda.

Appointment of City Engineer to the Public Works Commission: Mayor Dostal asked the Council to approve the appointment of City Engineer Mark Medved to the Public Works Commission. Upon motion by Councilman Jordan, seconded by Councilman Johnson, this appointment was approved.

Special Dog Permission Granted to Donald Mills: Councilman Johnson stated he had been out of town and would have a report at the next meeting.

Annexation: Councilman Smith reported at the last Plan Commission meeting on September 30, the Plan Commission discussed the annexation of territory south of Highway 150 shown on a map given each councilman and defined as Areas No. 1, No. 2 and No. 3. Councilman Smith said we could use the term "squaring up" the City boundary as reason for the annexation but, in addition, the Plan Commission felt it would be to the best advantage of everyone concerned that these three areas be annexed by the City. Councilman Smith said the Plan Commission reviewed with Mrs. Jordan the legal
ramifications of annexing these areas and determined that they are within the framework of Kansas Statute 12-520. Councilman Smith said the Plan Commission unanimously recommends to the Council that these three areas be annexed, and that the Council vote on each of the areas separately. Councilman Johnson noted that Councilman Smith mentioned that this had been discussed with Mrs. Jordan, and asked if it had been discussed with our City Attorney. Councilman Smith stated Councilman Jordan was asked to be present for the primary purpose of discussing future ordinances unrelated to this area. Since she was there, she was helpful on the legal ramifications of this annexation. Councilman Smith added that the question is a valid one and perhaps even at this time we could check with our City Attorney. Mr. Bagby stated he did check it some time ago; he said the section involved is 12-520(d) in connection with the largest annexation (Area No. 1) and also in connection with Area No. 3 (the ten acre tract) which are completely surrounded by the City. Mr. Bagby said Tract No. 2 involves Section 12-520(e) which covers an 80-acre platted section.

Councilman Jordan commented that it should be clear to the Council at large that in spite of the fact that she is a practicing attorney, she had not and did not intend to invade the territory of the City Attorney. She said she functioned for the Council more in the office of a parliamentarian when questions come up as far as procedure is concerned and her comments in this respect should be viewed in that light only and in no wise should her approval or disapproval be interpreted as taking the place of an opinion from Mr. Bagby.

Councilman Roach stated he was heartily in favor of the proposed annexation and added that upon approval by the Council this will make us the only City in northeast Johnson County having an airport. Councilman Roach moved that we advance the reading of the ordinance so the Council may act upon this annexation this evening. Mayor Dostal declared that an emergency exists, so the proposed annexation ordinance can be advanced. Councilman Johnson asked what is to be annexed with consent. Mayor Dostal said most of the property owners in the area have been contacted but that getting the 13 or 14 owners of the airport together is almost impossible; it was felt that since we have them encircled we should just proceed under the statute on that basis. Councilman Johnson asked that while we have 40 and 80 acres are there parcels of lesser acres or is 80 acres owned by one individual. Mr. Bagby stated he had just discovered the area he believed to be 80 acres actually includes 160 acres which is under three ownerships. Councilman Johnson asked if we would be restricted on acreage if we were to annex without consent. Mr. Bagby said to even boundaries we cannot take more than 20 acres.
Ordinance No. 383 S - 51st Annexation: Councilman Smith moved that the City of Leawood annex Area No. 1 as shown on the map distributed to councilmen under Kansas Statute 12-520. The City Attorney stated the ordinance is prepared. Vote: aye, Smith, Roach, Bruns, Johnson, Jordan. Ordinance adopted unanimously.

Ordinance No. 384 S - 52nd Annexation: Councilman Smith moved that the ten acre tract shown on the map distributed to councilmen be annexed by the City of Leawood under Kansas Statute 12-520. The City Attorney stated the ordinance is prepared. Vote: aye, Smith, Roach, Bruns, Johnson, Jordan. Ordinance adopted unanimously.

Ordinance No. 385 S - 53rd Annexation: Councilman Smith, on recommendation of the Plan Commission, moved that the City of Leawood annex the area designated as Area No. 2 on the map distributed, consisting of 160 acres. The City Attorney stated the ordinance is prepared. Vote: aye, Smith, Roach, Bruns, Johnson, Jordan. Ordinance adopted unanimously.

Mayor Dostal said this has been a project of several years and we now have our City in such a situation that we can plan wisely for it. He said there are a few areas on which hopefully we can reach some agreement with Overland Park.

City Attorney Bagby suggested since he had not determined whether or not the property in the 53rd annexation to the east of the 80 acres is platted, perhaps we should only take the 80 acres that is platted. We cannot take more than 20 acres to even boundaries unless it is platted ground.

Councilman Smith moved that the 53rd annexation be amended to include only the South half of the Southwest quarter of Section 3, Township 14, Range 25, Johnson County, Kansas, known and platted as Mission Heights, Lots 1 through 57. Vote: aye, Smith, Roach, Bruns, Johnson, Jordan.

City Attorney Bagby will check the remaining 80 acres to determine whether or not it is platted.

Councilman Jordan stated that under the new code it is required that ordinances passed be declared either special or general; special indicating they will not be included in the codification and general indicating that they will. Councilman Jordan requested that the City Attorney give an opinion as to whether these ordinances are special or general. She said they have not been reviewed by the Ordinance Committee for this characterization. City Attorney Bagby said the ordinances state that all annexation ordinances are special ordinances. Councilman Jordan moved that the three annexation ordinances be designated special ordinances; seconded by Councilman Johnson. Motion passed unanimously.
Appropriation Ordinances: Nos. 281A and 274S in the amounts of $56,743.95 (including purchase of $19,910.69 U. S. Treasury Bills) and $322,659.48 (including purchase of $275,773.79 U. S. Treasury Bills), providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

Councilman Roach stated for the record that a recently released report from Midwest Research Institute on a study to determine the criminalistic support requirements for law enforcement agencies in the Greater Kansas City Area includes the statement that Leawood, Kansas, having a population of 11,200, is second only in the per cent of crime to Fairway, Kansas, which has a population of 5,433. Leawood's percentage crime rate is .2 per thousand; Fairway's statistic (town half as big as ours) is .1. He said this speaks very well for the City of Leawood and in particular for the fine job being done by our Police Department.

There was a short recess.

The Council reconvened at 8:10 p.m. following the recess. Councilmen Smith, Roach, Bruns, Johnson, Jordan were present.

The Council adjourned to executive session.

The Council returned to regular session at 8:15 p.m.

On motion by Councilman Smith, seconded by Councilman Roach, the meeting adjourned to October 19, 1970, 7:00 p.m.

Mayor

June Lile
Council Reporter

Attest:

City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 p.m. on Monday, October 19, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Smith, Gray, Ballard, Jordan.

Minutes: On motion by Councilman Smith, seconded by Councilman Jordan, the minutes of the meeting of October 5, 1970 were approved as submitted.

Special Permission Granted Donald Mills (for 3 dogs): Councilman Smith stated Councilman Johnson had checked into this situation and would report at the next meeting.

Request for Permission to Solicit Orders - Boy Scout Troop #46: Councilman Smith said it is disappointing to find someone else has already covered the area, it might be wise to see if the local troops are anticipating doing this. Councilman Jordan read the requirements of Section 8-302 and asked if the required information was included in the letter. Mayor Dostal answered that we normally grant the permission then request that the necessary information be sent to the City Clerk. Mayor Dostal recommended to the City Clerk that when such a request is received, a letter be immediately dispatched to the people making the request setting out the requirements of the ordinance and asking them to give this information, after which it will be presented to the Council for action. Councilmen Jordan and Gray agreed this information should be in hand before action is taken. Mayor Dostal asked the City Clerk to write the Scout Troop for the information required. Councilman Ballard stated the intent of that ordinance was never to keep Boy Scouts from soliciting. Councilman Ballard moved that the request be approved subject to the City Clerk receiving the proper information to comply with the requirements of the ordinance; seconded by Councilman Smith. Motion passed.

Councilman Blattenberg suggested that a procedure be set up that when one of these requests is received, the City Clerk writes a letter requesting the necessary information so that when the letter is presented to the Council it will be in proper order. Councilman Jordan commented that by approving this request commitment has been made in advance without knowing whether or not it is to the support or detriment of our local troops, and since this routine has been set up it is a dangerous precedent to set the very first time an application is made.

Request for Permission to Solicit Contributions - New Haven Seventh Day Adventists Church: Mayor Dostal stated this appeal is to be made from November 28 to December 19, so
they have plenty of time in which to submit the required information. He asked the City Clerk to send a letter and advise them that after this information is submitted, the Council will make the decision.

Ordinance No. 386 G - Regulating the Transportation of any Alcoholic Liquor or Cereal Malt Beverage: Councilman Jordan stated all Councilmen had received copies of this ordinance; it is necessary because the old ordinance did not include cereal malt beverages. Councilman Jordan moved that Ordinance No. 386 G, relating to the transportation of any alcoholic liquor or cereal malt beverage be adopted as presented to the Council. Vote: aye, Blattenberg, Smith, Gray, Ballard, Jordan. Ordinance adopted.

Ordinance No. 387 G - Regulating Speed Limit on Lee Boulevard North of 83rd Street: Councilman Jordan stated this ordinance is in response to the motion passed at the meeting of September 21 that the speed limit on Lee Boulevard north of 83rd Street be reduced from 35 to 25 miles per hour. She said by this ordinance we are simply removing this area from 83rd to 81st Street from the list of exceptions, therefore the speed limit in that area falls within the general speed limit of 25 miles per hour. Councilman Jordan moved the adoption of Ordinance No. 387 G. In answer to inquiry by Councilman Blattenberg, Councilman Jordan said we do not have the right to regulate Highway I-435 because it is an interstate highway. Vote: aye, Blattenberg, Smith, Gray, Ballard, Jordan. Ordinance adopted.


Resignation of Councilman John Lee Smith: Councilman Smith stated he was reluctantly going to have to leave the post as Councilman because he is moving out of Leawood. He said he had really enjoyed working as Councilman and that he had a growing respect for governments on this level. His resignation will become effective after this meeting. Mayor Dostal expressed to Councilman Smith, on behalf of the citizens of Leawood, and particularly Ward I, gratitude for the hard work he did for the City at the Council table, on the Plan Commission and as Chairman of the Inter-Governmental Cooperation Committee, and presented him a key to the City. At the suggestion of Councilman Jordan, the Council gave Councilman Smith a rising vote of thanks.

Appointment of Park Commissioner: Mayor Dostal said he had appointed John Granstedt but he cannot serve because he is not a member of the Council. Mayor Dostal will make an appointment later.

Endorsement of County Efforts Toward Drug Control: Mayor Dostal read a resolution passed by the Johnson County Chiefs
October 19, 1970

of Police Association requesting the Attorney General of the State of Kansas to adopt a state-wide program to combat narcotics and drug abuse. Councilman Jordan said in view of the dissension that has arisen in the area of drug control, it would be extremely helpful if the City Council would endorse the county-wide rather than individual efforts of the municipalities on drug control. Councilman Jordan moved that the Council endorse the efforts of the Johnson County Sheriff's office to formulate a program for drug control and to endeavor to obtain matching funds which are available from the Federal government for such a program; seconded by Councilman Blattenberg. Councilman Blattenberg commented that his second to that motion does not imply that he would not heartily endorse state action in addition. Motion passed unanimously. The City Clerk will dispatch to the Sheriff a copy of the motion, and a copy of the resolution of the Chiefs of Police will be in the Council packets for discussion at the next meeting.

City Hall Expansion: Councilman Gray commented on the need for space in the Police Department. Councilman Ballard stated the more he thought about moving the administrative offices over to the Ranch Mart Shopping Center basement, the less he cared for the idea; this would be moving City Hall, it is not moving the administrative offices; he suggested moving the Police Department over to the basement or building a police building for less than $200,000, perhaps located more toward the center of the City as we envision it in the future. He said there are many ways of going and everyone is more desirable than moving into the basement of the Ranch Mart Shopping Center. Councilman Ballard stated we are grossly in error if we do not evaluate all the different possibilities to acquire more space, the proper kind of space; he said $200,000 for 2,500 square feet is not very realistic. Councilman Blattenberg stated with respect to this building, the original proposals were not only to add to it but to completely remodel this internal space. Mayor Dostal stated all the pros and cons will be weighed and it will be up to a vote of the Council before any decision is made. Mayor Dostal said the tax lid is an abomination; it stifles governments; we have saved taxes and we are being penalized for it now. Councilman Jordan said the City is a small proportion of the tax bill of the taxpayers of Johnson County, but most of our taxpayers never see their tax bill because it goes to the mortgage company. She said we could as a City have a copy of the tax breakdown on the bill sent to the home address of the taxpayer rather than to the tax-paying agency. Mayor Dostal agreed a minimal part of the taxes go to the City where, aside from the schools, the ordinary citizen gets most services -- fire protection, police protection, streets, etc. Councilman Jordan said we should try to find some way of bringing this before the public because most people are not aware. Councilman Gray suggested the next newsletter. Councilman
Blattenberg presented a breakdown of some 17 different taxing districts within the City of Leawood showing that the total mill levy for real estate runs from 104 mills down to 79 mills. Of that, the City of Leawood is 6.699, or about 7% of the total. Mayor Dostal said when our Budget Committee met all we could do was try to hold our key people; there was no chance of improving the streets or expanding City Hall. Fire Chief Toman added that there is the problem of a fire station for the south area coming up. Councilman Ballard said if bonds are voted for the City Hall or the Fire Station the tax lid is not applicable. Councilman Blattenberg stated the point is the authorization to expend the funds. Councilman Blattenberg stated he hoped to be able to present a report as to whether or not it is feasible to consider the lease arrangements at the next meeting. Mayor Dostal said it would probably be a good idea for the City Hall Expansion Committee to bring their original plans before the Council and discuss in detail what has been done.

On motion by Councilman Smith, seconded by Councilman Gray, the meeting adjourned to November 2, 1970, 7:00 p.m.

[Signature]
Mayor

[Signature]
Council Reporter

Attest:

[Signature]
City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 p.m. on Monday, November 2, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Roach, Gray, Ballard, Bruns, Johnson, Jordan.

Minutes: On motion by Councilman Bruns, seconded by Councilman Gray, the minutes of the meeting of October 19, 1970 were approved as submitted.

Appointment of Councilman, Ward 1: Mayor Dostal recommended the appointment of Mr. Fred Tiemeyer, Jr., 8026 Wenonga Road, to serve out the unexpired term of John Lee Smith as Councilman, Ward 1, until May, 1971. Mayor Dostal read a statement of Mr. Tiemeyer's qualifications. Appointment approved unanimously.

The City Clerk administered the Oath of Office as Councilman, Ward 1, to Fred Tiemeyer, Jr. Councilman Tiemeyer remarked that he hoped to be a credit to the Council and to the City.

Appointment of Park Commissioner: Mayor Dostal recommended the appointment of Mr. Earl Gray as Park Commissioner. Councilman Bruns moved that this appointment be approved; seconded by Councilman Roach; passed unanimously. This appointment automatically puts Councilman Gray on the Public Works Department.

Appointment to Plan Commission: Mayor Dostal asked that Councilman Tiemeyer serve on the Plan Commission to 1971 and to serve on the Intergovernmental Cooperation and Community Affairs Committee. On motion by Councilman Blattenberg, seconded by Councilman Gray, these appointments were approved.

REPORTS:

Treasurer: Mr. Hodson reported as of October 31, 1970, total revenue, $438,135.69; expenditures, $424,542.63; balance, all funds, $37,967.30. Report approved on motion by Councilman Johnson; seconded by Councilman Gray.

Police Judge: Chief Kelly reported for Judge Ullom: 418 cases docketed and fines of $4,415.00 for the month. Councilman Johnson asked how many warrants were issued to persons who did not appear in court. Chief Kelly agreed to get this information. Report approved on motion by Councilman Gray, seconded by Councilman Johnson.
Fire Department: Chief Toman reported 25 calls for the month of October, including 17 rescue car calls; fire loss for the month, none; fire loss for the year to date, $59,393.23. Report approved on motion by Councilman Bruns, seconded by Councilman Johnson.

Police Department: Chief Kelly reported 268 arrests, 599 calls handled and 182 homes checked periodically during the month. Councilman Blattenberg asked how the number of arrests compared with a year ago. Chief Kelly said both traffic and other-than-traffic arrests were higher than a year ago. Upon inquiry by Councilman Bruns, Chief Kelly said we have a very serious drug problem in Leawood. In answer to inquiry by Councilman Johnson, Chief Kelly stated the City had two radar units. Councilman Ballard asked how many speeding arrests were on State Line. Chief Kelly said in the last two months we have not been running radar on State Line. Radar is set up at complaint of residents; most are neighborhood arrests. Upon inquiry by Councilman Tiemeyer, Chief Kelly said of the 9 narcotics arrests, 5 were from Leawood. Report approved on motion by Councilman Bruns, seconded by Councilman Johnson.

Visitors: Mrs. Janet Smith, Mrs. Henry Lee, Mrs. M. J. Burton, Mrs. K. L. Turner, Harvey Present, Larry L. Campbell, W. R. Judd, Mr. and Mrs. W. I. Williams, Jr., and Mr. and Mrs. David Rodlund. Members of the Press: Elaine Bessier and Mike Stringer.

Safety at School Crossings: In view of interest indicated by visitors, Mayor Dostal requested that Councilman Roach give his report. Councilman Roach said we have had more than a little conversation about school crossings in the last 12 to 24 months, both within and without the corporate limits of the City of Leawood. He said we appreciate the problem; we are aware of the fact that parents are giving of their time to escort the children across; we wish it did not have to be done, but unfortunately, the economics of the situation dictates that as much help as parents can give be given. Councilman Roach read from the minutes of the Public Safety Commission concluding that the Commission had agreed that: "Ultimately the only practical answer is going to be for the City at its expense to provide adult trained personnel at each of the schools to assist in the crossing of streets by young school children. This would entirely be at the discretion of the City Council and the City Government as it sees fit and would involve the expenditure of an estimated $3,000 per year to cover the cost of salaries for personnel to be so employed. Any expenditures for equipment or uniforms would be in addition to this figure. The Commission also would point out that of the 4 schools involved, 2 are not within the corporate limits of the City of Leawood, but past efforts at obtaining a sharing of expenses with other cities involved have proven fruitless. In order to solve this problem it is the opinion of the Commission that all 4 schools would have to be covered at Leawood expense."

1170
The number of schools was later corrected to five. Councilman Jordan asked about the estimated cost of uniforms. Councilman Roach said a simple reflective safety belt would entail small cost; uniforms would be $75 per person. Councilman Ballard asked if these persons would be under the direction of the Police Department, to which Councilman Roach answered they would have to be. Councilman Roach said he did not think persons could be found to fill these positions. Councilman Roach stated the Commission did not feel that an easement was tenable. Councilman Jordan stated a benefit district might be a solution since it would not have to be within city boundaries. Councilman Roach said in spite of the fact that we had a letter that the school system was to embark on a safety program, this is simply not being done.

Councilman Roach moved that the City Council authorize the expenditure of $2.00 per hour for adult crossing supervisors for each of the schools which are attended by residents of the City of Leawood; seconded by Councilman Ballard. Councilman Blattenberg commented there is no provision in the budget, it seems we should determine which service of the City is going to be curtailed. Councilman Jordan read Code provision 1-710 stating that councilmen who shall vote to appropriate money not authorized by law shall be personally liable. Mayor Dostal stated he felt this would not apply as long as we do not spend over the budget. Councilman Johnson suggested that authorization of the program be limited to the current fiscal year. Councilman Jordan asked if the motion might be tabled and referred to the Budget and Finance Committee to determine from where funds are to come.

Councilman Roach said he did not have the time to seek out persons to man these crossings. Councilman Bruns stated some months ago we talked about training older children as school guards. Councilman Roach said the school system has not enforced the program; the City has volunteered to furnish trained police personnel to train the school children. Chief Kelly added that two schools are functioning with school patrols. Mayor Dostal stated he did not understand the attitude of the school system; this is not our function. Councilman Bruns said he thought the schools should cooperate in providing crossing guards trained by our police department; he said he was opposed to our cutting down to provide guards. Councilman Ballard asked if there had been any indication that we can get volunteers. Councilman Roach said Marsha Bagby School has had volunteers. Councilman Roach said the complaints have come from the two schools not in Leawood. He said, "I think it should go on the record we asked one of those cities to help; they said if you widen 95th Street we will help; that will cost Leawood a quarter of a million dollars."

Councilman Jordan moved to table the motion and refer the matter to the Budget and Finance Committee for a determination of the availability of funds for the balance of the
Mrs. N. J. Burton said several mothers were willing to volunteer as guards at Marsha Bagby but they understood they should be commissioned; their principal is out there now. Mrs. W. I. Williams said we do not consider this volunteer group of mothers a solution; it is temporary to get the principal back in the school; we expect the City to do something. She said it should be looked at according to the traffic needs; all schools do not want guards. Mrs. Williams said parents do not want sixth grade children standing out on 95th Street; another reason, the School Board's Attorney, Senator Bennett, advised that the school cannot be liable for what these children do; it is unfair to expect the child's parents to stand the total cost of a lawsuit. Mayor Dostal suggested that Mrs. Burton and Mrs. Williams meet with our Safety Commission, the City Attorney and representatives from Overland Park.

Councilman Roach stated in regard to the proposed solution at Somerset and Lee, he personally wrote a letter to the Public Safety Chairman of Prairie Village suggesting a meeting to solve this problem but to date he had not heard from the Prairie Village chairman; Councilman Roach did get a letter from the Chief of Police of Prairie Village.

Councilman Blattenberg stated his committee should have a report on this matter within the next two weeks.

Mrs. K. L. Turner said the Prairie Village Council informed her that a letter had been sent by Mr. Carroll to Mr. Roach dated October 5 requesting a get-together between the two. Councilman Roach stated he never received such a letter. Mrs. Turner said at Somerset and Lee, we are not looking for a crossing person or a uniform, we are looking for a push-button light which may be rented for $48 per month.

Councilman Roach said this is one of the most difficult intersections in the cities, it is not that simple. Mrs. Turner said he understood Prairie Village was going to widen Somerset Road and put in a traffic system. She requested a push-button light in the meantime.

Harvey Present stated the citizens are requesting protection from the City, the light at Marsha Bagby is in a bad spot; the Council has intimated it is not their responsibility because the schools are not in Leawood; their children are attending these schools, it is the City's job to provide protection. Mr. Present added, "I do not see why you cannot get together and share the cost of this;" it takes $400 for one school, why can't we be granted that $400?

Councilman Bruns said our budget is set a year in advance; the School Board has the revenue to provide these guards; parents' attention should be directed to the School Board.
Mrs. Williams said we went to the School Board but they decline their responsibility. Mr. Bruns stated this has been true of our sister cities. Mrs. Williams added we asked long before this year and long before the tax lid. Other cities do provide guards at crossings they consider dangerous.

Councilman Roach said the City of Leawood has offered to help, tabling does not mean "forget it". He said he was convinced that if a penny is left it will be put to work on this crossing situation.

Jean Lee from Brookwood School said our safety patrol is liable; we feel that we should have a paid adult.

Mrs. Turner asked if the City accepts the responsibility for mothers. Mayor Dostal answered no, they would have to be commissioned and authorized to function; they would have to be trained and probably commissioned from two cities.

Janet Smith of Brookwood School said this information just came to us that our children are not covered by liability insurance; we do not want to be liable either; why are our children out there without being covered by insurance? City Attorney Bagby stated everyone is liable for his own torts; the City does not carry that type of insurance. He added, only the person who is negligent is liable, probably only the driver of the car. Mayor Dostal said he thought the solution was to get volunteer parents trained and commissioned. Councilman Roach said he thought the only solution was to employ people to do this. Chief Kelly suggested that perhaps the City Attorney could come up with a way to commission these parents; he said we cannot commission them as police officers without 120 hours of training.

Mrs. Williams said they would perform the job but would like to be protected while doing it. Mayor Dostal said Councilman Blattenberg and the Budget Committee will research the financial end of it and Councilman Roach and Chief Kelly will pursue the matter of the volunteers.

Mr. Present asked if it was within the power of this body to award special commissions. City Attorney Bagby said it was, for a minimum length of time. Mr. Present asked if the Council would empower these ladies if it had the power. Mayor Dostal answered he assumed we might if we find that it is within our power. The City Attorney would establish the special qualifications. Mrs. Williams stated they would wait to hear from the Public Safety Commission.

Councilman Bruns noted we have tried to keep the mill levy for Leawood homeowners to the lowest point; others have built fat in their budgets. Now suddenly we are caught with this tax lid. Today, I wish we had taken the other way and built some fat in.
COMMITTEE AND COMMISSION REPORTS:

Budget & Finance: No report.

Building Code: No report.


Ordinance: No report.

Ordinance No. 388 S - Vacating Easement and Right-of-Way reserved for the right to use water from Water Conservation Reservoir: Councilman Jordan said this was the other half of an ordinance passed about a year ago. In 1935 a right-of-way was granted to give public access to water from a farm pond in the south part of the City during the drought. She said we are requested to vacate this right-of-way to clear the title. Councilman Jordan recommended that Ordinance No. 388 S be adopted. Vote: aye, Blattenberg, Tiemeyer, Roach, Gray, Ballard, Bruns, Johnson, Jordan. Adopted unanimously.

Plan Commission: No report.

Public Safety: Councilman Roach moved the approval of the following employee status change:

Brian Andrew Lane, Patrolman, from $500 to $525 per month.

Councilman Roach said this was a routine increase usually given at the end of three months but Lane was still in training at the end of three months. Councilman Johnson suggested the increase should be retroactive. Councilman Roach then moved that Brian Andrew Lane receive a salary increase of $25.00 per month retroactive to September 1, 1970; seconded by Councilman Bruns. Motion passed.

Public Works - Street Department: Paul Myers reported overlaying of streets had been completed by the Reno Construction Co; the Department is working on a section of 103rd Street west of Wenonga; repairs were made to shoulders on Lee Boulevard; drainage problems were corrected; grading and ditching was done in the annexed area; streets cleaned, and bushes removed in front of City Hall; mowing done and signs put up on Lee Boulevard. The report was approved on motion of Councilman Johnson, seconded by Councilman Jordan.

Street Signs: Councilman Johnson said he thought another sign was needed at Wenonga and Cherokee Place; the Street Department will take care of it. Councilman Johnson also said some months ago he had suggested two signs be taken down on 91st Street at Pawnee Lane. Councilman Roach stated the Public Safety Commission agreed this was proper and it will be done.
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Public Works - Parks Department: Report included in Street Department report.

Contract for Extending Water Line to Leawood Park: Councilman Blattenberg stated last year we spent $3,000 to bring the line down to the park and now we have a bid of $1,732.00 from Water District No. 1 to extend the water line to the south edge of the park at about the center; this is a main line to which we will hook our own lines. Councilman Blattenberg moved that the contract with Water District No. 1 for $1,732.00 to run the main water line to the south edge of the Leawood Park be approved; seconded by Councilman Bruns. Motion passed.

Sanitary Sewer & Storm Drainage: Councilman Ballard stated the problems are not getting any smaller. A meeting is scheduled with Phil Kline to review the work he is doing in investigating various recommendations for eliminating lines off of our system. Black & Veatch have stakes in Dykes Branch for the Water Control Department. We might be able to save some money working together. Mr. Ballard said Mr. Duncan would be called in for a briefing in the near future.

Air Conditioning for City Hall: Councilman Jordan stated in view of the current discussions of the City Hall Expansion Committee, discussion of the air conditioning would be deferred.

Permission Granted Donald Mills to Keep Three Dogs: Councilman Johnson stated he went to the Mills neighborhood and spoke to neighbors. Councilman Johnson showed pictures of a pen Mr. Mills had prepared; it was rather well constructed with wire over the top and stone or gravel base. Mr. Mills has three dogs, one is kept inside. Councilman Johnson said he viewed the pen on three occasions, each time it was clean. Other than the gentleman who came before the Council, there are no complaints; this gentleman is really the only one involved. Mr. Mills did not obtain a permit to build the enclosure. Councilman Johnson said he had mixed feelings about what recommendations to make; one dog can hurdle the fence when not in the pen; Mr. Mills moved in with the three dogs.

The City Clerk stated a letter was written in July stating that the Council had granted permission for three dogs and three licenses were issued August 3. Councilman Johnson said I think we acted in haste; if we had looked, we would not have permitted it. Councilman Bruns asked if the value of the complainant's property is being affected as he claimed. Councilman Johnson answered the pen is not visible but you can smell the stench. He added, complainant has emphysema. Councilman Ballard suggested a letter be written to Mr. Mills stating he has an obligation to take care of the pen.
or we will have to revoke the permission. Councilman Johnson said he thought there should be some repair to the top and added if the enclosure were any higher Mr. Mills would be in violation of our fence ordinance. Mayor Dostal said a letter would be written with a copy to the complainant.

Endorsement of Resolution for Statewide Program to Combat Narcotics and Drug Abuse: Mayor Dostal stated a copy of the motion passed last meeting was sent to the Sheriff. The Sheriff wrote back that he certainly had no objection to our endorsing the Chiefs of Police Association resolution. Councilman Blattenberg moved that the Council endorse the resolution; seconded by Councilman Gray; passed. Mayor Dostal directed the City Clerk to send a copy of this resolution with the Council endorsement to the Attorney General.

Assistant Court Clerk and Traffic Violations Clerk: Mayor Dostal stated Judge Ullom had recommended the appointment of Frances Farrar as Assistant Court Clerk and Traffic Violations Clerk, salary set at $2.25 for 35 hour week, to start immediately in training. Councilman Johnson asked if she has been investigated and had police clearance. Answer, no. City Attorney Bagby said there is no requirement that this be done. Councilman Bruns moved approval of the appointment on a temporary basis while a check is being made. Councilman Blattenberg said we assumed that present people were going to be used; Councilman Jordan agreed. Councilman Roach stated we cannot double up on the Police Clerk. Councilman Jordan explained the Violations Bureau would set up a table of fines, the idea being to cut down the number of cases docketed. Others would be disposed of on a summary calendar if there was no prior offense to prevent it. This should substantially reduce the amount the Police Clerk is expected to do. Mayor Dostal said the Police Clerk cannot take care of the load now. Councilman Jordan said this does not increase the work, it is an attempt to cut down.

Councilman Bruns moved that an Assistant Clerk of the Municipal Court and Traffic Violations Clerk be hired, to be temporary until a check can be completed, at $2.25 an hour upon the recommendation of the Police Department; seconded by Councilman Johnson. Councilman Jordan ascertained that Frances Farrar who is presently working on the sewer billing would serve as Police Court Clerk and Traffic Violations Clerk, to be assistant until trained and able to take over.

Councilman Blattenberg asked under whose budget does she come. Councilman Jordan said this girl would actually be a City officer in that she is an officer of the court, not an employee, and should be paid out of Administration. Councilman Blattenberg stated it seems this position is highly desirable, this year the budget is all right but it scares me for next year's budget--there is no provision,
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we thought this was simply a shift of function. Councilman Jordan said this was never understood to be a full time job. Councilman Roach stated the Judge says this office must remain open five days a week. City Attorney Bagby said he thought it was on stated hours. Councilman Jordan stated the Traffic Violations Bureau is a convenience not a right. Councilman Bruns suggested the hours be established to conform to the money. Councilman Blattenberg said we already have the request for $3,000 for school guards; we cannot add $3,500 for a Traffic Violations Clerk. Councilman Jordan stated when we were researching the Traffic Violations Bureau we were faced with going to an additional trial night; the whole idea was simply to try to stem the tide; fifty to sixty per cent of cases could be disposed of on traffic violations. Councilman Blattenberg said the budget lid would prevent the raising of court costs to cover this salary; the outgo is the problem.

Councilman Bruns withdrew his previous motion and moved that the matter be tabled until the Budget and Finance Committee can survey the budget situation; seconded by Councilman Johnson. Motion passed.

Trial Period for Four 10-hour Days per Week for Patrolmen:
Chief Kelly said this plan was attracting attention since it was begun on the West Coast. The officers would work four 10-hour days a week with one-half hour lunch period.
Chief Kelly said the Public Safety Commission felt we must have a ninety-day trial period. Chief Kelly said by overlapping hours five officers would be on duty and all equipment would be used during high crime hours of 7:30 p.m. to 2:30 a.m. The plan would only include patrolling officers.
Councilman Roach stated the Public Safety Commission recommends approval. In answer to inquiry by Councilman Johnson, Chief Kelly said the officers had voted unanimously for the plan. Councilman Tiemeyer stated morale and output was better at his place of business on a get-the-job-done basis rather than a definite number of hours. Chief Kelly said the main advantages are that it would increase efficiency and cut the crime rate. He said all moonlighting has to be cleared with the Chief; no use of police power or uniform is allowed during off-duty hours.

Councilman Roach moved that the Council approve a ninety-day trial period for four 10-hour work days per week for Patrolmen in the Police Department; seconded by Councilman Jordan. Motion passed.

Appropriation Ordinances: Nos. 282A and 2758 in the amounts of $107,262.51 (including $103,075.30 U.S. Treasury Bills) and $110,689.43 (including $69,484.17 U.S. Treasury Bills) providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.
Homes Association Services: Councilman Bruns said he had a letter from the Leawood Estates Homes Association requesting his services in negotiating a new contract; he will report to the Council regarding trash being put outside.

On motion by Councilman Johnson, seconded by Councilman Gray, the meeting adjourned to November 16, 1970, 7:00 p.m.

Mayor

Council Reporter

City Clerk

* Addendum #1 - to paragraph No. 3 on page 1169 should be added, "Councilman Johnson asked whether or not John Lee Smith recommended anybody" Further correction to paragraph 3, page 1169 "Councilman Bruns requested this be corrected to show 'Councilman Bruns inquired as to why the recommendation of John Lee Smith was not acted upon and was informed that the Mayor felt that we needed a business man on the Council and that Mr. Tiemeyer was a neighbor and friend of John Lee Smith'."

** Addendum #2 - Councilman Johnson objects to use of word "inquiry" used in paragraph 2 of page 1170.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 p.m. on Monday, November 16, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Tiemeyer, Roach, Gray, Ballard, Bruns, Johnson.

Councilman Jordan entered the meeting as Councilman Johnson began his discussion of the minutes.

Minutes: Councilman Johnson said he was disappointed in the way the minutes are prepared. He said he made a point in stressing one subject relative to the appointment of Councilman in Ward 1. Councilman Johnson requested that the third paragraph on page 1169 be corrected to show that he asked whether or not John Lee Smith recommended anybody. Councilman Johnson added, "and you (Mayor) didn't think enough of our former Councilman to accept his recommendation." Councilman Johnson said we should never use the word "inquiry" in the minutes, we should state the question. He cited as instances two sentences in the second paragraph on page 1170. Councilman Johnson requested that the word "would" be corrected to "should" in the fourth line from the bottom of the third paragraph on page 1177. Councilman Bruns requested that the third paragraph on page 1169 be corrected to show: "Councilman Bruns inquired as to why the recommendation of John Lee Smith was not acted upon and was informed that the Mayor felt we needed a businessman on the Council, and that Mr. Tiemeyer was a neighbor and friend of John Lee Smith." Councilman Johnson moved that the minutes of the meeting of November 2, 1970 be approved as corrected; seconded by Councilman Bruns. Motion carried.

Councilman Roach asked for an executive session following the order of business.

Visitors: Mrs. C. Gersh, Mrs. Russell Osmon, Mrs. W. D. Hill, Mrs. John Brooks, Betty Krane, Mrs. Pat Everett, Anne Marie Pace, Cindy Robison, Sandy Kraus, Pam Terrill, Cathy Gorman, Harvey Present, Jim Brown, G. H. Morris, Robert Runnels, Jr., C. L. Beaty, James McCarty, Don Birney, Bill Blew, Dr. Dick Underwood, Mr. and Mrs. W. I. Williams. Members of the Press: Elaine Bessier and Mike Stringer.

Budget & Finance Committee Report Relative to Salary for Clerk of Court—Traffic Violations Clerk: Councilman Blattenberg stated the Budget & Finance Committee had reviewed the 1971 budget and it is their view that the salary for Clerk of the Court—Traffic Violations Clerk can be included in the Administration budget on a maximum schedule of 4 hours a day, 20 hours a week. Councilman
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Blattenberg said for the balance of 1970 it would appear that we could have either the Violations Clerk or the school crossing guards but not both. Mayor Dostal asked the City Clerk to advise the Police Judge of the maximum number of hours for a Violations Clerk recommended by the Budget & Finance Committee and ask him for his recommendation.

Councilman Johnson asked, was this amount in our budget for 1970 or 1971. Councilman Blattenberg answered no. Councilman Johnson said he could not understand how we can have such a loose budget; it seems when there is a certain group that wants something it is possible to have it recommended. Mayor Dostal commented he was violently opposed to a Violations Clerk; he added, this is a creature of the Ordinance Committee. Councilman Johnson said Councilman Blattenberg did not research the question of whether a Violations Clerk could be included in the budget, he said he thinks we have enough provided we don't do certain things; he did not research it by his own statement. Councilman Blattenberg stated he had said he reviewed the budget, it appears that there are sufficient funds in the budget to cover a Violations Clerk on a four hour a day schedule for 1971; on the basis of projections which department heads have made of their estimated expenditures for the rest of this year, it appears that there will be funds for either the Violations Clerk or crossing guards, but not both.

Report from Budget & Finance Relative to Financing for School Crossing Guards: Councilman Blattenberg stated it appears with respect to 1970 that there would be money for the estimated pay for school crossing guards unless the Council should decide to have a Violations Clerk. It does not appear there would be money for uniforms other than inexpensive bands. Councilman Blattenberg said for the balance of 1970, the estimate is $384.00 plus $960.00 for uniforms. Councilman Bruns stated according to the opinion handed down by Senator Bennett we are responsible only for the schools located within the City of Leawood which are Cure of Ars and Brookwood. Councilman Roach said we should emphasize that since the other cities were not interested in providing supervision of children at the crossings, the City of Leawood would go ahead and do it on its own; that is what the $3,000 is based on. Mayor Dostal commented the way it looks both of the projects are in jeopardy from a money standpoint and school crossing guards are in jeopardy in 1971 because nothing was budgeted. Mayor Dostal said it looks like we are looking down 1972 before we can really meet this crisis with perhaps a woman's auxiliary, properly trained, similar to Shawnee and Overland Park. Councilman Johnson said Wichita had solved the problem with student patrols at school crossings. He suggested a letter be written to Wichita to find out what the City's responsibilities would be and how they handled it. Mayor Dostal said he liked the school patrol solution but apparently
the parents and the schools do not approve of it. Councilman Bruns said he thought student patrols was the route that we should go; he said this has worked in Wichita and other cities; it is a badge of honor to be chosen.

Mayor Dostal stated he had a call from a lady very distressed about the crossing situation at Marsha Bagby; knowing that the Safety Commission had previously directed that an officer be at that particular school when there is no emergency, Mayor Dostal said he called Ross Roach, Dr. Underwood and Wayne Bonebright and asked them to meet him at the City Hall; for various reasons they could not be there. He then directed Chief Kelly to have a police car at the school because he felt it should be done in conformity with previous recommendations. Mayor Dostal stated until this impasse is corrected, as the Mayor charged with the responsibility of safety in this City, he wanted Chief Kelly to continue having the car there unless there is a major emergency.

Councilman Johnson asked Mayor Dostal if he told the members of the Public Safety Commission he wanted to talk about a school guard. Mayor Dostal replied, I absolutely did without question. Councilman Roach said Mayor Dostal did not say he wanted to talk about it, he said that he was going to put a patrolman at that crossing. Councilman Roach added the Public Safety Commission is not empowered to direct any function of the Police Department, therefore, we did not direct the placement of a patrol car or an officer at Marsha Bagby. Mayor Dostal said the Mayor has the power to direct it unless there is an emergency and he so acted.

Councilman Ballard said even though the opinion by Senator Bennett states that our responsibility is only for the schools located within the City, there is not any question that we have responsibility for school crossings that are located in this City regardless of whether the school to which the children are going lies outside the City limits. Councilman Roach stated we do not have a legal responsibility for any supervision in schools outside the corporate limits of the City of Leawood, we have a moral responsibility for every child who lives in the City of Leawood going to school anywhere for which we have control of the crossing. Councilman Ballard observed we are never going to get anywhere if we keep passing the buck back and forth. Councilman Roach replied we are not trying to pass the buck, we are trying to take care of the situation and solve it.

Councilman Johnson stated he had a call asking why the speed limit was reduced on Lee Boulevard north of 83rd to the City limits. Councilman Johnson said this was done in an unorthodox manner, and asked why it was done. Councilman Roach answered this was done at the recommendation of the Public Safety Commission because of the problem of school children crossing near Somerset and Lee; Mrs. Turner and a few other parents had contacted the Chief innumerable
times about the situation; we tried to cooperate with Prairie Village by saying that we would have a temporary patrol officer there in the afternoon, Prairie Village was to have one in the morning, but this did not satisfy the people involved; we thought after study and deliberation that if we could reduce the speed limit from 35 miles per hour coming north on Lee Boulevard at a point beginning at 83rd Street, this would then allow the motorist to be going the same rate of speed when he reached Somerset as the Prairie Village speed limit which is 25 miles per hour.

Councilman Johnson moved that the 25 miles per hour speed limit on Lee Boulevard between 83rd Street and our northern City limits be adjusted to recognized school hours in Johnson County, and remain 35 miles per hour the rest of the time. Councilman Bruns stated the speed limit was reduced out of two considerations, to protect the older residents as they cross the street to get to the shopping center safely, and the school children. Councilman Johnson said if we have a problem at Somerset, let's put a light in; we should not restrict the speed limit on Lee Boulevard to 25 miles per hour from 83rd Street. Councilman Gray observed that is a bad corner driving too, making a left turn off Lee Boulevard onto Somerset is nearly impossible. Councilman Roach said again that this is the most complex intersection in the City of Leawood and Prairie Village. Mayor Dostal said he had heard two complaints about the speed limit, but it seemed inconceivable to him that the ten miles per hour difference in speed limit would make that much difference for the safety involved; that area can be traversed in two minutes going 25 miles per hour.

Councilman Johnson said we should just put in a simple school crossing signal so that the senior citizens can press the button and cross. Mayor Dostal noted that the 25 miles per hour speed limit can be removed when a push-button signal is installed.

Councilman Johnson's motion failed for want of a second.

Councilman Blattenberg said he had a slightly different solution and moved that the speed limit be returned to 35 miles per hour on Lee Boulevard north of 83rd Street and that a flashing yellow light be installed which says "speed limit 25 miles per hour when light is flashing;" seconded by Councilman Johnson.

Councilman Bruns stated the matter was left with the Board of Public Safety to make further recommendations regarding crossing lights, etc. Councilman Roach said the person responsible for requesting the reduction of speed is the same person suggesting that a light be installed; he said he wondered if the Council acted on the installation of a light now and we get more calls if we might change our minds again. Councilman Johnson
said he did not think we should act on the spur of the moment, however something should be done to adjust the speed limit. Councilman Jordan stated at the time this was considered it was brought up that Prairie Village was going to widen Somerset and that there was going to be an extensive traffic survey made at that corner. She added it was also brought out that in the evening hours this was an extremely bad intersection with the traffic turning in and out of Bickley's, therefore the restriction to school hours was not applied to the speed limit. Councilman Ballard stated he was totally opposed to raising the speed limit back to 35 miles per hour there; a big part of the problem is that cars are coming around there too fast; all of the other streets coming in there have a 25 miles per hour speed limit. Councilman Johnson said there is a stop sign at Somerset and they have to wait; there is nothing wrong in waiting for your turn. Councilman Jordan said it is more serious than that, if you wait at the stop sign you cannot see the approaching traffic; the Police Judge has made the observation on numerous occasions that this is the worst intersection in Leawood. Councilman Bruns said the Public Safety Commission is working on a more complicated, sophisticated system for a permanent solution for that area and he would hate to be doing a lot of stopgap measures because they are expensive. Councilman Blattenberg asked if the Safety Commission was working on a permanent solution to this, to which Councilman Roach replied, we have been working on that corner for as long as I have been a member of the Commission.

Councilman Blattenberg said he would be willing to withdraw his motion providing we can have a recommendation from the Public Safety Commission within a reasonable length of time. Councilman Roach stated the Public Safety Commission will make such a recommendation within a reasonable time providing the City Council finds the money to make a professional study of the situation; the amount of money involved for a study probably is around $1,000 to $1,200. Councilman Bruns asked if the Power & Light Company would provide this study. Councilman Roach said he would find out. Councilman Blattenberg said he considered a month as a reasonable length of time for a recommendation as to the solution for this corner. Councilman Roach stated he could not do it within a month, but within a month he would know whether or not we are going to be able to come up with a solution. Councilman Jordan asked if this is not the kind of thing that would fall within the sphere of the Intergovernmental Cooperation Committee. Councilman Johnson said he did not think it has anything to do with that Committee--this is a safety problem, we should come up with our solution and let Prairie Village either agree and pay their share or disagree and not pay it as they normally do.

Councilman Blattenberg's motion failed with Councilmen Blattenberg and Johnson voting for passage, and six nay votes.
Councilman Johnson said now he wanted to think of our senior citizens and the dangerous crossing at Somerset. He said in view of the fact that it is going to be some time before we can help them further, he would move that we have school crossing type lights installed at the proper location at Somerset and Lee Boulevard; seconded by Councilman Ballard. Councilman Roach commented that Councilman Blattenberg has asked us to make some sort of a study at that intersection; we should not move hastily on the installation of lights. Councilmen Johnson and Blattenberg agreed this had been disregarded and we voted on the motion. Councilmen Gray and Bruns expressed their concern about where we would get the money for the light. Councilman Ballard said in the motion there is no time limit on when this light is going in and nobody expects us to spend money we do not have, but this should be given a high priority and the Council should make a firm commitment to the effect that we do need crossing lights in the vicinity of Somerset and Lee Boulevard. At the suggestion of Councilman Bruns, Councilman Johnson amended his motion to include that the light be installed upon the recommendation of the Board of Public Safety; amendment seconded by Councilman Ballard.

Councilman Jordan stated we all recognize this is an extremely dangerous intersection and rather than take a shotgun approach it is about time we settled down and found out exactly what has to be done; if it is a question of absolute public necessity, then we are simply going to have to write up our brief and go for no fund warrants. Councilman Johnson said we do not have very much money between now and the first of the year and we had better stop spending as we started out to do earlier this evening.

The motion failed by a vote of 3 to 5 (Councilmen Bruns, Ballard and Johnson voting for passage).

Harvey Present commented that not all parents are against safety patrols at Marsha Bagby; this issue has been before this Council for years, not one time have they gone ahead and appropriated money in any future budget. Mr. Present applauded Mayor Dostal for his commitment on the police matter; he asked if the City could put up a railroad-type crossing from the Leawood side that when the button is pushed a drop-gate comes down and stops traffic. Mr. Present asked for consideration of the request for a pushbutton light at Somerset and Lee; he said this Council has a moral obligation when they serve and they should act on some of these things.

Mrs. W. I. Williams thanked Mayor Dostal for the help they have had this past week, for his recommendations for the future, and thanked Councilman Ballard for his interest. She asked why it is an either-or situation for the Violations Clerk or the crossing guards for the balance of 1970 but it is a Violations Clerk for 1971. Councilman
Blattenberg stated that was not what he said; it is an either-or situation for 1971 also. Mrs. Williams asked that the crossing guards be considered on a priority level, that they be considered individually. She asked if the recommendation that the Police Department continue supervision at our crossing carries through into next year, 1971; Mayor Dostal said this was his directive to the Chief of Police. Councilman Ballard asked, "Is there any way that we could have a representative from each one of these schools so it could be considered on an individual basis?" He added, "I am sure some of these must have a lot higher priority than others." Mrs. Williams said she had asked Mr. Roach if she could attend their meeting and was told it was closed; she said she was sure all representatives from every school would be more than happy to sit down and outline in detail what they would like and to work with the City in any way they could.

Mr. Beaty said he believed in student guards, but that is not an adequate approach; we need assistance on a street that carries the kind of traffic that 95th Street does, and asked that some effort be made to put the matter on the agenda for consideration in the 1972 budget. Councilman Johnson said Mr. Beaty's point is well taken but there is no busier street in the State of Kansas than Kellogg Avenue in Wichita and they have student guards there.

A mother from the audience who stated she had an 11-year-old daughter at Marsha Bagby said she would fear for her daughter's life if she were guiding traffic on 95th Street.

Mr. Present said you keep insisting it is the moral obligation of the City of Leawood to protect its crossings; you have been acting on this thing for years; when did the moral obligation take action? Councilman Roach answered it took action last Council meeting when the Public Safety Commission recommended that the City find $3,000 somewhere (he said he was not satisfied that that has been done) to pay adult supervisors to watch these crossings so our children can get across to school safely, so the parents would not have to be out there in the rain and the snow, and so that our patrolmen could go about the duties they are paid to do. Mr. Present expressed his frustration over lack of funds to finance crossing guards for the balance of 1970 and for 1971. Mayor Dostal explained the effect of the budget lid. Mayor Dostal suggested that Mr. Present call the City Clerk in February or March and ask her to send a notice when the departments are setting up their budgets; and they will give respectful attention, and perhaps in 1972 they can fit it in.

Mayor Dostal asked Councilman Roach to change the rules of the Public Safety Commission so that its meetings are not closed; if something cannot be discussed in public, go into executive session. Councilman Roach responded that word got out to Mrs. Williams from somebody who attended the
meeting to discuss the crossing situation at Marsha Bagby before we could report back to the City Council. Councilman Roach said we will not have open meetings when things are in such a tender situation as the Public Safety activities; we cannot have them open because we discuss things that have to remain private. Mayor Dostal said you can always close the meeting in an executive session; all the committees of the City should operate in a goldfish bowl.

Councilman Roach said he had changed his mind about his request for an executive session this evening and said he would like to bring up the matter at a proper point on the agenda.

Mrs. Gersh said they had nine or ten mothers about two weeks ago who were ready, willing and able to do the crossing guard duties and they were told they could not be commissioned by the City. Mayor Dostal said he was not aware of this and said he would like for the Public Safety Commission to talk to perhaps one representative of each school. Councilman Roach said we have no objection to that, at the proper time and place. Councilman Ballard said he could sympathize with Councilman Roach but he would like to see something accomplished on this that is a little more fruitful than all of the discussion here tonight. Councilman Ballard recommended that Mayor Dostal call a meeting and get at least one representative from each school and the Public Safety Commission and see if some solution to the problem can be worked out, and bring it back to the Council, but come here with a recommendation that is an agreement with the Public Safety Commission and the representatives from each school if at all possible, as opposed to trying to do it in the manner in which we have been doing it.

Mrs. Gersh noted that Councilman Roach did not initiate the closed meeting because an attempt to have a meeting in previous years with the Public Safety Commission was fruitless.

Councilman Roach read a statement in which he charged that Mayor Dostal acted unilaterally in instructing the Chief of Police to post an officer at the Marsha Bagby School in Overland Park each morning at eight o'clock until the Mayor instructed otherwise, and that Mayor again acted unilaterally when he agreed to make one Leawood police officer available to the Johnson County Narcotics Squad. Councilman Roach said that by these two unilateral actions Mayor Dostal has made a gutless wonder of the Public Safety Commission.

Councilman Roach went on to state since the Mayor chose to act unilaterally in some Public Safety matters he should act unilaterally to find almost immediately $799.00 needed to change over all police radio and station monitors as ordered by the Federal Communications Commission, and to
find $366.00 to replace worn trousers, shirts and jackets of police officers.

Councilman Roach charged that the Mayor's unilateral actions have cast a grievous reflection on the capabilities of members of the Public Safety Commission as business and professional men, and that because of the Mayor's actions morale of the Leawood Police Force is at a low ebb. Councilman Roach asked that the Mayor permit the Police Department to be run by professionals.

Mayor Dostal replied: Many months ago the Public Safety Commission made a judgment that a police car should be sent to the Marsha Bagby School until some solution to the crossing problem was found. For some reason or other they found time and again that they could not be there. Finally, when I got a call from a very respected lady who told me of the dangerous situation at Marsha Bagby I called each member of the Safety Commission except Dennis Robinson who is ill, and asked them to come see me that morning. Each had an excuse and I am sure it was a valid one. I then told Chief Kelly to have a police car there. I did not direct him to go to Overland Park. If you are worried about being in Overland Park, please put the car in Leawood and assist those people as much as you can.

Mayor Dostal continued: This other allegation is so without foundation that it baffles the imagination and it is probably based on press reports. Sheriff Fred Allenbrand appeared before the Council of Mayors with Sergeant Tush, Victor Kearns and others outlining a plan for a Narcotics Bureau. They wanted the cities to help financially but I told them for the City of Leawood it is just impossible, we do not have the funds. Then the question came up about cooperation with the other police forces. We are doing that right now. There was no commitment whatsoever in any manner, shape or form that a Leawood officer would be assigned and if he is assigned right now, I direct he be immediately taken off that assignment because there was no such direction given, none implied and it should not be taken.

Councilman Roach asked Chief Kelly if one of his men reported to the Narcotics Bureau this morning. Chief Kelly answered yes but that was for an assignment in which Sergeant Tush asked for this officer and Lieutenant Agnew assigned him with my approval. Councilman Roach read a memo from Chief Kelly outlining the results of the Council of Mayors meeting and the program of cooperation with the Narcotics Bureau.

Mayor Dostal denied writing a letter to Sheriff Allenbrand as related in the memo. He said the only thing these people asked for is continued cooperation; the Council of Mayors merely felt that if something happens in Leawood where the Johnson County people are involved, they want to get the cooperation of the narcotics officer here who is very adept at this. There was no commitment made by
any of the mayors. Mayor Dostal said he was pleased that this was brought out in the open because there is not one iota of truth to it, and the other thing about the police car has been explained time and time again and it was done merely to supplement an action that was taken many, many months ago. Mayor Dostal said he had done nothing to antagonize Chief Kelly, his Department, or the Safety Commission, and had cooperated with them one hundred percent.

Mr. Present said school crossing is important but he would rather have overall police protection than at one crossing. Mr. Present suggested possibly reconsidering school crossing for the remainder of the year, giving the special commissions to some of the parents, and training students.

Councilman Jordan said she would like to explain that the Violations Clerk was never to have required any increase in budget; it was an endeavor to keep the present personnel in a position to keep up with the work. The State law of Kansas requires that every second class city have a court that is open at all reasonable hours; furthermore, it requires that all pleas, all sentencing, all collections of fines be done in open court. This is a very time-consuming operation. The idea of a Violations Clerk is to allow clerical personnel to dispose of minor offenses in an administrative rather than a judicial proceeding. There is no reason why a Violations Clerk should cost the City additional money. Since Judge Ullom has not as yet declared the necessity for a Traffic Violations Bureau there is no need to authorize that a Violations Clerk be appointed. On this basis, Councilman Jordan moved that the motion tabled last meeting for the appropriation of $3,000 for crossing guards in the 1971 budget be put to question; Councilman Roach seconded the motion. Councilman Ballard said he would still like to have Mayor Dostal meet with the Public Safety Commission, the Budget & Finance Committee and come back, not with the fact that $3,000 can be found somewhere, but with very specific recommendations as to the area or areas from which this is to be taken out of the budget, and a specific solution for each one of these schools which you are willing to support.

Mayor Dostal asked the City Clerk to write each of these schools involved to send the name of a representative to meet with us, and then when we get those names, we will try to set up a meeting with the Chairman of the Budget & Finance Committee, the Safety Commission, the school representatives and myself.

Councilman Ballard said just so there is no confusion in anybody's mind about what we intend to do, let us think in terms of this thing starting no sooner than after January 1, 1971, and not confuse the issue of the remainder of 1970; it is a problem now but solving it on down the road is much more of a problem; let's get by the best we can for the remainder of this year and try to have this thing solved by January 1, 1971. Motion passed.
Councilman Roach moved that $3,000 be found with which to pay adult supervisors of crossings within the City of Leawood beginning January 1, 1971; seconded by Councilman Gray. Motion carried 6 to 2 with Councilmen Blattenberg and Bruns dissenting.

Councilman Johnson asked that in the future the Council be informed of Administration and Budget & Finance meetings. Mayor Dostal instructed the City Clerk to comply with this request.

A lady in the audience suggested using teacher aides as crossing guards. Mrs. Williams said one is acting in this capacity at the Marsha Bagby School. Mayor Dostal asked the P.T.A. representatives to please respond to the letter from the City Clerk, name their representatives and bring the teacher's aide or some representative of the school administration to this meeting.

Councilman Johnson said he wanted it to be a matter of record that he was in favor of crossing guards.

Mrs. Williams confirmed that until a decision is reached the Police Department will be at Marsha Bagby when possible.

Councilman Johnson commented as part of the audience was leaving that he wanted it to be known that he as a Councilman and his colleagues appreciate audiences whether we agree or disagree.

Bids for Sand Spreaders - Street Department: Councilman Bruns reported bids for eight-foot sand spreaders, approved by the Council and included in the budget, as follows:

Cline Construction Equipment, Inc., 7th and Kindelberger Road, Kansas City, Kansas, two units at $2,565.25, total, $5,130.50, less trade-in of two spreaders, $899.50, or a total of $4,231.00.

Newlin Machinery Company, 611 Southwest Boulevard, Kansas City, Kansas, two units less trade-ins, $2,295.00 each, total $4,590.00.

Councilman Ballard moved that Councilman Bruns and the Street Superintendent be authorized to analyze these bids in regard to accessories in question and make a selection. Councilman Bruns asked for a short recess to go over the bids with the Street Superintendent. Councilman Ballard withdrew his motion.

There was a short recess.

The Council reconvened at 9:30 p.m. following the recess. Councilmen Blattenberg, Tiemeyer, Roach, Gray, Ballard, Bruns, Johnson and Jordan were present.
Bids for Sand Spreaders - Street Department (continued): Councilman Bruns stated the only question was that the Newlin bid included a piece of optional electrical equipment which we did not feel we needed. This optional equipment runs about $250.00 which would make the Newlin bid total $4,340.00 for the two spreaders; Cline is $4,331.00. Councilman Bruns said the equipment is comparable and both bidders are in Kansas. Councilman Bruns moved that the Council approve the bid of the Cline Construction Equipment, Inc.; seconded by Councilman Johnson. Motion passed.

Additional Traffic Signal Equipment at the Cure of Ars School: Councilman Roach moved the passage of Resolution #16 under Ordinance 193 providing for a yellow flashing traffic signal at the Cure of Ars School at the northern boundary of Ranch Mart Shopping Center on the east side of Mission Road as suggested at the last meeting; seconded by Councilman Bruns. Councilman Ballard asked how much it was going to cost. Councilman Roach said he could not answer that question. Councilman Jordan asked if there would be an equivalent light on the other side of the street to mark the other boundary of the school zone. Councilman Roach said that is in Prairie Village and is not in this consideration. Councilman Jordan asked if in Mr. Roach's opinion this was part of the package in examining the school crossings or is this all that is going to be done for Cure of Ars. Councilman Roach said Cure of Ars would continue to be considered. Councilman Ballard said he felt this should be a part of the recommendation from the Safety Commission; he said we are interested in a professional solution to this problem.

Councilman Johnson asked if our traffic signals and street lights are billed to us by the Kansas City Power & Light or do they give credit for the unused portion of our franchise tax. Councilman Blattenberg said they give us credit. Councilman Johnson stated therefore we have no problem, we do not budget it and we can spend it. Councilman Blattenberg said at the present time the annual billing for the street lights, traffic lights, etc. is somewhat in excess of the annual franchise tax, by about $2,000. Councilman Johnson said we should have that figure so we can talk about it intelligently, so we don't have to say we have to budget for it when it is not a budgeted item. Councilman Blattenberg stated at the moment this is outside the budget. We have a surplus of $50,000 from which the amount of billing in excess of franchise tax is taken. Councilman Ballard asked if the installation of lights comes out of that. Councilman Blattenberg answered he did not know. Councilman Johnson stated it used to be that everything came out of the franchise tax. Councilman Ballard said this would bear looking into as the solution to our school problem. Councilman Roach withdrew his motion and stated he would check into this matter and bring it up again. Councilman Bruns withdrew his second.
Wage and Salary Schedules: Councilman Jordan stated she was not prepared on this; she had requested that these wage and salary schedules be drawn up reflecting the increases that were agreed upon informally by the Budget Committee and as yet she had not received them. Councilman Jordan said when the Code went into effect, these special ordinances were not affected so we are still operating under the 1970 wage and salary schedules. These will have to be updated before the merit increases that are scheduled for November 15 can be authorized. She suggested that the wage and salary ordinances be prepared as requested for this meeting and presented at the December 7 meeting, and that any merit increase considerations that would normally appear before the Council at this meeting be tabled until after these wage and salary schedules have been corrected and brought up to date.

Recommendations for Salary Increases - All Departments: This had to be deferred to the next meeting as noted above.

Request from Telecable of Overland Park, Inc. for Hearing: Mayor Dostal read a letter from Mr. D. A. Purcell, Jr., vice president of Telecable of Overland Park, Inc. requesting a hearing before the Council to discuss extension of its CATV service from Overland Park to Leawood, and asking that if the Council is willing to grant such a hearing that Mr. Murray Nolte be contacted. Councilman Blattenberg asked if there were competing outfits. Councilman Roach said there are 1,080 companies throughout the United States. He said Telecable was probably a very good average sized one and should be quite representative. He encouraged the Council to invite Mr. Nolte and hear him out. Councilman Johnson stated there was a comprehensive article in the November issue of Changing Times on the subject and it lists all the companies. Mayor Dostal stated that the Council of Mayors of the various cities of the community are more or less indicating that they are all going to go with this one outfit so that we have continuity and better service.

Councilman Jordan said we probably would want to look into such items as the rights of way and easements. Councilman Roach said generally they want to use existing utility easements. Councilman Jordan said we have some problems with the franchises that have already been granted in Leawood.

It was agreed that Mr. Nolte should be invited to a mid-month meeting after the first of the year. Mayor Dostal directed the City Clerk to write Mr. Nolte.

Traffic Safety - School Crossings: Councilman Ballard moved that the report on the traffic safety—school
crossing problem be brought back before the Council at the second meeting of December; that would be the last meeting prior to the first of the year and would give the maximum possible time for study of the situation for incorporation hopefully in time to start the 1971 school year; seconded by Councilman Jordan.

Councilman Blattenberg reported he had a call from the committeewoman in his ward to the effect that she had been conducting a survey; she said the people she had surveyed in this area felt that in view of the tremendous disparity in budget between schools and city that it did not appear that the city ought to spend this money. Councilman Bruns stated this was his position. Councilman Johnson said we should still get an opinion on this subject from Topeka rather than Senator Bennett. Mayor Dostal directed the City Clerk to write a letter to the Attorney General for his legal opinion regarding the responsibility at school crossings, whether it falls on the schools or the city. Motion passed unanimously.

Police Department: Councilman Roach recommended approval of the employment of

Steven G. Shults, Probationary Patrolman @ $500 per month.

Councilman Bruns moved this be approved; seconded by Councilman Johnson. Motion carried.

Councilman Roach said we have to find $799.00 to change frequencies on police radios and $399.00 for uniforms. Chief Kelly said these items were included in his projection for the rest of the year submitted to the City Clerk. Councilman Blattenberg said it appeared the projection, including $802.00 for communications maintenance and $400.00 for uniforms, was $1,600.00 over the Public Safety budget but this will be subsidized by the Administration department.

Councilman Johnson said it is extremely important that anyone chairing a committee have a copy of anything submitted to the City Clerk relating to that committee.

Mayor Dostal stated the auditors were most complimentary of the way the City's books are handled. Councilman Jordan asked if the City was now operating under the purchase order system. Mrs. Oberlander advised that this was started last Friday.

On motion by Councilman Bruns, seconded by Councilman Blattenberg, the meeting adjourned to December 7, 1970, 7:00 p.m.
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 p.m. on Monday, December 7, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Tiemeyer, Ballard, Bruns, Johnson, Jordan.

Minutes: Mayor Dostal requested that in the eleventh line from the top of page 1184 the word "when" be inserted in place of the word "and" so that the sentence would read: "Councilmen Johnson and Blattenberg agreed this had been disregarded when we voted on the motion." Upon motion by Councilman Bruns, seconded by Councilman Johnson, the minutes of the meeting of November 16, 1970 were approved as corrected.

Mayor Dostal referred to his comments in the minutes of November 16 relative to the placing of an officer on the Johnson County Narcotics Bureau squad. He said he meant to infer that we should continue to cooperate with Johnson County in all respects as we have been.

REPORTS:

Treasurer: Mr. Hodson reported as of November 30, 1970, total revenue, $69,347.49; expenditures, $49,072.89; balance, all funds, $55,552.46.

After a discussion of the heading of the column of Administrative expenditures, it was agreed that it would in the future be entitled "Known Expenditures Through the (month) Ordinance". Councilman Johnson asked if the Administrative figure includes the needs of the Police Department discussed at the last meeting. Councilman Blattenberg said it does not. With the projections from the various departments, Councilman Blattenberg said by the end of the year the Police Department will be in a slight negative position, Fire Department a slight negative, Street Department a slight positive, and Administration a slight positive.

Councilman Johnson asked the amount of the Administration budget for 1971. Councilman Blattenberg handed Councilman Johnson the figures. Treasurer's report approved on motion by Councilman Johnson, seconded by Councilman Bruns.

Police Judge: Judge Ullom reported 282 cases docketed and fines of $3,410.00 for the month. Report approved on motion by Councilman Bruns, seconded by Councilman Blattenberg. Councilman Jordan asked Judge Ullom if he had declared the need for a Traffic Violations Bureau and had created it by the rules of the court. Judge Ullom answered yes, and said he had been informed by Mrs. Selsor that she would like to dispense with this particular duty. Councilman Jordan said
then we are now in a position to discuss the filling of the position of Traffic Violations Clerk. Judge Ullom added the position of Clerk of the Municipal Court, now being filled on an interim basis, should also be filled.

Fire Department: Chief Toman reported 24 calls for the month of November, including 10 rescue car calls; fire loss for the month, 116,350.00; fire loss for the year to date, 1,743.23. Report approved on motion by Councilman Blattenberg, seconded by Councilman Jordan.

Police Department: Chief Kelly reported 196 arrests, 745 calls handled and 131 homes checked periodically during the month. Report approved on motion by Councilman Bruns, seconded by Councilman Blattenberg. Councilman Johnson asked Chief Kelly how many reserve officers we have at the present time. Chief Kelly said at the present time we have none. Councilman Johnson asked if we had trouble getting reserve officers. Chief Kelly answered yes we do because of the type of training required for paid reserves.


Request for Variance from Ordinance Relating to Use of Firearms in Undeveloped Area: Mr. Marvin Smith stated he and Mr. Graham Giblin were present to ask the Council for an amendment to a City ordinance relating to firearms for hunting or taking of a game animal within the City limits. He said they represented a total of over 1,200 acres in Leawood on which they run stock. Mr. Smith said from the predatory standpoint they felt they should be justified in protecting their property and that consideration should be given on large undeveloped acreages. He said they felt they should have the privilege of taking game animals on their own property by means of firearms. Mayor Dostal stated the Chairman of the Ordinance Committee would consult with the City Attorney on this matter, and asked Mr. Smith to write Councilman Jordan a letter, with copy to the City Attorney, stating the acreage involved, etc. Appropriate action will then be taken.

COMMITTEE & COMMISSION REPORTS:

Budget & Finance: No report.

Building Code: No report.


Ordinance:

Ordinance No. 392 S - 54th Annexation of Territory:
Councilman Jordan stated this annexation relates to a tract of 4.76 acres immediately to the west of the Indian Creek Pumping Station which had heretofore been accepted and was now completely surrounded by the City. Councilman Jordan recommended that the 54th Annexation of Territory be adopted by the Council under KSA 12-520(c) and (d), more than a fifty per cent common boundary with less than 20 acres and will straighten and harmonize the boundaries of the City. Councilman Johnson asked what prevented us from annexing with consent which is normally our policy. Councilman Tiemeyer said this had been approved for some time and inadvertently overlooked. Councilman Jordan said she understood consent was given many years ago. Councilman Johnson said it reads as though we are going to annex without consent. Councilman Jordan said because of the formalities that are attendant to a petition and consent type of annexation it is much less problem for the City to annex under the enabling statute. Councilman Johnson said if we have consent he would like it to be a matter of consent because we have gone to a great deal of trouble in the past to annex with consent. Mayor Dostal said to go the route of obtaining consent would be unnecessary and would serve no purpose in this instance. Councilman Johnson asked if there was any reason why we have to take it in at this time. Councilman Jordan said the reason was the new City map. Councilman Johnson withdrew his objections. Councilman Tiemeyer added that the party who owned the land was under the impression for quite some time that it was in the City. Vote: aye, Blattenberg, Tiemeyer, Ballard, Bruns, Jordan; Councilman Johnson abstained. Ordinance adopted.

Ordinance No. 389 S - Relating to City Boundaries: Councilman Jordan said state statute requires that during any year in which an annexation has passed within the City that a new description of the boundaries be filed with the County Clerk, the Board of Elections and the Registrar of Deeds for the County in which the property is located. Councilman Jordan recommended adoption of Ordinance No. 389 S setting forth a metes and bounds description of the entire City brought up to date and including the 54th Annexation of Territory passed immediately prior to introduction of this ordinance. Vote: aye, Blattenberg, Tiemeyer, Ballard, Bruns, Johnson, Jordan. Ordinance adopted.

Ordinance No. 390 G - Providing for Sick Leave and Vacation Allowances for Permanent Part Time Employees: Councilman Jordan said that since the wage and salary schedules are so frequently amended they will not be included in general ordinances but will simply be special ordinances kept on file. Ordinance 390 G provides for sick leave and vacation allowances for permanent part time employees. This material was originally included in the wage and salary schedule portion that is being repealed by the new schedule; we are separating out the general policy material and re-enacting it. Councilman Jordan moved the adoption of Ordinance 390 G.
Councilman Jordan stated this is simply to preserve a policy that has been in effect for a number of years, the percentages are the same, nothing has been changed. She said the number of hours constituting a full week's work in each department is prescribed by the wage and salary ordinances. Councilman Ballard asked if we have any other ordinance or instruction relating to the length of time an employee has to be employed before he is eligible for any sick leave, etc. Councilman Jordan said there are three separate sections relating to this for the various departments. Vote: as, Blattenberg, Tiemeyer, Ballard, Bruns, Johnson, Jordan. Ordinance adopted.

Ordinance No. 391 G - Providing for Substitution of Personnel:
Councilman Jordan said this ordinance states when any salaried employee performs any duties for the City on an hourly basis that employee shall be paid by the hour on the basis of his or her regular monthly salary. This is the same provision that has always been attached to the wage and salary schedules and is being re-enacted in order to preserve it. Councilman Jordan commented she would like to direct the Council's attention to consideration of whether or not we wish to pay the substitute personnel's wage rate even when it is very different from that on the job for which that person is being substituted. She asked if we have substituting for a clerk a high-salaried person whose wage rate is substantially in excess of the wage rate paid for a clerk, is this policy to be continued? If not, it would be necessary to add a stipulation that the payment of the regular monthly salary would be limited to a maximum payment for the range of the job for which the substitution is effected. Mayor Dostal said the Administrative Committee recommended the $2.00 minimum and $2.50 maximum for new employees so they do not come in at a rate higher than the people who have worked here for some time. Councilman Johnson said in most instances the replacement should come from the present staff. Councilman Jordan said the substitution of a higher salaried person most frequently occurs when we have the Police Clerk performing the duties of Court Clerk and being paid substantially in excess of the maximum of the range for Court Clerk.

Councilmen Blattenberg and Jordan agreed a phrase should be added which goes both ways, such as: "provided such monthly salary is within the salary range for the job for which she performs substitute duties." Councilman Jordan said the ranges in all departments except Administration are large enough that the rate of the person stepping in to take the job would be within the range. Councilman Ballard stated that might generally work out but it would not necessarily always be the case; we should not tie ourselves down to the point where we have to move someone up and raise the salary; he said it was poor salary administration to pay salaried people on an hourly basis for overtime; the reason they are on a salary is to make some contribution above a normal hourly employee. He said he did not challenge overtime pay for filling in as secretary of the commissions, but he would
hate to see an ordinance where we get into a position where everybody starts working overtime. Mayor Dostal stated this is not the intent and if it did happen it would be stopped by the department heads. Councilman Ballard stated it should not be written in the ordinance. Councilman Jordan said the Police Clerk has always been the Clerk of the Court and as it now stands the recommendations for Clerk of the Court are less than we are currently filling the job for, which seems a little unrealistic. Councilman Johnson said there should not be any reduction in that case, it is only when we hire an employee for that job; that should be understood.

Judge Ullom stated the problem with the Clerk of the Municipal Court will be eliminated once there is one person appointed to handle not only Clerk of the Municipal Court but also the Violations Bureau.

Councilman Johnson said he was violently opposed to trying to operate this City by the elimination of a wage and salary committee; he said a wage and salary committee is necessary, they do the research; it seems as though now the research is handled by the Ordinance Committee and whoever else might feel like doing the job. He said we are doing the City an injustice by not having a wage and salary committee. He said this also pertains to what is coming up next which he would have many comments on.

Councilman Ballard said the wording is "when any salaried employee performs these duties", is there something to cover an hourly employee? He said he did not know what the classifications are between hourly and salary. Councilman Jordan stated these are set forth in the wage and salary section; the division is made on the basis that a salaried employee is a full time position, an hourly employee is a part time position. Councilman Johnson moved that the ordinance as presented be amended by deleting the word "salaried" in Section 1, and deleting the word "monthly" in the last sentence so that it will read: "When any employee performs any duties of the City on an hourly basis that employee shall be paid by the hour on the basis of his or her regular rate." Councilman Jordan recommended the ordinance as corrected be adopted. Vote: aye, Blattenberg, Tiemeyer, Ballard, Bruns, Johnson, Jordan. Ordinance adopted.

Discussion Relative to Value of a Wage and Salary Committee: Councilman Jordan stated in view of Councilman Johnson's earlier remarks, she would like to point out that the wage and salary review is the responsibility of each individual department and in no wise is the bailiwick of the ordinance committee; we simply collect the recommendations from the various departments and point up and try to reconcile discrepancies that arise between departments. She said the Ordinance Committee has neither the time nor the inclination to do the wage and salary surveys that are the particular province of each department. Councilman Johnson said that
part of his remark was facetious but he still felt we should have a wage and salary committee to look at these rates objectively; it is very difficult for a manager of a department to set an objective budget. Councilman Bruns said he totally disagreed, the wage and salary committee as it has operated in the past has been a bit of red tape; the department heads are the ones who know who should get what and if it is within the budget it is the final responsibility of the Council to approve or disapprove. Mayor Dostal said the reason this committee was taken out of the ordinances was so the department heads would make their survey to see what other people in the area are paid; they know what their personnel do, and then they would sell the Council; a lot of times the wage and salary committee got bogged down and caused a lot of delay. Councilman Ballard added he agreed it should be the Council that acts as the committee, they are the ones with the budget and problems associated with the whole thing; if the Council does its job properly we do not need the wage and salary committee. Councilman Johnson raised the question as to whether Councilmen were knowledgeable. Mayor Dostal said we have to take the word of our department heads who have surveyed these things; most people are knowledgeable on whether we are paying a man too much or too little. Councilman Ballard said he would rather take a chance on the Council as opposed to a wage and salary committee.

Discussion Preliminary to Consideration of Rate Reviews: Councilman Jordan said these rate reviews should have been acted on in connection with the budget in June. This did not get done with the press of the new budget, the tax lid and the adoption of the new codification. She said she would be anxious to have recommendations as to how this should be reviewed and handled in the future. She said these rates were agreed to in connection with the new budget when it was set up, now we are simply regularizing them and putting them into ordinance form. Councilman Blattenberg added these rates, or some of them, are the rates which were assumed in preparing the numbers in the budget which were approved by the Council. Councilman Ballard said he would like to delay voting on these tonight and would like to see this presented in a fashion that makes it easy to comprehend, with the minimum and maximum per month we are proposing, the present minimum and maximum, and the percentage difference. Councilman Johnson said he had this information noted on his copy. Mayor Dostal said we are getting toward the end of the year and want to make the merit increases effective January 1, 1971 so we are rather pressed. Councilman Bruns said he had checked the salary schedules of 13 cities and would be happy to furnish a copy of his compilation. Councilman Ballard said he was interested in a percentage figure but did not want to hold it up. Councilman Johnson said he thought this material should be available before we make a decision; he said he would like to know what other cities are paying. Mayor
Dostal said this information is available, if you want it during the course of the evening just inquire. Councilman Bruns added this was all brought out by the Budget and Finance Committee when the department heads appeared before them; if the recommendations that are being presented had not already been discussed, questioned and justified they would not even be in the budget. Councilman Johnson said he would point out obvious mistakes.

Discussion of Special Ordinance Providing for the Establishment of Wage and Salary Schedules for Budget Year 1971:
Councilman Jordan stated she would like to establish the fact that because merit increases need to be passed on, we are asking that this ordinance be passed on first reading because the figures were not made available to me at the time of the last meeting. Mayor Dostal amended Councilman Jordan's statement by saying that Administration recommendations were in; Councilman Bruns said the Street Department recommendations were also in for the last meeting. Councilman Jordan referred to Section 1-1001, and pointed out that the mid point has been eliminated on the basis that it was fairly meaningless. She said this is a special ordinance in connection with the 1971 budget that establishes the rates for all branches of the government and is limited to minimum and maximum salaries and deletes all of the customary policy material which we have re-enacted in the two previous ordinances. Councilman Jordan read schedules of wage and salary of Administrative employees. She pointed out that the recommendation of the Administrative Committee is that the Clerk of the Court be paid a minimum of $2.00 an hour, a maximum of $2.50 an hour; the Deputy Clerk of the Court a minimum of $2.00 per hour, maximum of $2.50 per hour. A classification has been created for Violations Bureau Clerk at the rate of $2.00 to $2.50 per hour.

Judge Ullom asked the purpose of splitting the offices of Clerk of the Court and Violations Clerk. Councilman Jordan said they are created as two positions but they can be held by the same person. Judge Ullom asked if an analysis had been made as to how many hours are applicable to Clerk of the Municipal Court and to Violations Bureau Clerk. Councilman Jordan replied she did a rough breakdown using the docket for the last six months. Judge Ullom said the problem is someone has to be, or should be as a matter of substantive procedure, on duty five days a week when the City Hall is normally open. He said we are not being fair to the individual citizens if we do not. Councilman Jordan stated the opinions that have been issued in this matter are that the Violations Bureau is a privilege for the citizens not to have to appear on court night, rather than a right, and therefore the hours are to be dictated by finance and the convenience of the department.

There was a short recess.

Tape No. 9 The Council reconvened at 8:25 p.m. following the recess. Councilmen Blattenberg, Tiemeyer, Ballard, Bruns, Johnson and Jordan were present.
Continuation of Discussion of Ordinance Providing for Wage and Salary Schedules: Councilman Johnson asked Councilman Jordan to state quickly what changes were made in the first section. Councilman Jordan said Sewer Clerk is now $100 to $150 where it simply had a maximum of $125 previously; Bookkeeper was $375 to $525 and has been raised to $400 to $600; Clerk was $350 to $475 and has been enlarged to $350 to $525; Clerk of the Court is a new classification since before it was not a job separate from the Police Clerk; recommended rate is $2.00 to $2.50 per hour; Deputy Clerk of the Court, $2.00 to $2.50 per hour; Violations Bureau Clerk, $2.00 to $2.50 per hour.

Councilman Johnson stated if he had not asked for a breakdown he was not sure he would have found out about these changes; the ordinance we are going to vote on is changed already; it is different than what was presented. Mayor Gostal said actually there is very little change. Councilman Jordan added the recommendations read were the recommendations of the Administrative Committee and the changes were made in the material that was sent to Councilmen because we attempted to reconcile the job classifications that overlapped between the Police and Administrative department. It is not the fault of the Administrative Committee, their recommendations were in advance of this distribution. Councilman Ballard said good salary administration would keep the minimum of the City Clerk up to something realistic. Councilman Jordan said we will have to reconcile the fact that our present Clerk of the Court is being paid in excess of the maximum for that classification. Councilman Johnson added the Sewer Clerk is a part time position but this is not stated in the schedule. There was a discussion of how to designate classifications that are not full time positions and yet not on an hourly basis. Councilman Jordan suggested separation of the classifications that are full time and those that are part time by marking City Clerk, Assistant City Clerk, Bookkeeper, and Clerk, Classifications a, b, d and e as full time, and Classifications c, f, g, h, i, j, k, l, m and n as part time.

Schedule of Wage and Salary for Public Works Department Employees, Section 3: Councilman Jordan stated Public Works Superintendent is a new classification; we now have a Public Works Superintendent in place of Street Superintendent and the rate has been raised from $650 to $800 to $1,000. In addition to the streets, the Public Works Superintendent has supervision of the sewer employees and park employees. Councilman Johnson confirmed that we have a Sewer Superintendent and the Public Works Superintendent is over him. Councilman Jordan said this is spelled out in the job description. Councilman Jordan continued: Assistant Street Superintendent was $525 to $700, new rate $550 to $700. Councilman Johnson asked why we did not have an increase in the maximum on the assistant. Councilman Jordan said this was because his duties have remained basically unchanged; the minimum was raised to make it agree with the Assistant Sewer Superintendent.
Sewer Superintendent, a job classification created last June, at $700 to $900 represents an increase in maximum from $850; the hourly rated employees that were $3.50 maximum (no minimum) per hour have a minimum of $3.25 and a maximum of $4.30 per hour. Councilman Johnson asked if the new rates were comparable with other cities in the area. Mayor Dostal read the present salaries of neighboring Public Works Superintendents. Councilman Johnson said he would have liked to have had some information about what 5 or 6 cities are paying their employees for the same job. Councilman Bruns said he would have brought the figures over if he had been called. Councilman Bruns disputed Councilman Johnson's statement that we had always had the figures before.

Schedule of Wages and Salaries for Police Department Employees: Councilman Jordan stated Police Chief old rate was $850 to $1,000, now is $900 to $1,075; Assistant Chief classification has been eliminated; Captain, $725 to $850, now $800 to $900; Lieutenant was $700 to $800, raised to $750 to $850; Sergeant or Detective was $650 to $750, now divided into two classifications both of which are $700 to $800; Corporal was $600 to $675, now $675 to $750; Patrolman First Class, $550 to $650, raised to $650 to $725; Patrolman has been $500 to $525, now $600 to $625; Police Clerk was $350 to $475 is now $375 to $475; Assistant Police Clerk is a new classification, $2.50 per hour minimum for an experienced stenographer and $2.75 on a merit maximum; Commissioned Police Matron unchanged, $400 to $500; and a new classification of Patrolman Reserve, minimum $3.25 per hour, no maximum set. Councilman Jordan said the observation is made that a regular employee of the Police Department shall be paid the hourly rate equivalent to regular salary if assigned other than disciplinary extra duty.

Councilman Johnson pointed out that last year the Police Chief was $850 to $1,000; the Fire Chief last year was $750 to $900; this year we have the Fire Chief at $900 to $1,100 and the Police Chief under the Fire Chief in maximum, $900 to $1,075. He said this is not the way it is done, a Police Chief is always rated above a Fire Chief. Councilman Johnson said in a telephone conversation Councilman Roach had agreed the Police Chief rate should be above the Fire Chief. Councilman Ballard moved that the Police Chief maximum be increased from $1,075 to $1,100 per month. Motion failed for want of a second. Councilman Johnson moved that the maximum rate for the Police Chief be changed to $1,200; seconded by Councilman Bruns. Councilman Blattenberg questioned whether the rate should be changed without consulting the Public Safety Commission. Councilman Jordan said she was going to make a motion when the reading is finished that we consider this the first reading and get the recommendation of the Public Safety Commission. Councilman Johnson withdrew his motion and Councilman Bruns withdrew his second.

Schedule of Wages and Salaries for Fire Department Employees: Councilman Jordan stated the rate for Fire Chief was $750 to
$900, new rate $900 to $1,100; rates in other classifications remain unchanged. Councilman Blattenberg commented with respect to both the Police and Fire ranges there is far too little spread between the minimum and maximum; he said he would recommend increasing the maxima; he said there should be some working guideline established as to the length of time it takes a man to work from bottom to top. Councilman Blattenberg agreed with Councilman Johnson that the rate of the Police Chief should be higher than that of the Fire Chief. After a discussion of the range between minimum and maximum figures, Mayor Dostal asked Councilmen Blattenberg and Jordan to detail this discussion and pass it on to the Chairman of the Public Safety Commission. Councilman Jordan said the matter will be presented at the December 21st meeting.

Plan Commission: No further report.

Request for Permission to Solicit Contributions - New Haven Seventh-Day Adventist Church: Rev. Stanley F. Pedersen introduced Mr. Brown, director of home missionary activities of the church. Mr. Brown said he had written earlier requesting permission to carry on their solicitation of funds for use among the less fortunate. He said this solicitation is done on a voluntary basis by the members of the church and it is very difficult to know who is going to be available so he brought a roster of the entire membership to the City Clerk so names would be available for the Chief of Police and those who might be interested. He said they would like to work from 5:00 until 9:00 one Saturday night, the 12th or the 19th. Councilman Johnson moved that the roster be used as a means of identification of the solicitors and that permission be granted for the solicitation on December 12 or 19 from 5:00 p.m. to 9:00 p.m., Mr. Brown to notify the Chief of Police of the day they plan to conduct the campaign; seconded by Councilman Bruns. Motion carried.

Public Safety - Resolution No. 223 providing for additional traffic signal equipment at Cure of Ars School: City Attorney Bagby stated this is a standard resolution, the amount is $11.75 per month. Councilman Johnson moved the adoption of Resolution No. 223 as follows:

RESOLUTION NO. 223

"BE IT RESOLVED that the Mayor be authorized to sign Resolution No. 16 under Ordinance No. 193 providing for additional traffic signal equipment in the City of Leawood, Kansas, to be paid for from the City's reserve fund with the Kansas City Power & Light Co. (Cure of Ars School, 93rd and Mission Road)"

Public Works - Street Department: Paul Myers reported activities including grading, ditching, work in annexed area, widening of intersection at 95th and Lee, repairing large storm sewer, sweeping streets, cleaning bridges and storm drains of debris. Councilman Bruns moved that
the Council grant permission to give each member of the Street Department a turkey for Christmas to show appreciation. Motion failed for want of a second. Councilman Tiemeyer said it was not a question of appreciation it was a question of other departments having working people also and we have to look at it fairly. Councilman Bruns said he was hoping that someone would make a motion that all members of all departments receive a turkey. Councilman Blattenberg said he did not disagree with the intent but suggested we hold off to see how the last ordinance comes out, and suggested this be put on the agenda for the special meeting at the end of December. Street Department report approved on motion by Councilman Jordan, seconded by Councilman Blattenberg.

Public Works - Park Commission: No report.

#162 Public Works - Sanitary Sewers & Storm Sewers: Councilman Ballard reported he was having a meeting with John Kroh and some of his people in regard to the prepaid sewer connections on Wednesday, that he would meet with Mr. Duncan on Thursday in Topeka, and on Friday he would meet with Shafer, Kline and Warren to review the work they have done up to this point in regard to the study of our system.

#163 Recommendations for Merit Increases: Deferred to next meeting.

Applications for Cereal Malt Beverage Licenses: City Attorney Bagby said the applications of Martins Finer Foods, King Louie Ranch Mart and Leawood South Golf & Country Club were in order. Upon motion by Councilman Bruns, seconded by Councilman Ballard, these applications for cereal malt beverage licenses were approved.

#167 Resolution No. 224 - Pertaining to Drug Control: Mayor Dostal said the auditor for the County Commissioners had recommended that the Commissioners go to no fund warrants and seek matching funds from the Federal Government to finance a drug control unit. Councilman Johnson asked what the cost was going to be to the City of Leawood; Mayor Dostal answered none. Councilman Jordan asked if there would be a problem with the limitation on the officers and employees to cooperate with Johnson County and other cities in initiating the formation of the drug control unit. Mayor Dostal said he did not believe so, it would merely be a continuation of the cooperation which exists now. Councilman Bruns moved the adoption of Resolution No. 224 in support of the County Commissioners' and Sheriff's effort to create a drug control unit in the County; seconded by Councilman Johnson. Resolution adopted. Councilman Ballard said he wondered about such terminology as "heroin epidemic"; Mayor Dostal said this is supported by hard information presented by people who are knowledgeable on the subject and they are very concerned.
Councilman Johnson asked if a letter had gone to the Attorney General asking for his legal opinion regarding the responsibility for school crossings; Mayor Dostal stated that letter had been sent.

Procedure on Insurance Bids: Councilman Blattenberg stated the City's Workmen's Compensation, general liability, automobile, contractor's equipment, monies and securities insurance is up for renewal the first of January. The procedure which was followed three years ago was to request bids from six companies: C. P. Denning, Haas & Wilkerson, Charles D. Williams, Palmer Insurance Agency, W. B. Johnson & Co., and G. Findlay Reed, Inc. At that time the Budget & Finance Committee opened those bids and reported to the Council. Councilman Blattenberg asked if it should be handled the same way this year and if anyone had any suggestions for any different agencies. Councilman Bruns suggested adding Thomas McGee & Sons to the list of agencies.

Ordinance No. 393 3 - Adoption of Official City Map:
Councilman Jordan moved the adoption of the City map which has been prepared and corrected in accordance with the annexation ordinance passed tonight. She said this is only a City map, all designation of zoning has been deleted as this will require a separate preparation by the Planning Commission. Vote: aye, Blattenberg, Tiemeyer, Ballard, Bruns, Johnson, Jordan. Ordinance adopted.

On motion by Councilman Johnson, duly seconded, the meeting adjourned to December 21, 1970, 7:00 p.m.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 p.m. on Monday, December 21, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Tiemeyer, Roach, Gray, Ballard, Bruns, Johnson.

Minutes: On motion by Councilman Bruns, seconded by Councilman Gray, the minutes of the meeting of December 7, 1970, were approved as submitted.

Cereal Malt Beverage License - Ranch Mart Bar-B-Q: City Attorney Bagby requested that this matter be deferred to the special meeting this month.


Proclamation regarding Jobs for Veterans: Mayor Dostal stated that pursuant to request of the Federal government a proclamation would be issued making January, 1971 "Jobs for Veterans Month," and he asked the Press to insert this in their publications.

Establishment of Auxilary Police Force: Councilman Roach stated the Public Safety Commission had met on December 9th with Mayor Dostal, the Budget and Finance Committee, Councilman Jordan and representatives from Bagby, Cure of Ars, Brookwood, Linwood and Somerset Schools and discussed school crossings. The conclusion was that a commissioned adult guard was the solution at Bagby at this time. Councilman Roach moved that the City of Leawood establish an auxiliary police force which would enable the City to commission adults for duty at the various school crossings; seconded by Councilman Johnson. Motion passed unanimously.

Councilman Roach then moved that the City of Leawood hire two adults for service as crossing guards to be paid the amount of $2.50 per hour for three hours per day each, the adults to serve at Bagby School in the morning and afternoon and at Brookwood School, 103rd and Lee Boulevard; seconded by Councilman Johnson. Councilman Johnson asked what about Cure of Ars. Councilman Roach said they indicated at the meeting that they were quite satisfied with the situation there particularly with the installation of the flashing light. Councilman Tiemeyer confirmed that the crossing guards would be members of the auxiliary police force trained by our regular police. Councilman Johnson said it is a matter of record that they will all be under the supervision and direction of the Chief of Police whether they are paid or not paid. Councilman Roach said Bagby and
PROCLAMATION

WHEREAS, more than one million servicemen and women will complete their military service in the Armed Forces and return to civilian life in the next 12 months; and

WHEREAS, these returning servicemen and women deserve every opportunity that a grateful nation can provide;

WHEREAS, these veterans must be given opportunities for employment and training and education that will prepare them for their future roles.
Brookwood were the only schools interested in crossing guards. Councilmen Bruns asked who was to interview and hire these people. Mayor Dostal and Councilman Roach said the Administrative staff would do the advertising and get the applicants, then they would be directed to the Chief of Police for interview and hiring. Councilman Tiemeyer asked if we would buy uniforms for them. Mayor Dostal said presently due to budget limitations they would be furnished with a cap and a brassard of some type. If donations are available from civic organizations we would furnish them uniforms. Motion passed unanimously.

Crossing at Somerset and Lee Boulevard: Councilman Roach exhibited a sketch prepared by the Public Works Superintendent illustrating the area on Lee Boulevard near Somerset Drive which has been a matter of some concern for the crossing of school children, and illustrating the solution agreed upon at the December 9th meeting. The sketch is attached hereto as a part of the record. The proposed solution includes installation of an asphalt sidewalk extending from Sagamore Road in a westerly direction to the point west of High Drive, a painted crosswalk from east to west on Lee Boulevard with installation of pedestrian pushbutton traffic lights. Approximate cost involved would be: Installation of 275 foot asphalt sidewalk, $75.00; painted crosswalk on Lee Boulevard, $60.00; or a total of $135.00 out of our budget; plus two 12-inch red lens pedestrian lights, one on the east side and one on the west side of Lee Boulevard, $18.50 per month, and an amber flashing warning light 250 feet to the south to alert traffic coming north, $11.75 per month; or a total of approximately $61.00 per month out of the Power and Light fund. Councilman Roach said the Public Safety Commission feels this is a partial solution to this problem and moved with some reservation that this solution be adopted and approved; seconded by Councilman Johnson. Councilman Roach said there would also be a new sidewalk west of Lee Boulevard as indicated on the sketch. Councilman Ballard suggested that the Safety Commission consider some method to keep cars from turning right off of Somerset Drive onto Lee Boulevard when the light is on stop. Councilman Roach said the Public Safety Commission would like to continue the study of the intersection. Motion carried unanimously.

Councilman Roach stated the Linwood representatives said they were satisfied with the present traffic control situation at their school. Mayor Dostal commended the Public Safety Commission and all the people present on December 9th for a fine discussion and very fruitful meeting. He said until the crossing guards are commissioned, we would continue with the police cars as they have been.

Councilman Johnson moved that after the new traffic signals are installed as indicated on the map, the sidewalks in, and the crossing painted, the speed limit on Lee Boulevard north of 83rd Street which was changed from 35 to 25 miles per hour
be increased to 35 miles per hour at times other than 7:30 a.m. to 9:30 a.m. and 2:30 p.m. to 4:30 p.m. Councilman Gray seconded the motion but stated he felt a study should be made at that corner. Councilman Roach said they did want to continue with the study but he was inclined to agree with the motion. Councilman Ballard said he was opposed to changing the speed limit back to 35 miles per hour in probably the most hazardous area in the City. Councilman Tiemeyer said he thought this was also to be of help to the elderly. Councilman Johnson said the pushbutton lights should take care of that.

Councilman Roach asked Chief Kelly about State regulations concerning school zones. Chief Kelly said if it is just a crosswalk some distance from the school it is not required by state law that we declare it a school zone; if we do declare it a school zone then we must enforce a minimum speed. Chief Kelly said we should have a reduction of speed for 900 feet involving the crosswalk. Councilman Johnson said we have never referred to that as a school zone. Motion carried 4 to 3, Councilmen Ballard, Bruns and Tiemeyer casting dissenting votes. Mayor Dostal asked the Public Safety Commission to survey the situation after all the installations are made as voted above.

Mrs. K. L. Turner said slowing the traffic to 25 miles per hour has made a remarkable difference on this curve and she really hated to see it put back up to 35 miles per hour. Councilman Johnson said the same results would be there during school hours. Mayor Dostal said it took him less than 60 seconds to negotiate this area at 25 miles per hour.

Mrs. Williams and Mrs. Turner each expressed thanks on behalf of parents and children at their respective schools and special thanks to Mayor Dostal for his attitude.

Ordinance No. 394 S - Providing for Establishment of Wage and Salary Schedules for Budget Year 1971: Councilman Blattenberg read the ordinance providing for establishment of wage and salary schedules to take effect and be in force from and after January 1, 1971. Councilman Bruns moved the ordinance be adopted. Vote: aye, Councilmen Blattenberg, Tiemeyer, Roach, Gray, Ballard, Bruns, Johnson. Ordinance adopted unanimously.

Recommendations for Merit Increases: Councilman Bruns read the recommendations for merit increases for Administrative employees, as follows:

- Larry Winn  $90 to $115
- Judge Ullom  $225 to $250
- Max Bagby  $350 to $400
- Jinny Oberlander, City Clerk  $565 to $615
- Jinny Oberlander, Sewer Clerk  $120 to $125
- Pat Trotter, Clerk  $410 to $445
- Dorothy Holtsclaw, Bookkeeper  $425 to $465
- Alice Smith  $395 to $430
December 21, 1970

Ruth Kuder, $2.20 per hour to $2.40 per hour
June Lile, Board of Zoning Appeals stenographer $2.00 per hour to $2.25 per hour
June Lile, Council Reporter remains $2.50 per hour.

Councilman Bruns stated these are all within the ordinance and within the budget, and moved that these merit increases be approved; seconded by Councilman Gray. Motion passed unanimously.

Councilman Bruns read recommendations for merit increases for Street Department employees, as follows:

Paul Myers $800 to $880 (Sewer Department to pay 20 per cent of this amount)
Emery Ingram, Mechanic $3.40 per hour to $3.74 per hour
Bob Hayes, Street Laborer $3.00 per hour to $3.30 per hour and Truck Driver
Ken Hanners, Street Laborer $3.00 per hour to $3.30 per hour
Jackie Evans, Laborer $2.65 per hour to $2.92 per hour
Larry Davis, Street Laborer $2.85 per hour to $3.14 per hour and Sweeper Operator
Dick Blakey, Laborer $2.95 per hour to $3.25 per hour
Larry Breiner, Street Laborer $3.25 per hour to $3.57 per hour Laborer and Grader Operator
Jerry Stipancich, Assistant $625 per month to $687.50 per month

Councilman Bruns stated these are all within the ordinance and within the budget, and moved for approval of these merit increases; seconded by Councilman Blattenberg. Motion passed unanimously.

Councilman Roach read the following recommended merit increases for the Fire Department:

Jourdan Toman, Fire Chief $900 to $965 per month
Abney Benoit, Captain $630 to $700
Gary Scheer, Captain $630 to $700
Jerry Strack, Captain $625 to $660
David Rapue, Fire Inspector and Firefighter 1st Class $575 to $610
Lee Allen Bledsoe, Probationary Firefighter $495 to $530
Jerry Goodwin, Firefighter 1st Class $520 to $550
Thomas Lovett, Firefighter 1st Class $525 to $560
Larry Podzimek, Probationary Firefighter $495.00
Larry Sidebottom, Firefighter 1st Class $520 to $550
Milton Sidebottom, Firefighter 1st Class $525 to $560
Dennis Thomason, Firefighter 1st Class $525 to $560
Councilman Roach stated these merit increases are all within the ordinance and within the budget, and he moved they be approved; seconded by Councilman Blattenberg. Motion carried unanimously.

Councilman Roach presented for consideration and approval the following merit increases for the Police Department:

<table>
<thead>
<tr>
<th>Name</th>
<th>Current</th>
<th>New</th>
</tr>
</thead>
<tbody>
<tr>
<td>Martin Kelly, Police Chief</td>
<td>$945</td>
<td>$1,000</td>
</tr>
<tr>
<td>Ken Agnew, Lieutenant</td>
<td>$700</td>
<td>$800</td>
</tr>
<tr>
<td>Earnest Gardner, Sergeant</td>
<td>$650</td>
<td>$750</td>
</tr>
<tr>
<td>Wayne Sharp, Sergeant</td>
<td>$650</td>
<td>$750</td>
</tr>
<tr>
<td>Al Sellers, Sergeant</td>
<td>$650</td>
<td>$750</td>
</tr>
<tr>
<td>Robert Becker, Detective</td>
<td>$650</td>
<td>$750</td>
</tr>
<tr>
<td>Ronald Kossenjan, Patrolman First Class</td>
<td>$615</td>
<td>$700</td>
</tr>
<tr>
<td>Merle Ganaden, Patrolman First Class</td>
<td>$615</td>
<td>$700</td>
</tr>
<tr>
<td>Allan Buford, Patrolman First Class</td>
<td>$575</td>
<td>$690</td>
</tr>
<tr>
<td>Richard Cunningham, Patrolman First Class</td>
<td>$575</td>
<td>$690</td>
</tr>
<tr>
<td>Gale Welch, Patrolman</td>
<td>$525</td>
<td>$650</td>
</tr>
<tr>
<td>Brian Lane, Patrolman</td>
<td>$525</td>
<td>$625</td>
</tr>
<tr>
<td>Robert Wells, Patrolman</td>
<td>$525</td>
<td>$625</td>
</tr>
<tr>
<td>Marian Selsor, Police Clerk</td>
<td>$410</td>
<td>$445</td>
</tr>
<tr>
<td>Joan Coons</td>
<td>$2.25</td>
<td>$2.25</td>
</tr>
</tbody>
</table>

Councilman Johnson moved that the merit increases for the Police Department be considered in executive session; seconded by Councilman Bruns. Motion passed.

Councilman Ballard presented the following merit increase recommendations for the Sewer Department:

<table>
<thead>
<tr>
<th>Name</th>
<th>Current</th>
<th>New</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will Gray</td>
<td>$750</td>
<td>$810</td>
</tr>
<tr>
<td>Ivan Archer</td>
<td>$600</td>
<td>$648</td>
</tr>
</tbody>
</table>

Councilman Ballard moved that these merit increases be approved; seconded by Councilman Gray. Motion carried with 6 aye votes, Councilman Johnson abstaining.

Ordinance No. 395 G - Setting Forth Alternate Penalty Provisions for Violation of Standard Traffic Ordinance for Kansas Cities: Councilman Roach said this ordinance provides uniformity for maximum jail sentences of three months for any violation of City ordinance and enlarges maximum fines to $500. The maximum penalty for driving under the influence and reckless driving, under the Standard Traffic Ordinance for third offenses, is one year. Although the City has power to invoke such a penalty since this parallels a state statute, a recent Federal court decision required a trial by jury for such a penalty to be imposed. We have neither the funds, facilities nor the court setup for jury trials. In order to make possible an effective
date of January 1, 1971, the Ordinance Committee requested the declaration of an emergency on the basis that several sentences are currently under attack and immediate action is required to prevent further dismissals. Councilman Roach moved the adoption of Ordinance No. 395 G. Councilman Johnson said we have not had too much success in our court in cracking down on the drunk driver because it seems in the majority of cases the Judge reduced the charge. Vote: Aye, Blattenberg, Tiemeyer, Roach, Gray, Ballard, Bruns, Johnson. Ordinance adopted unanimously.

Discussion of Letters to Customers of Leawood Sewer System: Councilman Ballard said he wanted to send out a letter to all people on the Leawood Sewer System to get some response back as to who has had sewer problems of a backup nature so we can make sure all of the areas are covered by our anticipated expansion of line sizes, and to inform the people of the fact that we are looking at this problem. He said he wanted to make up a form to be returned. Mayor Dostal recommended that Councilman Ballard take it up with the entire Sewer Committee, work out the form letter and bring the report back to the Council.

Resignation of David Whyte: Mayor Dostal read a letter from David Whyte stating he has been transferred to Los Angeles and was resigning from the Leawood Sewer Committee effective December 31, 1970.

Resignation of Councilman Bob Blattenberg: Mayor Dostal read a letter of resignation from Bob Blattenberg as Councilman, Ward 3, effective December 31, 1970, stating he was moving out of Ward 3.

Councilman Bruns suggested to the Council that people such as Councilman Blattenberg and David Whyte not only receive a key to the City but also a citation which can be framed such as was given to our retiring police chief. Councilman Roach moved that this be a tradition of the City of Leawood that retiring Councilmen or Chairmen of major committees be given a citation. At the suggestion of Councilman Bruns, Councilman Roach made the motion retroactive to John Lee Smith; seconded by Councilman Johnson. Motion carried.

Prepaid Sewer Connections: Councilman Ballard said there had been some informative discussions with John Kroh on the prepaid sewer connections. Councilman Ballard said Councilmen would receive a copy of a letter he was writing to Mr. Kroh stating our position on the prepaid connections in relation to all the contracts. He said there are a couple of points on which neither he nor Mr. Kroh has knowledge of what took place. Councilman Ballard stated if anyone finds anything that might shed light on this matter, he would be happy to have it.

There was a brief recess.
The Council reconvened at 8:45 p.m. following the recess. Councilmen Blattenberg, Tiemeyer, Roach, Gray, Ballard, Bruns and Johnson were present.

The Council adjourned to executive session.

The Council returned to regular session at 9:20 p.m.

#995 Merit Increases for the Police Department: Councilman Roach moved that the Council approve merit increases for employees of the Police Department as stated previously in these minutes with the exception of the Chief of Police; all of which fall within the provisions of the ordinance and within the budget; seconded by Councilman Gray. Motion passed unanimously.

#1010 Councilman Roach moved that the merit increase recommendation for Patrolman Veldon Prince be withheld pending the investigation by the Public Safety Commission; seconded by Councilman Bruns. Motion passed unanimously.

#1015 Councilman Roach moved, pursuant to the Public Safety Commission recommendation, that a merit increase be approved for Martin Kelly, Chief of Police, from $945 to $1,000 per month; seconded by Councilman Gray. Motion carried with six aye votes, Councilman Johnson abstaining.

#1040 On motion by Councilman Blattenberg, duly seconded, the meeting adjourned to Tuesday, December 29, 1970, 7:00 p.m., to consider the appropriation ordinance and whatever other business may be necessary.

* Added per minutes of meeting of January 18th, 1971
Minutes of a special meeting of the City Council of the City of Leawood, Kansas.

A special meeting of the City Council, for the purpose of considering several matters of importance, was held at 7:00 p.m. on Tuesday, December 29, 1970 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Blattenberg, Tiemeyer, Roach, Gray, Bruns.

Application for Cereal Malt Beverage License for Ranch Mart Barbeque: Deferred to the next meeting.

General Insurance Coverage for the City: Councilman Blattenberg stated requests for bids for Workmen's Compensation, general liability, automobile, contractors' equipment, and monies and securities coverage were sent to ten companies. Bids were received as follows:

Thomas McGee & Sons, representing Royal Globe, annual premium $13,686.00;

Bill Fisher, representing Western Casualty & Surety Company of Ft. Scott, Kansas, premium $11,545.90;

R. D. McMillen (with whom present coverage is placed), premium $11,302.00;

Haas & Wilkerson, representing Great American of Dallas, premium $10,401.00.

Councilman Blattenberg said coverages were identical and moved that the contract for the City's general insurance for the next three years be awarded to Haas & Wilkerson, representing Great American, at an annual premium of $10,401.00; seconded by Councilman Bruns. Councilman Tiemeyer asked if the coverage was the same as our present coverage and if all the companies were good companies. Councilman Blattenberg said the coverage was identical and the companies were excellent. Motion passed unanimously. Mayor Dostal commented it would be in order to thank R. D. McMillen for the fine service given.

Appropriations Ordinance: No. 284A in the amount of $59,814.07 (including $39,920.00, U. S. Treasury Bills) providing for payment of certain claims against the City was submitted and approved unanimously.

Comment on Fiscal Situation: Councilman Blattenberg stated the balance of our budget is $8,751.04, with the following yet to be deducted: $1,185.24 outstanding purchase orders, $3,200.00 payment to retirement fund, $3,284.00 Social Security; or a total yet due of $7,669.24, leaving a balance in our budget of $1,081.60. Mayor Dostal thanked the departments.
December 29, 1970

for staying within their budgets and Councilman Blattenberg, Mr. Hodson and all the staff for the excellent work done in handling the City's finances.

#1115 Presentation of Key to City to Retiring Councilman Bob Blattenberg: Mayor Dostal thanked Bob Blattenberg for service excellently rendered, for devotion to duty, and presented a key to the City. Mayor Dostal said a certificate which is being prepared will be presented later. Councilman Blattenberg said he had enjoyed working in the City and that it had been a worthwhile experience.

#1128 Turkeys for Full Time City Employees: Councilman Bruns said he and Councilman Ballard had given each member of their departments a turkey for Christmas. He said to give a turkey to every full time employee of the City would not cost more than $300. Councilman Blattenberg said it appeared the City had funds remaining and moved that all employees of the City be given a turkey, and that the two department heads who have already done this be reimbursed for their expenditures; seconded by Councilman Roach. Motion passed unanimously.

On motion by Councilman Roach, seconded by Councilman Gray, the meeting adjourned to January 4, 1971, 7:00 p.m.

V. M. Dostal
Mayor

Jane Lile
Council Reporter

Attest:

Clerk

1214
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was scheduled to be held at 7:00 P.M. on Monday, January 4, 1971, in the City Hall.

Present was Mayor V. M. Dostal. No member of the Council was present. Also present was the City Clerk, Jinny Oberlander.

Visitors: Mrs. Kenneth Turner

Due to the absence of a quorum, Mayor Dostal adjourned the meeting to Monday, January 18, 1971, at 7:00 P.M.

[signature]
Mayor

[signature]
City Clerk

January 4, 1971
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, January 18, 1971 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Start of the meeting was delayed pending the arrival of a quorum. Roll call was answered by Councilmen Tiemeyer, Ballard, Bruns, Johnson, Jordan.

Minutes: Meeting of December 21, 1970: Councilman Johnson requested that the last paragraph of the minutes of December 21 be amended by adding, "to consider the appropriation ordinance and whatever other business may be necessary." The minutes of the meeting of December 21, 1970 were approved as amended on motion by Councilman Bruns, seconded by Councilman Tiemeyer.

Meeting of December 29, 1970: On motion by Councilman Tiemeyer, seconded by Councilman Bruns, the minutes of the meeting of December 29, 1970 were approved as submitted, with 4 aye votes, Councilman Johnson abstaining.

Meeting of January 4, 1971: On motion by Councilman Bruns, seconded by Councilman Tiemeyer, the minutes of the meeting of January 4, 1971 were approved as submitted, with 4 aye votes, Councilman Johnson abstaining.

Mayor Dostal read the minutes of January 4, 1971, to make it clear that the Mayor was present at that meeting. Councilman Johnson stated he was notified there would be no meeting on January 4 since a quorum could not be obtained, and that Councilmen Bruns, Ballard and Johnson were available for the meeting.

Appointment of Councilman, Ward 3: Mayor Dostal stated he had appointed Mr. Roy Cawby as Councilman, Ward 3, to fill out the unexpired term of Mr. Bob Blattenberg, to May, 1971. Upon motion by Councilman Johnson, seconded by Councilman Bruns, the appointment was approved unanimously.

The City Clerk administered the Oath of Office as Councilman, Ward 3, to Roy Cawby.

Councilman Bruns moved that Councilman Cawby be appointed to the Budget & Finance Committee and to the Administrative Committee; seconded by Councilman Jordan. Passed unanimously.

Recognition Awards - Messrs. Blattenberg, Smith and Whyte: Mayor Dostal presented a certificate of recognition to former Councilman John Lee Smith. Similar certificates will be mailed to Bob Blattenberg and Dave Whyte.
Presentation of Mayors' Christmas Tree Bowling Tournament Check to the Leawood Scholarship Fund: Mayor Dostal presented the bowling tournament check in the amount of $382.00 to Rev. Guy Casey, chairman of the Scholarship Fund. Rev. Casey invited Mayor Dostal to make a recommendation for a replacement trustee of the fund, and stated the 1970 recipient had returned $180.00 of her scholarship so the fund now amounts to $562.00.


City Attorney Bagby answered questions of Mr. Don Wall concerning change of boundary lines after land is platted and change of use of land dedicated to a specific purpose.

Turkeys for the Police Department: Councilman Johnson referred to that portion of the minutes of December 29, 1970 stating that all employees of the City be given a turkey. Councilman Johnson moved that all members of the police department receive a turkey; seconded by Councilman Bruns. Mayor Dostal stated it was not our intent not to favor them, we understood they had received a turkey and were satisfied. He clarified that this would have to be taken from the present budget. Motion passed unanimously.

Street Department Report: Councilman Bruns reported the department had been busy putting the new spreaders on the trucks, getting ready for winter, and other routine work.

Appropriation Ordinances: No. 285A and No. 277S in the amounts of $23,987.43 and $3,098.15, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved with 5 aye votes, Councilman Johnson voting nay.

Since Councilman Bruns had been called from his sick bed to make up a quorum until the new councilman could be sworn in, he gave his views on the remaining matters on the agenda and asked to be excused.

TeleCable Presentation: Mr. Alec Purcell stated Council members had been presented a brochure outlining in detail the proposed services and copy of a model franchise ordinance. He answered questions of Councilmen concerning service, installation and fees. Councilman Johnson moved that the ordinance as submitted by TeleCable be reviewed by our Ordinance Committee and presented to the Council; seconded by Councilman Ballard. Motion passed unanimously.

REPORTS

Treasurer: Mr. Hodson reported expenditures as of January 4, 1971, $23,987.43; no receipts. Report approved on motion by
January 18, 1971

Councilman Johnson, seconded by Councilman Ballard. Councilman Ballard requested that in the future the City Treasurer include in his report a Sewer Fund report.

Recommendation for Audit of 1970 Financial Records: Upon the recommendation of Mr. Hodson, Councilman Johnson moved that the firm of Troupe-Kehoe-Whiteaker & Kent be retained to audit the City's 1970 financial records; seconded by Councilman Ballard. Motion passed unanimously.

Police Judge: Judge Ullom reported 290 cases docketed and fines of $3,242.00 collected for the month of December, 1970. Report approved on motion by Councilman Ballard, seconded by Councilman Tiemeyer. Councilman Jordan complimented Judge Ullom on the excellent compilation he has made on rules of the Municipal Court. Councilman Johnson requested a copy of these rules.

Fire Department: Chief Toman reported 37 calls for the month of December, 1970, including 12 rescue car calls; fire loss for the month, $475.00; fire loss for the year 1970, $76,218.23. Chief Toman credited Dennis Thomason and Ernie Anselmi for saving a woman's life on a call last week. Councilman Ballard suggested that some recognition from the Mayor's office be given to these two men. Report approved on motion by Councilman Johnson, seconded by Councilman Ballard.

Police Department: Chief Kelly reported 224 arrests, 763 calls handled and 239 homes checked periodically during the month of December, 1970. Report approved on motion by Councilman Jordan, seconded by Councilman Tiemeyer.

Mayor Dostal read a letter from Dr. Stewart of Brunswick, Missouri, expressing appreciation to the Leawood Police and Fire Departments for their part in saving his life on December 19, 1970.

Budget & Finance: No report.

Building Code: Councilman Johnson stated he would have a review and some adjustments on building permits and inspection fees to be presented at the mid-February meeting of the Council.


Ordinance: Councilman Jordan stated there should be a request for preparation of an ordinance if a change in the speed limit between 83rd Street and Somerset is to be considered. Councilman Johnson moved that no action be taken until the lights are installed; seconded by Councilman Ballard. Motion carried.

New Jackets for Police Department: Patrolman First Class Allan Buford modeled a proposed new jacket for the police
January 18, 1971

officers. Chief Kelly stated the officers approved the jackets, and the Public Safety Commission had approved the purchase of 13 of the jackets at $33.00 each. The City has 15 officers. Councilman Johnson moved that jackets be purchased for all police officers; seconded by Councilman Ballard. Motion carried unanimously.

Plan Commission: Councilman Tiemeyer reported owners of some parcels of land along State Line and Mission Road are being contacted for consent to annex so that the boundaries of the City may be straightened.

Public Safety: No report.

Public Works - Street Department: Reported above.

Public Works - Park Department: No report.

Public Works - Sanitary Sewer & Storm Drainage: Councilman Ballard reported the Shafer, Kline & Warren preliminary study on the Dykes Branch sewer system should be available in about six weeks; they are also drafting a letter to send out to all people on the Leawood Sewer System for answers to questions. When the letter is prepared, it will be presented to the Council for approval. Councilman Ballard asked Councilmen to be considering the question of whether or not, in view of the fact that we cannot expand our sewer lines until Kansas City, Missouri, expands a considerable amount which will probably be some length of time, we should make an effort to relieve the problem of sewer backups in basements. He said although it is the mains that are operating improperly, correction could be made by installation of block valves in the laterals, in some cases within the easement area. There was some question whether this would be considered spending public money on private property. City Attorney Bagby suggested this might be approached on a benefit district basis and the funds would be considered as used "for the benefit of the public." This suggestion is to be pursued and a report brought back to the Council.

Request from Heart Association for Permission to Solicit Funds: Councilman Johnson moved that the Heart Association be granted permission to solicit under the existing City ordinances; seconded by Councilman Cawby. Motion passed unanimously.

Rat Control Program: Deferred to the next agenda.

Expansion of City Hall: A lengthy memorandum had been distributed to Councilman on a proposal to devote the franchise refund in the amount of $40,000 to $50,000 to construction of a permanent core of facilities for police headquarters at a location separate from City Hall, suggested to be built on the site of and share the tract with the Public Works Department at 103rd and State Line.
Councilman Jordan stated Mr. Blattenberg had requested that she, as a Council member, serve as Chairman of the City Hall Expansion Committee. She requested that the Chairman of the Administrative Committee appoint a member as liaison to work with the physical plans and detailed recommendations. Wayne Bonebright has agreed to serve, as available, as liaison for the Public Safety Commission and Councilman Bruns has been conferring on behalf of the Public Works Department.

Councilman Jordan stated the $40,000 would allow construction of facilities adequate for our present force (two and one-half times what they now have); the industrial park at 103rd and State Line is more centrally located with respect to the southward expansion of the City, and on our main north-south traffic artery. She said this proposal was being presented to get as many ideas as possible because we are on a very tight timetable. If the franchise refund is not expended this year it will be absorbed into next year's budget, will serve to reduce the mill levy, and will not thereafter be available for such a project.

The minutes of the last meeting of the Public Safety Commission recite the fact that the Public Safety Commission favors detached facilities. Chief Kelly elaborated on the Police Department's need for more space and said the department was in favor of a separate police building.

Councilman Ballard stated the Sewer Department needs to be organized with all plans, aerial photography, etc. in one location, and suggested that space be added to the proposed police building for use by the Sewer Department in the immediate future, with a percentage of the cost of the building to come from the Sewer Fund. Councilman Jordan requested that Councilman Ballard attend the next meeting of the City Hall Expansion Committee to investigate incorporating space for Sewer Department records when the plans are revised.

There was a short recess.

The Council reconvened at 10:25 p.m. following the recess. Councilmen Cawby, Tiemeyer, Ballard, Johnson and Jordan were present.

Mayor Dostal announced that Mr. Raymer Hodson would act as liaison and also be a member of the City Hall Expansion Committee, and Mr. John Granstedt would also act as a member of the City Hall Expansion Committee. Councilman Johnson moved that these appointments be approved; seconded by Councilman Ballard. Councilman Jordan suggested it was unfair to put Mr. Granstedt on the committee as she was going to propose that he institute a contract for reimbursement. Councilman Ballard moved that John Granstedt be eliminated from the City Hall Expansion Committee; seconded by Councilman Johnson. Motion passed.
City Architect John Granstedt and Councilman Jordan displayed and explained two sets of preliminary plans for a police station. There was a lengthy discussion of the plans and the Public Works Department location, other possible locations, and the advisability of a bond election.

#180

Councilman Ballard suggested that the following alternates be referred to the City Hall Expansion Committee for preparation of a summary and extrapolation on the approximate cost of each: (1) the building location and plans as presented at this meeting, (2) purchase of more land adjacent to the Public Works facility, (3) purchase of a completely separate location with a new building, and (4) purchase of the A. Y. McDonald property.

#325

Resolution No. 225 - Providing for Intergovernmental Cooperation in the Demonstration of a Solid Waste Land Reclamation, Education and Training Project: Councilman Ballard moved that the following resolution be adopted, seconded by Councilman Cawby:

Resolution No. 225

"WHEREAS, There is a regional Sanitary Landfill Demonstration Project supported by the City of Kansas City, Kansas and the Department of Health, Education and Welfare; and

"WHEREAS, this Sanitary Landfill is located in the vicinity of Fifth Street and Cleveland Avenue in Kansas City, Kansas, and will be operational in the latter half of 1971; and

"WHEREAS, the Metropolitan Planning Commission - Kansas City Region has undertaken to design, develop and operate the Sanitary Landfill Demonstration Project for the purpose of demonstrating to the metropolitan region sanitary landfilling as a means of solid waste disposal and for the purpose of providing an on-site training facility for regional sanitary landfill personnel and other interested parties,

"NOW, THEREFORE, BE IT RESOLVED, That

The City of Leawood, In the State of Kansas, does hereby endorse the Project and agrees to encourage, where practical, utilization of the Model Sanitary Landfill by solid waste collectors operating within said City."

Resolution adopted.

Proclamation Regarding Need for Blood Donors: Councilman Johnson moved that a proclamation be issued naming January, 1971 as Blood Donor Month; seconded by Councilman Tiemeyer. Motion passed unanimously.
Reappraisal of Council Meeting Minutes: A memorandum had been distributed to Councilmen. Councilman Jordan explained we have had extremely detailed and comprehensive minutes, preparation of which has averaged 15 hours per meeting. She asked whether it was the desire of the Council to continue this system or to preserve the tapes and have abbreviated minutes which would be a record of decisions without the points of view and detail of discussion.

Councilman Johnson moved the present system be continued; seconded by Councilman Ballard. After further discussion, Councilman Ballard withdrew his second. Motion died for lack of a second. Councilman Jordan moved that the Council Reporter position be maintained but that the minutes be reduced to direct transcription from notes on proceedings with the tapes preserved for recovery of detail if it should become necessary; seconded by Councilman Tiemeyer. Motion passed with three aye votes, Councilman Johnson voted nay, and Councilman Cawby abstained.

On motion duly made and seconded, the meeting adjourned to Monday, February 1, 1971, 7:00 p.m.

[Signature]
Mayor

[Signature]
Council Reporter

Attest:

[Signature]
City Clerk

1222
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 p.m. on Monday, February 1, 1971 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Tiemeyer, Roach, Gray, Ballard, Bruns, Johnson, Jordan.

Minutes: On motion by Councilman Gray, seconded by Councilman Jordan, the minutes of the meeting of January 18, 1971 were approved as submitted.

REPORTS

Treasurer: Mr. Hodson reported as of January 31, 1971, total revenue received, $158,781.59; expenditures, $85,867.76; total balance, general operating account funds, $164,769.21; in addition, a balance of $90,286.00 in the Sewer Fund. Report approved on motion by Councilman Gray, seconded by Councilman Roach.

Police Judge: Judge Ullom reported 295 cases docketed and fines of $3,017.00 collected during the month of January. Report approved on motion by Councilman Johnson, seconded by Councilman Bruns.

Fire Department: Chief Toman reported 32 calls for the month of January, including 12 rescue car calls; fire loss for the month, approximately $21,000. Report approved on motion by Councilman Bruns, seconded by Councilman Roach. Councilman Roach read a letter from Mrs. Jeanette Steeble commending the Leawood Rescue Squad for their fine assistance when her husband became ill, and Mayor Dostal read his reply.

Police Department: Chief Kelly reported 184 arrests, 702 calls handled and 239 homes checked periodically during the month of January. Report approved on motion by Councilman Roach, seconded by Councilman Bruns.

COMMITTEE REPORTS

Budget & Finance: No report.

Building Code: No report.


Ordinance: Councilman Jordan stated the matter of a cable television franchise should be explored further before an ordinance is prepared. Upon the request of Councilman Roach, Mayor Dostal appointed Councilman Roach to the committee to examine the proposed cable television franchise ordinance.
Councilman Cawby entered the meeting.

Plan Commission: Councilman Tiemeyer reported the Plan Commission was considering the creation of new zoning classifications pertaining to relatively large tracts of rural land in the southern part of the City which would guide development along the line of small estates, permitting certain types and numbers of animals, detached structures, etc., suitable for that area.

Public Safety Commission: Councilman Roach stated the report of Chief Kelly distributed to Councilmen showed results of the initial trial period of the four-day work week were substantially good. In order to get solid statistical information, Councilman Roach moved that the Police Department be permitted to extend the trial period of the four-day work week another ninety days. This was with the understanding that it was to be under the emergency powers of the Chief; seconded by Councilman Johnson. Motion passed.

Rat Control Program - 1971: Councilman Roach moved the adoption of a rat control program of baiting creeks, draw areas and storm sewer openings as outlined in a letter from M. E. Herman of Allied Exterminators, calling for an expenditure of $500.00 plus $10.00 per man hour to inspect and bait on complaints relayed by the City; seconded by Councilman Gray. Motion passed.

Bids for Two Police Cars: Councilman Roach explained that of six bids received, four were inadvertently based on a larger car than specified. Councilman Jordan moved that the two bids be opened; seconded by Councilman Bruns. Motion passed. The bids opened were as follows:

Frank Waters Pontiac, Inc., Kansas City, Missouri, two 1971 Plymouth Fury I police cars, equipped as specified, first car with trade-in $2,169.24 second car with trade-in 2,194.24 $4,363.48

Bud Brown Chrysler Plymouth, Inc., Overland Park, Kansas, two 1971 police patrol cars, Plymouth Fury I, equipped as specified, each $3,199.00 3,199.00 $6,398.00

Less trade-ins 2,000.00 $4,398.00

Councilman Ballard moved that Councilmen Roach and Cawby be authorized to accept or reject these two bids after they have analyzed them in regard to wholesale price and equipment; seconded by Councilman Bruns with the stipulation that consideration be given to the fact that Bud Brown Chrysler Plymouth is located in Kansas. Motion passed, Councilmen Roach and Johnson opposed.

1224
February 1, 1971

Public Works - Street Department: Paul Myers reported activities of the Department, including: Completing installation of two new spreaders, spreading rock on roads and cutting brush in annexed areas, patching streets, cleaning bridges and storm drains, repairing signs, maintaining equipment, installing bathroom equipment at the shop. The report was approved on motion by Councilman Gray, seconded by Councilman Bruns.

Public Works - Park Department: Councilman Gray reported there was a lot of interest in the soccer fields.

Public Works - Sanitary Sewer & Storm Drainage: Resolution No. 226 - Providing Consent to Creation of State Line Main Sewer District: Councilman Ballard stated this resolution involves the Verona Gardens area at 121st and State Line concerning which a resolution was recently passed. Councilman Ballard moved the adoption of Resolution No. 226, consenting to creation of State Line Main Sewer District by the Johnson County Commissioners; seconded by Councilman Gray. Resolution adopted unanimously. The resolution is attached hereto as a part of the record.


New Member to Johnson County Human Relations Commission: Mayor Dostal announced Mr. Bill Brownfield had advised that he could no longer serve on this Commission. An appointment will be made soon.

City Hall Expansion Committee: Under the set up of this Committee, Councilman Jordan and Bob Blattenberg (who will continue to serve) would select a third member, so action taken by the Council at the last meeting naming Raymer Hodson to this Committee was in error. However, Councilman Jordan agreed that Mr. Hodson should continue to serve. In addition, at the suggestion of Mayor Dostal, Councilman Jordan will contact Mr. Ed Bopp to serve on this Committee.

Cost Estimates of Alternate Expansion Plans: Councilman Jordan answered Councilman Ballard's request for comparison of four possible expansion plans and the approximate cost as follows: (1) Building location and plans as presented last meeting, $40,000; (2) Purchase of more land adjacent to the Public Works facility, cost of one acre: in excess of $50,000; (3) Purchase of a completely separate location with a new building, building cost $40,000, land cost $50,000, total $90,000; there is at present no suitably zoned area available, platted for this type expansion in the recommended location (vicinity of I-435 and State Line); (4) Purchase of A. Y. McDonald property, $200,000. A bond issue, which would be required to finance anything except building on land presently owned, would increase the levy 1/2 to 3/4 of a mill.
February 1, 1971

Recommendation for Detached Police Headquarters, and Revised Site Plan: Councilman Jordan displayed a modified site plan and revised plans for a detached police headquarters building. The site plan was modified to provide an access road for the interior portion.

Presentation of Sanitary Sewer Offices: Councilman Ballard said the Sewer Department must have office space. He suggested that some space be utilized by the Sewer Department in the proposed police building for five to eight years and that the Sewer Department help finance a portion of the building. Councilman Jordan added present thinking was that an 18-foot strip along the entire width of the proposed building might be added for Sewer Department use.

Councilman Jordan moved that the City Hall Expansion Committee be authorized to proceed with a detached police headquarters with sewer office attached at the site of the Public Works facility to the point of securing the necessary plans and the estimate of cost in order to prepare the petition to the Board of Tax Appeals; seconded by Councilman Gray. Motion passed with 7 aye votes, Councilman Johnson abstaining.

Recommendation for Application for Federal Matching Funds for Police Headquarters Equipment: Councilman Roach stated such items as furniture, equipment, closed circuit television, photo lab and detention cells of the proposed detached facility could be financed under a bill providing for payment of 75 per cent of the cost by the Federal Government, 25 per cent by the City. Councilman Roach moved that the Council authorize preparation of an application for Federal funds to equip the proposed detached police headquarters facility; seconded by Councilman Bruns. Motion passed unanimously.

Proposal for Application to Board of Tax Appeals for Police Headquarters Construction: Councilman Bruns moved that the Council authorize the City Attorney to prepare an application to the Board of Tax Appeals to expend funds for construction of a police headquarters building as the cost figures and preliminary plans become available; seconded by Councilman Roach. Motion passed unanimously.

Summary of Construction Program and Outline of Procedure: Councilman Jordan stated construction of the detached police headquarters facility is only the first step in the expansion program. In addition, the City will have to: (1) Remodel the vacated Police Department space to provide a fireproof wall and a committee room from the balance of the franchise tax refund after the $40,000 allocated for the police facility is spent and a reserve set aside for future utility payments; (2) Acquire more City land; and (3) Add a north wing and remodel the main floor of City Hall, with provision for air conditioning.
Councilman Jordan stated by February 16th the application to the Board of Tax Appeals and the application for Federal funds should be in rough form to be presented to the Council for final action. These applications would be filed by March 1st. During that time, a contract should be made with John Granstedt for preparation of working drawings pending approval of the applications.

The City Hall Expansion Committee will work with Councilman Bruns and Paul Myers on the details of the site plan, with liaison from the Administrative Committee on the overhaul of facilities within City Hall, with Councilman Roach and his Committee on the exact description of equipment and details of the final police headquarters plan, and with Councilman Ballard on provision for the sewer office.

Proposal for Application to Board of Tax Appeals for Remodeling of Basement Area: Councilman Jordan moved that the Council authorize preparation of application to the Board of Tax Appeals to expend money to provide a fireproof wall within the City Hall and the associated remodeling of the basement area; seconded by Councilman Bruns. Motion passed unanimously.

Authorization to Negotiate Contract for Architectural Services: Councilman Jordan moved that the Administrative Committee be authorized to negotiate a contract with John Granstedt for professional services in connection with the preliminary and, if it goes to that stage, final working plans; seconded by Councilman Gray. Motion passed unanimously.

Councilman Roach stated he had learned that Johnson County had employed Larkin & Associates to study the intersection of Somerset and Lee. He displayed two very preliminary plans by Larkin & Associates for the intersection. The City will be consulted before anything is done.

Application for Cereal Malt Beverage License - Crown Drug Co., 3814 West 95th Street: Upon advice by the City Attorney that the application was in order, Councilman Roach moved that the application for cereal malt beverage license of Crown Drug Co., 3814 West 95th Street, be approved; seconded by Councilman Gray. Motion passed unanimously.

Proposals for Hospitalization Program for City Employees: Councilman Johnson moved that this matter be considered at the next meeting so that Council members may have copies of the proposals and have an opportunity to review them; seconded by Councilman Bruns. Motion passed unanimously.

Mayor Dostal read a letter of acknowledgment from Dave Whyte for the certificate of recognition awarded him, and letter of commendation sent to Ernest Anselmi and Dennis Thomason for their efforts in saving a life on a rescue call.

1227
Upon the request of Councilman Jordan, the Council concurred that the Mayor of Prairie Village be written a letter of appreciation for the excellent cooperation shown by personnel of that City in helping us set up our program on City Hall expansion.

Councilman Ballard requested that at the next meeting a report be given on the balance of funds left at the end of last year and how that is going to affect our mill levy and tax lid.

Councilman Roach stated he had been informed of the planned opening of a hard liquor establishment in Ranch Mart North. Police will continue surveillance.

Appropriation Ordinances: Nos. 266A and 278S in the amounts of $61,880.33 and $4,505.57, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

Councilman Johnson moved that the meeting adjourn to Monday, February 15, at 7:00 p.m. Following discussion of the fact that February 15 is a new Federal holiday and the Council concurring that City Hall should be closed, Councilman Johnson withdrew his motion and moved that the meeting adjourn to Tuesday, February 16, 1971, 7:00 p.m.; seconded by Councilman Bruns. Motion passed.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 p.m. on Tuesday, February 16, 1971 in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Tiemeyer, Roach, Gray, Ballard, Bruns, Johnson, Jordan.

Minutes: On motion by Councilman Johnson, seconded by Councilman Bruns, the minutes of the meeting of February 1, 1971, were approved as submitted.

Contract Proposals - Hospitalization Program for City Employees: Councilman Bruns moved that contract proposals for the hospitalization program not be considered at this meeting, but that the four companies involved be asked to have representatives at the next meeting to answer questions relative to the program; seconded by Councilman Johnson. Motion passed unanimously. Councilman Jordan suggested that former Councilman Bob Blattenberg be asked to participate in the discussion with the representatives. Mr. Blattenberg agreed to draft a letter to be sent to the four companies requesting that a representative be present at the next council meeting.


Plan Commission Resolution Re Public Works Facility: Councilman Tiemeyer read a resolution of the Plan Commission dated February 2, 1971, which concluded: "The Leawood Plan Commission considers the present location of the Public Works Department to be appropriate on the basis of zoning and convenience. Other Leawood city facilities would require lesser zoning and a greater variety of areas would be available. The acquisition of additional property in the Industrial district at 103rd and State Line Road for city use would seem to be a logical consideration." There was a discussion of the implications of the Plan Commission resolution.

City Architect John Granstedt stated the proposed police building had been staked out at the Public Works Department site, and because of land taken up by the creek, the flood level of the property, the fact that old filtering beds are still there, and the fact that gasoline tanks and pumps would have to be moved and a sewer relocated, he felt this site was not really suitable or desirable for the police department facility. He stated it was the unanimous recommendation of the Plan Commission that the police building not be put on this piece of property.
Paul Myers stated he could not estimate how soon the Public Works Department would need additional land if part of the present site were used for the police department facility.

In view of the recommendations of the Plan Commission and the possibility of flooding of the proposed police building, Councilman Bruns suggested the matter be sent back to the Plan Commission and the City Hall Expansion Committee for further recommendations.

There was a short recess.

The Council reconvened at 8:10 p.m. following the recess. Councilmen Tiemeyer, Roach, Gray, Ballard, Bruns, Johnson and Jordan were present.

Plan Commission Resolution (continued): Councilman Jordan moved that action on the resolution be deferred until the meeting of March 1; seconded by Councilman Johnson. At that meeting there will be an answer to the question of whether or not the Power & Light Company would hold the franchise tax refund beyond December 31, 1971. Motion passed unanimously.

Report Re Contract for Professional Services of Architect John Granstedt: Councilman Gray moved that the Administrative Committee be authorized to discuss with Mr. Granstedt a fee for the work he has done to this point; seconded by Councilman Johnson. Motion passed unanimously.

Cost Estimates for Police and City Hall Expansion: John Granstedt stated the proposed 60' by 40' building (including an 18' by 40' area added for the Sewer Department) could be constructed for $20 per square foot, subject to conditions within the present site. Mayor Dostal commented 2,720 square feet at $20 would be $54,400; less 720 square feet, or $14,400, for the Sewer Department, would leave $40,000 to come from the franchise tax refund.

Application for Federal Funds - First reading: Councilman Roach presented the application for Federal funds to aid in purchase of equipment, including two cells, for the police building as approved by the Public Safety Commission. Total amount applied for would be $20,000, the City's share being about $4,000. Further action was deferred until a decision is made on location of the building.

Application to State Board of Tax Appeals: City Attorney Bagby stated the application cannot be pursued further until we have details of cost estimates and the location of the proposed building settled. Mr. Bagby said firm bids would not be necessary for the application.

Plan Commission Ordinance Relative to Building Setbacks - First reading: Councilman Jordan explained this ordinance establishes a formula for determining rear setback require-
February 16, 1971

Councilman Jordan left the meeting to keep another commitment.

#2885
Lawn Maintenance - City Hall and Brook Beatty Memorial Park:
In view of the fact that the bid of Hook Maintenance Company has always been the low bid, Councilman Bruns moved that Hook Maintenance be requested to submit a price and if it is close to that for the past years that it be accepted without sending out other requests for bids; seconded by Councilman Gray. Motion passed unanimously.

#2895
Appointment to Johnson County Human Relations Commission:
Mayor Dostal announced Mr. Richard Yanofsky had agreed to serve on this Commission. Councilman Bruns moved that this appointment be approved; seconded by Councilman Johnson. Motion passed unanimously.

#2910
Status of Franchise Ordinance - CATV: Councilman Roach reported the committee wanted to study this matter carefully before making a recommendation.

At the request of Councilman Roach, the meeting adjourned to executive session.

The Council returned to regular session at 8:55 p.m.

On motion by Councilman Johnson, seconded by Councilman Bruns, the meeting adjourned to Monday, March 1, 1971, 7:00 p.m.
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 p.m. on Monday, March 1, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Cawby, Tiemeyer, Roach, Ballard, Johnson, Jordan.

Minutes: On motion by Councilman Johnson, seconded by Councilman Cawby, the minutes of the meeting of February 16, 1971, were approved as submitted.

REPORTS

Treasurer: Mr. Hodson reported as of February 28, 1971, total revenue received, $174,159.18; February expenditures and March payroll, $125,186.18; total balance, General Operating Account funds, $183,348.14; cash balance of $52,460.13 and Treasury Bills of $408,269.99 in the Sewer Fund. Report approved on motion by Councilman Johnson, seconded by Councilman Tiemeyer.

Police Judge: Chief Kelly reported for Judge Ullom, 235 cases docketed and fines of $2,852.00 collected during the month of February. Report approved on motion by Councilman Roach, seconded by Councilman Ballard.

Fire Department: Chief Toman reported 30 calls for the month of February, including 16 rescue car calls; fire loss for the month, $2,000; fire loss for the year to date, $23,000. Report approved on motion by Councilman Ballard, seconded by Councilman Roach.

Police Department: Chief Kelly reported 116 arrests, 589 calls handled and 158 homes checked periodically during the month of February. Report approved on motion by Councilman Cawby, seconded by Councilman Tiemeyer.


COMMITTEE AND COMMISSION REPORTS

Budget & Finance: No report.

Building Code: No report.


Ordinance: No report.

Plan Commission: Councilman Jordan requested a Plan Commission recommendation, based on the comprehensive land use plan, on
March 1, 1971

(1) location of the Police headquarters, and (2) land acquisition requirements. Consideration of a resolution relative to the Public Works property was tabled pending the Plan Commission report on the above questions. Councilman Ballard asked if consideration had been given to locating the Police building behind City Hall. Councilman Johnson requested that the Plan Commission submit a report on use of land surrounding City Hall for a Police building.

There was a short recess.

The Council reconvened at 7:30 p.m. following the recess. Councilmen Cawby, Tiemeyer, Roach, Ballard, Johnson and Jordan were present.

Public Safety - Resolution No. 227 - providing for Electric Traffic Control System at Somerset and Lee Boulevard:
Councilman Roach moved the following resolution be adopted:

RESOLUTION NO. 227

"BE IT RESOLVED that the Mayor be authorized to sign Resolution No. 17 under Ordinance No. 193 providing for additional traffic control equipment in the City of Leawood, Kansas, to be paid for from the City's reserve fund with the Kansas City Power & Light Co. (Somerset and Lee Boulevard)"

Resolution adopted unanimously.

Public Works - Street Department: Paul Myers reported activities of the department as follows: Removing snow and sanding streets; graveling, grading and cutting brush in annexed areas; street repairs; sweeping streets; repairing signs; repairing storm sewer and equipment.

Councilman Roach stated the Street Department report should be on the agenda in the section with the Police and Fire Department reports. Councilman Johnson moved that the Public Works Department reports (Street, Parks and Sanitary Sewers) be placed on the agenda with the other department reports; seconded by Councilman Roach. Motion passed unanimously.

Public Works - Parks: No report.

Public Works - Sanitary Sewers & Storm Drainage: Councilman Ballard reported the Shafer, Kline & Warren report on the Dykes Creek Branch should be available shortly. He stated a letter is being drafted to Kansas City Pollution Control to ask precisely when we can expect to increase the size of our line. Councilman Ballard moved for approval to expend $2,500 between now and August 1, 1971, on flow measurements and analysis; seconded by Councilman Jordan. Motion passed unanimously.
Proposals for Hospitalization Program for City Employees: James E. Shepard, Craig Holsinger, Wesley D. Hill and John A. Schlichter were present as requested to answer questions relative to the group insurance proposals of the companies they represent. Former Councilman Bob Blattenberg was present to help in the discussion. When Councilman Johnson objected that the proposals submitted were not for identical coverages, Mr. Blattenberg directed questions to representatives of the companies in an effort to determine whether it might be possible to have bids resubmitted on precisely the same coverage. Since it appeared after considerable discussion that it would be difficult for the Council to make an effective decision on the proposals at this meeting, Councilman Ballard moved that the matter be referred to the Administrative Committee for a recommendation at the next Council meeting as to which company's bid to accept; seconded by Councilman Roach. Motion passed with 5 votes in favor, Councilman Johnson opposed.

Sanitary Sewers & Storm Drainage (continued): Councilman Ballard reported a third employee had been used the past two weeks to help with construction and repair projects. Councilman Ballard moved that the Sewer Department be allowed to keep this third man on a temporary basis at $3.25 per hour, 40 hours per week, as long as the Sewer Committee sees fit; seconded by Councilman Johnson. Motion passed unanimously. Councilman Ballard stated he hoped next year to have a Sewer budget and operating program for the year.

Bids on Back-Hoe Tractor: Paul Myers stated this piece of equipment would be used both by the Street and the Sewer departments. An eleven-year-old front loader tractor is to be traded in. Bids were opened as follows:

Coleman Implement Co., Bonner Springs, Kansas, net with trade-in $6,950.00

Major Tractor & Equipment Co., Kansas City, Mo., net with trade-in $6,165.00

Perrin Machinery Co., Olathe, Kansas, net with trade-in $5,656.00

Victor L. Phillips Co., Kansas City, Mo., net with trade-in $7,184.44

Councilman Jordan moved that the Committee examine these bids and present a recommendation at the next Council meeting; seconded by Councilman Roach. Motion passed unanimously.

Request for Permission to Solicit - CARIH: The application being in proper form as set out by ordinance, Councilman Johnson moved that the Children's Asthma Research Institute and Hospital Chapter be permitted to solicit contributions within the City during the week of May 1 through May 7;
March 1, 1971

seconded by Councilman Cawby. Motion passed unanimously.

Request for Permission to Keep Small Farm Animals on Premises of Montessori Academy, 2013 West 101st Street: Councilman Johnson moved that the request be denied; seconded by Councilman Cawby. Motion carried unanimously.

Fee for Professional Services of Architect John Granstedt: Mayor Dostal reported that for professional services to this point, Mr. Granstedt would charge on an hourly basis. His fee for future work on City Hall and Police expansion will be discussed later.

Resolution No. 228 - Opposition to House Bill No. 1068: Councilman Johnson moved that a letter be drafted stating the Council's opposition to House Bill No. 1068 providing that municipal courts collect extra cost fees for the State Aid to Indigent Defendants Fund; seconded by Councilman Cawby. Pursuant to the suggestion of Councilman Jordan that the Council's action take the form of a resolution, the motion and second were withdrawn. Councilman Johnson then moved that the Council adopt Resolution No. 228 voicing opposition to House Bill No. 1068; seconded by Councilman Jordan. Resolution adopted. Copy of Resolution No. 228 is attached hereto as a part of the record.

Appropriation Ordinances: Nos. 287A and 2798 in the amounts of $138,962.07 (including $99,464.65, U. S. Treasury Bills) and $352,972.43 (including $305,194.69, U. S. Treasury Bills), providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

At the request of Councilman Roach, the meeting adjourned to executive session.

The Council returned to regular session at 10:50 p.m. Councilmen Cawby, Tiemeyer, Roach, Ballard, Johnson and Jordan were present.

Proposal for Purchase of Plate for Engraved Plaques: Councilman Johnson moved that an expenditure of $282.00 be authorized for purchase of a plate for plaques with 15 engraved certificates; seconded by Councilman Cawby. The motion was defeated with Councilmen Johnson, Cawby and Ballard voting aye, Councilmen Jordan, Roach and Tiemeyer voting nay, and Mayor Dostal voting nay to break the tie.

Councilman Roach suggested that the date of the adjourned meeting be set for Friday, March 5, at 6:30 p.m. On motion by Councilman Johnson, seconded by Councilman Ballard, the meeting adjourned to Friday, March 5, 1971, 6:30 p.m.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 6:30 p.m. on Friday, March 5, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Cawby, Tiemeyer, Roach, Gray, Ballard, Bruns, Johnson.

Also present were: Wayne Bonebright, Dr. Dick Underwood, City Attorney, City Clerk and Council Reporter.

At the request of Councilman Roach the meeting adjourned to executive session at 6:45 p.m. Councilman Jordan and Ray Hodson entered the meeting at 6:50 p.m.

The Council returned to regular session at 8:05 p.m. Councilmen Cawby, Tiemeyer, Roach, Gray, Ballard, Bruns, Johnson and Jordan were present.

Councilman Roach regretfully tendered his resignation as Chairman of the Public Safety Commission. Mayor Dostal rejected the resignation. Upon motion by Councilman Jordan, seconded by Councilman Cawby, the Council gave a unanimous vote of confidence to Councilman Roach as Chairman of the Public Safety Commission. Mayor Dostal added his thanks to Councilman Roach and the Commission.

The Council concurred that the purpose of this session was for information only and that no action was to be taken at this meeting.

Councilman Gray moved that the meeting adjourn; seconded by Councilman Bruns; passed. Mayor Dostal requested that the motion and second be withdrawn so that a date might be set for the next adjourned meeting.

On motion by Councilman Johnson, seconded by Councilman Bruns, the date of the next adjourned meeting was set for Monday, March 15, 1971.

On motion by Councilman Gray, seconded by Councilman Bruns, the meeting adjourned to Monday, March 15, 1971, 7:00 p.m.

[Signatures]

Mayor
Council Reporter
City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 p.m. on Monday, March 15, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Cawby, Tiemeyer, Roach, Ballard, Bruns, Johnson, Jordan.

Minutes - Meeting of March 1, 1971: On motion by Councilman Bruns, seconded by Councilman Cawby, the minutes of the meeting of March 1, 1971, were approved as submitted.

Minutes - Meeting of March 5, 1971: On motion by Councilman Johnson, seconded by Councilman Bruns, the minutes of the meeting of March 5, 1971, were approved as submitted.

Tribute to Dennis Robinson: Mayor Dostal stated: "We lost a very dedicated citizen and city servant in the passing of Mr. Dennis Robinson. I could not let a meeting go by without commenting on his many devoted duties to the City of Leawood, to his fellow man, to his community, and to his family. He was a member of the Lions Club; he served as a president of the Father's Club of Notre Dame de Sion although he was not of the Catholic faith, but his daughter went to school there so he felt that he should render service which he did admirably; he served as our City Treasurer and was responsible for many innovations in our budget system; he was responsible for putting idle funds in a place where they would draw money for the City although this took a considerable amount of time and effort on his part, yet he typically bull-headedly went ahead and finally got it accomplished. He was a fine family man and a dedicated public servant. He also served on the Safety Commission at a time when he was ill and yet when requested to assume this duty he did it forthrightly, which was typical of this gentleman.

"I just want to express the Council's regret at his passing, my own personal regret, and the City's great loss. I think the thing I remember most about this gentleman is the fact that if you were wrong about something, he didn't tell his mother or his sister or his brother, he knocked on your door and he told you. This is the type of individual that makes a great impression on a man. If he was proven wrong about something, he did not hesitate to say, 'Well, I pulled a boner there.'

"I regret his passing and the thing that strikes me mostly about this whole situation is a reference to an article in the Time magazine, part of which reads as follows: 'After their day's work in K.C., the people of Leawood obviously want nothing more than to come home to their handsome houses in their manicured suburb and slam the door. They might as well put up a sign reading PRIVATE--KEEP OUT.' Mr. Robinson didn't put up a sign PRIVATE--KEEP OUT, he spent a great deal
"of time in his business, yet when he came home, he worked
in the Lions Club, he worked through his daughter's school,
he worked for the City, and this is typical of our citizens.
It is a sad commentary on the days in which we live that
the good things people do are never written about. Every-
body seems to be looking for some dirt somewhere.

"I know Dennis hears me and I pass to him my deep regret
that he cannot be with us tonight and I again pass to him
the best wishes of the City of Leawood for devoted service
from a gentleman of the highest caliber."

Councilman Roach moved that Mayor Dostal's comments be
included in the minutes of the meeting and that a copy of
the minutes be sent to Mrs. Dennis Robinson; seconded by
Councilman Johnson. Motion carried unanimously.

Appointment to Public Safety Commission: Mayor Dostal
recommended the appointment of Mr. Bill Fish to the Public
Safety Commission to serve the remainder of the term of
Dennis Robinson. Councilman Bruns moved that the appoint-
ment be approved; seconded by Councilman Johnson. Motion
passed unanimously.

Visitors: Mrs. Janet Smith, JoAnn O. Hershman, Mrs.
George E. Logan, Mrs. Ken Turner, Mr. and Mrs. Warren
Morse, Robert L. Elliott, W. R. Judd, Don Morris.
Members of the Press: Elaine Bessier and David Redman.

Mrs. Janet Smith, president of the Brookwood P.T.A. spoke
for a delegation from Brookwood School, describing the
problem of droves of dogs on the playground at the school.
She pointed out that the ordinance provides that an
unlicensed dog may be picked up and that a dog that is
licensed and identified may be picked up after one warning,
and then asked if this law could be enforced. There was
a discussion of the provisions of the ordinance and the
terms of the contract with Wayside Waifs for picking up
dogs. Mayor Dostal directed the Assistant City Clerk to
call Wayside Waifs and direct them to be at Brookwood
School the following afternoon and the next morning.
He said if this does not work out, the Council may wish
to make a contract with some other agency or pass another
ordinance.

Mrs. George E. Logan, 8024 Meadow Lane, described the
problem of 14 to 15 inches of water backing up in her
basement during times of heavy rain. She said she had
understood the drain at 80th and Manor Road would be
enlarged but nothing was done about it. Councilman
Ballard said he would have some checking done to deter-
mine whether the box culvert was causing the problem,
but he believed it was caused by the inadequate size of
the line which cannot be corrected until Kansas City,
Missouri facilities are increased.
Presentation of Solid Waste Management Plan for Kansas City Metropolitan Area: Mr. Nick Artz, representative of the Metropolitan Planning Commission, Kansas City Region, introduced and presented a film which evolved from a study conducted by Metroplan of the solid waste management system presently being used in the Kansas City area and recommendations on how to improve this system. The recommendations of the study were that sanitary landfilling should be used for the next five to ten years within the metropolitan region and that a regional agency be set up within the area to oversee the solid waste management and to acquire and operate the various sanitary landfills. Mr. Artz answered questions and distributed brochures and a model ordinance for implementing the recommendation from the solid waste management study.

Johnson County Solid Waste Management Committee Report: Councilman Ballard reported the committee had had five meetings and that it will decide on a program for Johnson County, whether it be an independent program or a recommendation to follow the Metropolitan Planning Commission proposal. He said one of the real problems would be selection of sites for solid waste disposal.

Report Relative to Adjustment of Building Fees: Councilman Johnson requested that this matter be deferred to a later agenda.

Recommendation from Administrative Committee re Hospitalization Proposals for City Employees: Councilman Bruns reported the Administrative Committee had unanimously voted to accept the proposal of Blue Cross-Blue Shield with the understanding that it be reviewed every two years and also with the understanding that the City would pay 100% of the employee's share, rather than 50% as it had in the past. Councilman Bruns moved that this recommendation be adopted; seconded by Councilman Ballard. Councilman Cawby suggested the plan be reviewed once a year. Councilman Johnson proposed that the City pay for coverage for dependents also. Councilman Bruns withdrew his motion and Councilman Ballard withdrew his second. Councilman Bruns then moved that the Council accept the proposal of Blue Cross-Blue Shield for a period of one year, at which time the Administrative Committee will review the situation with respect to the carrier and the possibility of the City paying the cost of covering dependents as well as the employees; seconded by Councilman Ballard. Motion passed. Councilman Johnson suggested that inclusion of premium cost for dependents be considered at the next budget session.

Planning Commission Recommendation and Resolution: Councilman Tiemeyer stated the Commission was not prepared to restate the resolution brought before the Council at the last meeting and would like to delay presenting a recommendation until after the Plan Commission meeting on March 29.
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 p.m. on Monday, April 5, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Cawby, Tiemeyer, Roach, Ballard, Bruns, Johnson.

Minutes: On motion by Councilman Johnson, seconded by Councilman Cawby, the minutes of the meeting of March 15, 1971, were approved as submitted.

REPORTS

Treasurer: Mr. Hodson reported as of March 31, 1971, total revenue received, $178,605.62; expenditures through March and April payroll, $162,858.23; total balance, General Operating Account funds, $150,296.07; Sewer Fund cash and Treasury Bills, $539,686.22. Report approved on motion by Councilman Johnson, seconded by Councilman Cawby.

Councilman Jordan entered the meeting at 7:05 p.m. as the Treasurer's report was being given.

Police Judge: Judge Ullom reported 162 cases docketed and fines of $1,804.00 collected during the month of March. Report approved on motion by Councilman Roach, seconded by Councilman Bruns.

Fire Department: Chief Toman reported 32 calls for the month of March, including 13 rescue car calls; fire loss for the month, $1,000; fire loss for the year to date, $24,000. Report approved on motion by Councilman Bruns, seconded by Councilman Johnson.

Police Department: Chief Kelly reported 145 arrests, 757 calls handled and 210 homes checked periodically during the month of March. Report approved on motion by Councilman Roach, seconded by Councilman Jordan.

Public Works Superintendent: Paul Myers reported activities of the department, including sanding and minor patching of streets, grading and removing brush in annexed area, hauling additional rock, removing bushes from intersections, making and erecting bridle path signs, and leveling and striping soccer fields in the park. He said the new tractor had been received. Report approved on motion by Councilman Bruns, seconded by Councilman Johnson.

COMMITTEE AND COMMISSION REPORTS

#2165 Budget & Finance: Councilman Cawby reported budget sheets had been distributed to the departments and asked that they be completed and returned promptly.

#2200 Building Code: Because of additions to the report on adjustment of building fees, Councilman Johnson stated it would be submitted by the first meeting in May.


Ordinance No. 397 G - Relative to Payroll Deductions from the Compensation of Officers and Employees of the City: Councilman Jordan stated the Administrative Committee had requested an ordinance modifying the City's contribution to hospitalization insurance for employees. The proposed ordinance repeals Sections 1-901 and 1-902 and replaces them with the provision that any deduction from compensation other than that required by statute shall be made only on written authorization filed with the City Clerk. Councilman Jordan moved that an emergency be declared so that the first reading of this ordinance may be waived, on the basis that the payroll authorization for May 1 requires action at this meeting; seconded by Councilman Roach. Motion passed. Councilman Jordan moved the adoption of Ordinance No. 397 G. Ordinance adopted unanimously.

Ordinance No. 396 G - Relative to Parking of Certain Vehicles in Residentially Zoned Areas and Exceptions Thereto: Councilman Jordan stated this is an editorial ordinance to correct the omission of a line in the codification, and moved for declaration of an emergency so that distribution may be made at the same time as the other ordinances required. Motion seconded by Councilman Bruns; passed. Councilman Jordan moved that Ordinance No. 396 G be adopted. Ordinance adopted unanimously.

Plan Commission - Recommendation on Location of Police Headquarters: Councilman Tiemeyer referred to the February 2, 1971 resolution of the Plan Commission and read an addendum to that resolution adopted April 1, 1971, reaffirming the original resolution, recommending that the entire area of the Public Works tract be reserved for the Public Works Department, recommending that the adjoining Tract H be acquired, and stating that the Plan Commission considers Tract H in the Industrial District at 103rd and State Line to be a suitable site for the future location of the Leawood Police Department. Councilman Tiemeyer moved that the resolution be adopted by the Council; seconded by Councilman Bruns. Councilman Roach pointed out that the Council cannot act on a resolution of another body. On advice of the City Attorney, the motion and second were withdrawn. Councilman Tiemeyer then moved that the Council go on record as being in favor of the resolution; seconded by Councilman Bruns. Motion adopted with 6 aye votes, Councilman Roach voting nay.
Plan Commission - Discussion Relative to the Eugene Brown Office Building, 83rd and State Line: City Architect John Granstedt explained this is the first building in the area which was the subject of a joint study between the Plan Commissions of Leawood and Kansas City, Missouri; the building is wholly in Missouri, part of the parking is in Leawood; requirements that relate to Leawood are that screening is to be provided and the parking is to be 25 feet from the right-of-way of State Line Road; the plans conform to our limited office zoning. Mr. Granstedt said he had suggested that a building permit be obtained as a matter of record covering the parking area. Mayor Dostal requested that the City Architect be immediately notified when the request for permit on the parking is received.

Public Safety - Resolution No. 232 - Providing for Additional Street Lighting in Leawood South: Councilman Roach moved the following resolution be adopted:

RESOLUTION NO. 232

"BE IT RESOLVED that the Mayor be authorized to sign Resolution No. 20 under Ordinance No. 264 providing for additional street lighting in the City of Leawood, Kansas, to be paid for from the City's reserve fund with the Kansas City Power & Light Co. (Enzley Lane to Overbrook south of 123rd Street in Leawood South)"

Seconded by Councilman Johnson; resolution adopted unanimously.

Public Works - Street: Councilman Bruns congratulated Paul Myers and his men for the fine work they did during the winter.

Public Works - Parks: No report. There was a discussion of the handling of requests for park usage and the fact that local requests take priority.

Sanitary Sewer & Storm Drainage: Councilman Ballard reported a reply is being drafted to a letter from Kansas City, Missouri Pollution Control. He said we have to find out from Kansas City what is an acceptable amount of infiltration and the next high priority problem will be to determine what is an acceptable design criteria and get Kansas City, Missouri, to agree to it. There was a discussion of the terms of the contract in relation to storm water infiltration.

Mayor Dostal read a note of thanks from Mrs. Dennis Robinson and daughter for the expression of sympathy.

Resolution No. 231 - Endorsing Establishment of a Prairie National Park in Kansas: Councilman Roach moved the adoption of Resolution No. 231 endorsing establishment of a Prairie National Park in Kansas.
National Park in Kansas (a copy of which is attached hereto and made a part of the record); seconded by Councilman Johnson. Resolution adopted unanimously.

Mayor Dostal stated the Council of Mayors urged that Johnson County businesses and individuals afford employment to as many local high school students as possible.

Application for Cereal Malt Beverage License - Pumpernik's (Ranch Mart): Upon advice by the City Attorney that the application was in order, Councilman Bruns moved that the application for cereal malt beverage license of Pumpernik's be approved; seconded by Councilman Johnson. Motion passed unanimously.

Application for Cereal Malt Beverage License - Ranch Mart Bar-B-Q, 3650 West 95th Street: City Attorney Bagby stated this application was in order and had been deferred from an earlier agenda. Councilman Johnson moved that the application for cereal malt beverage license of Ranch Mart Bar-B-Q be approved; seconded by Councilman Bruns. Motion passed unanimously.

Application for Cereal Malt Beverage License - Ranch Mart Bar-B-Q, 3650 West 95th Street: City Attorney Bagby stated this application was in order and had been deferred from an earlier agenda. Councilman Johnson moved that the application for cereal malt beverage license of Ranch Mart Bar-B-Q be approved; seconded by Councilman Bruns. Motion passed unanimously.

Appropriation Ordinances: Nos. 288A and 280S in the amounts of $37,672.05 and $6,580.15 providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

Discussion of Kansas City Power & Light Co. Franchise Tax Fund: There was a discussion as to whether the franchise tax fund should continue to be held by the Power & Light Company as a reserve fund or be brought into the budget and expended for construction of a Police headquarters building and expansion of City Hall. R. C. Blattenberg, former councilman and member of the City Hall Expansion Committee, reported that Kansas City Power & Light Company would mail a check in the amount of $52,244.31 at the end of April, leaving a balance of $3,959.20 on deposit. Action could be taken to return the check.

Addendum - see page 1245

Mayor Dostal reported an excellent response from Wayside Waifs on the dog problem at Brookwood School. He also reported that there is now an adult crossing guard at Marsha Bagby School.

On motion by Councilman Johnson, seconded by Councilman Bruns, the meeting adjourned to Monday, April 19, 1971, 7:00 p.m.
Addendum - paragraph six - page 1244 -

The Mayor urged the Council to give a great deal of thought in deciding how the Kansas City Power and Light Franchise Tax should be spent. He expressed the opinion it might be much more beneficial to the City to have the tax money remain in the Kansas City Power and Light Co. account as had been done in the past years to avoid making these funds a part of the regular City budget. He felt this was particularly important in view of the tax lid under which the City was operating and further in view of the fact that the City street light and traffic signal light costs have been steadily increasing making it imperative to have a sizeable credit on hand in the franchise tax account.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:00 p.m. on Monday, April 19, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Tiemeyer, Roach, Gray, Johnson, Jordan.

Minutes: Mayor Dostal requested that the following be added as an addendum to the minutes of the meeting of April 5, 1971:

"The Mayor urged the Council to give a great deal of thought in deciding how the Kansas City Power and Light Franchise Tax should be spent. He expressed the opinion it might be much more beneficial to the City to have the tax money remain in the Kansas City Power and Light Co. account as had been done in past years to avoid making these funds a part of the regular City budget. He felt this was particularly important in view of the tax lid under which the City was operating and further in view of the fact that the City street light and traffic signal light costs have been steadily increasing making it imperative to have a sizeable credit on hand in the franchise tax account."

On motion by Councilman Jordan, seconded by Councilman Gray, the minutes of the meeting of April 5, 1971, were approved as amended.

#15 Discussion Relative to Letter from Leawood Drive-In Theatre:
City Attorney Bagby stated the swap-and-shop activity referred to was not presently covered under our occupation tax and was not illegal per se. Mr. Bagby suggested that the matter be studied further before giving an answer. There was a discussion of the problems inherent in such an activity, including an undue amount of traffic. Mayor Dostal asked the Safety Commission to get a letter from the Police Chief in each of the neighboring cities where this type activity is carried on, and that the letters be examined by the City Attorney to determine if there would be some basis on which to prohibit this activity. Mayor Dostal directed the City Clerk to write Leawood Drive-In to advise that this is under study, and in the meantime they are not to begin the swap-and-shop.

#55 Letter Regarding Prisoners of War: Councilman Tiemeyer moved that the Mayor and Council sign the letter proposed by the American Legion to be sent to Ambassador Bruce expressing concern for prisoners of war in Indochina and urging negotiation for their release; seconded by Councilman Johnson. Motion passed unanimously.
Reappointment of Councilman Roach to Johnson County Human Relations Commission: Mayor Dostal stated he had asked Councilman Roach to continue to serve on the Johnson County Human Relations Commission. The appointment was approved on motion by Councilman Johnson, seconded by Councilman Jordan.

Ordinance Relative to Garage Requirements - First Reading: Councilman Jordan presented the ordinance for first reading and stated it came to the Ordinance Committee from the Plan Commission and had been submitted to the City Attorney and approved by him. Councilman Jordan requested the City Architect to comment on the advisability of incorporating the proposed residential garage requirements under the prohibition section of our model zoning code. John Granstedt stated it had been his opinion that provisions governing garages or covering automobiles were in the deed restrictions but he had been unable to verify this at the present time. He said the proposed ordinance was to clarify the requirements especially as they apply to converting garage space to living area. Councilman Jordan said the deed restrictions would be supplied at the next meeting. If the Council had no objection, the Plan Commission would proceed with publication and the public hearing. There was a discussion about the constitutionality of language in the ordinance defining the area required for passenger cars. Councilman Jordan moved that the garage ordinance presented to the Council be amended to provide a minimum space per car of 10 feet by 20 feet and that it be sent to the Plan Commission for publication and hearing; seconded by Councilman Gray. Motion carried.

Member of the Press: Elaine Bessier.

Ordinance No. 398 S - Relative to Clarification of Zoning Classification for the Eugene Brown Building at 53rd and State Line: John Granstedt presented the proposed ordinance and stated public hearings had been held and the Plan Commission had given approval. City Attorney Bagby stated this ordinance establishes limited office district zoning for the Eugene Brown Building but conditions recommended by the Plan Commission relative to setback of parking area and screening have to be complied with. Mr. Bagby recommended that the ordinance be adopted. Councilman Tiemeyer moved that the ordinance be advanced to second reading and passed under the emergency provisions because of the necessity for Mr. Brown to obtain a commitment from his lender within a limited time. Ordinance passed unanimously.

Resignation of Mark Medved as City Engineer: Mayor Dostal read the resignation of Mark Medved as City Engineer, because of a heavy private work load, effective April 20, 1971. Mayor Dostal stated he would not appoint a new City Engineer because the date for appointments by the Mayor-elect
April 19, 1971

was so near and any emergency can be handled by our consulting engineers.

New Employee - Fire Department: Councilman Roach moved approval of the employment of:

Lee Joe Cucar, Probationary Firefighter, at $4.95 per month.

Motion seconded by Councilman Johnson. Councilman Roach stated Chief Toman had recommended this man be started at the top of the low probationary range. Motion passed. Councilman Roach added a recommendation would be made to the next Public Safety Commission that the rates be studied.

Letters of Commendation of Detective Becker, Police Department: Councilman Roach read letters from C. P. Collier, Mayor of Shawnee, and Mark L. Bennett, Jr., Assistant County Attorney, commending Detective Robert Becker relative to assistance rendered in a murder case.

Resignation of Mayor-elect Margaret Jordan from Ordinance Committee: Mayor Dostal read the resignation of Mrs. Jordan as Chairman of the Ordinance Committee effective May 1, 1971. Mayor Dostal stated he would leave the appointment to the Mayor-elect.

Transition to New Mayor and Council: Mayor-elect Margaret Jordan thanked the Council for the cooperation shown during her term as Councilwoman. She announced that she was leaving on a tour of Europe, planned many years, and asked that she be permitted this vacation before taking office. Mrs. Jordan said she had worked with new and old Council members, the City Attorney, and the Mayor to make the transition as efficient as possible. She said she would assume her duties as Mayor at the meeting of May 17. Councilman Roach extended official congratulations of the Council to Councilman Jordan on her election as Mayor.

City Attorney Bagby stated Mayor Dostal would retire at the time he adjourns the meeting on May 3. At that moment, Mrs. Jordan, who has qualified, will become Mayor. The new Council, each of whom will have taken the oath of office by that date, will take over at the meeting of May 17.

Councilman Roach stated at the meeting of May 17 he would have a resolution to introduce concerning 95th Street.

Discussion of Complaint Concerning Housing of Dogs at 3110 West 93rd Street: Councilman Johnson stated he had received three or four complaints from J. R. Swihart, 9221 Cherokee Lane, concerning unsightly conditions and odor from three dogs belonging to Donald Mills at 3110 West 93rd Street. Councilman Johnson showed pictures of the premises and reviewed the history of this matter. He
April 19, 1971

suggested the pens may be in violation of our zoning laws. Mayor Dostal asked the City Clerk to write a letter requesting the City Architect to investigate the possible violation of City ordinance.

Discussion of Erosion Around Section of Sewer at 83rd and Cherokee: Councilman Jordan stated she had had a communication from a resident concerning danger of flood waters washing out the cover on the sanitary sewer at 83rd and Cherokee, and that she had referred the matter to John Granstedt as a member of the Sewer Committee. Mr. Granstedt suggested the problem might be temporarily alleviated by cleaning out debris collected there. Mayor Dostal asked Mr. Granstedt to get a recommendation from the Sewer Committee on the overall problem, and asked the City Clerk to request the Public Works Department to clean out the debris.

On motion by Councilman Gray, seconded by Councilman Tiemeyer, the meeting adjourned to Monday, May 3, 1971, 7:00 p.m.

Mayor

June Lile
Council Reporter
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:00 p.m. on Monday, May 3, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor V. M. Dostal presiding. Roll call was answered by Councilmen Tiemeyer, Gray, Ballard, Bruns, Johnson.

Minutes: On motion by Councilman Johnson, seconded by Councilman Bruns, the minutes of the meeting of April 19, 1971, were approved as submitted.

REPORTS

Treasurer: Mr. Hodson reported as of April 30, 1971, total revenue received, $183,905.11; expenditures through April and May payroll, $194,543.06; total balance, General Operating Account funds, $108,033.11; Sewer Fund cash and Treasury Bills, $558,381.58. Report approved on motion by Councilman Bruns, seconded by Councilman Johnson.

Police Judge: Chief Kelly reported for Judge Ullom 203 cases docketed and fines of $2,500.00 collected during the month of April. Report approved on motion by Councilman Bruns, seconded by Councilman Gray.

Fire Department: Chief Tomsn reported 29 calls for the month of April, including 6 rescue car calls; fire loss for the month, $21,000; fire loss for the year to date, $45,000. Report approved on motion by Councilman Gray, seconded by Councilman Johnson.

Police Department: Chief Kelly reported 134 arrests, 649 calls handled and 142 homes checked periodically during the month of April. Report approved on motion by Councilman Gray, seconded by Councilman Bruns.

Mayor Dostal stated he had signed the employee status form for employment of Robert Scott Thedinger in the Police Department on April 5, 1971, but did not have the recommendation of the Public Safety Commission. Action on this employment was deferred to the next Council meeting.

Public Works Superintendent: Paul Myers reported activities of the Street Department, including: Grading, ditching and adding rock to one mile of road between 143rd and 151st Streets on Nall, cost of labor and materials split 50/50 with Oxford Township; minor patching of streets; sweeping streets; sandblasting caboose in park; sodding areas in yards damaged by equipment during the winter; repairing bridge approach at 103rd and Sagamore; and striping soccer fields. The City's share of the cost of repairing the road in annexed area was $1,600 to $1,700. Report approved on motion by Councilman Gray, seconded by Councilman Bruns.
Appropriation Ordinances: Nos. 289A and 281S in the amounts of $80,314.07 (including $39,898.33, U. S. Treasury Bills) and $153,953.07 (including $148,493.83, U. S. Treasury Bills), providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.


COMMITTEE AND COMMISSION REPORTS

Budget & Finance: No report.

Building Code: No report.


Ordinance: No report.

Plan Commission - Presentation for Council Action of Plans for Restaurant in Industrial District: Councilman Tiemeyer stated the Plan Commission had approved the plans for a locally owned barbeque restaurant to be located south of 103rd Terrace on the service road in the Industrial District, subject to conformity with sewer regulations. Councilman Ballard said he did not anticipate that this would be turned down; it had not been presented to the Sewer Committee. There was a discussion of the smoke hazard. Restaurant representatives stated a pollution device was planned which would meet requirements of the code. Councilman Ballard suggested that the Council give its approval subject to the future approval of the Sewer Committee. Councilman Johnson stated if approval is given at this meeting, it must be understood that no work is to be commenced until Sewer Committee approval is granted. Subject to the foregoing provisions, Councilman Bruns moved acceptance of the project as approved by the Plan Commission; seconded by Councilman Gray. Motion passed.

Safety Commission: No report.

Public Works - Street Department: No report.

Public Works - Parks: No report.

Sanitary Sewer & Storm Drainage - Bids for Power Rodding Equipment: Paul Myers explained the need for power rodding equipment for the Sewer System. Councilman Ballard stated this piece of equipment would fill out the basic contingent of items needed by the System. Bids were opened as follows:

Conco, Inc., O'Brien Manufacturing Division, including 400 ft. rod, $3,233.00
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Flexible Pipe Tool Division, Rockwell Manufacturing Company, including 300 ft. rod, $3,238.00

Councilman Ballard moved that the bid of Conco, Inc., for an O'Brien power rodder, Model 736, in the amount of $3,233.00, to be paid out of the Sewer Fund, be accepted; seconded by Councilman Bruns. Motion passed unanimously.

Paul Myers stated the Sewer System also needed a portable power drive tool and that a used one was available from Flexible Pipe Tool Division. Councilman Ballard suggested action on this be deferred pending further investigation of the price since the bid of that company on the other equipment was not accepted.

787 Newsletter: Councilman Johnson stated he was under the impression that newsletters were going to be approved by the Council, and pointed out that the April newsletter showed the mayor as Margaret Jordan.

800 Leawood Drive-In Theatre "Swap and Shop": Councilmen had a memorandum from Councilman Roach relative to this matter. Councilman Ballard stated this Council should not take up new business that is not absolutely necessary, and moved that the Leawood Drive-In Swap and Shop matter be referred to the new Council; seconded by Councilman Johnson. Motion passed unanimously. Whereupon, William R. Knight stated the drive-in would withdraw the request.

815 Mayor Dostal stated Councilmen had received a communication from Mr. Clarence O. Gast of the Gast Bus Service. He said this was a matter which should be given good consideration by the incoming Council.

Mayor Dostal read a letter from the Marsha Bagby PTA expressing appreciation for the crossing guard at their school.

818 Proclamation - National Public Works Week: Councilman Bruns moved that a proclamation be issued naming the week of May 9-15, 1971, as National Public Works Week; seconded by Councilman Gray. Motion passed unanimously. Copy of the proclamation is attached hereto as part of the record.

822 Proclamation - Fire Service Recognition Day: Councilman Gray moved that a proclamation be issued naming Saturday, May 8, 1971, as Fire Service Recognition Day; seconded by Councilman Bruns. Motion passed unanimously. Copy of the proclamation is attached hereto as part of the record.

825 Presentation of Keys to City to Retiring Councilmen: Mayor Dostal presented keys to the City to retiring Councilmen Fred Tiemeyer and Earl W. Gray, and stated he would personally deliver a key to Roy Cawby. Each expressed gratitude for the opportunity to serve the City.
PROCLAMATION

WHEREAS: public works services provided in our community are an integral part of our citizen's everyday lives; and

WHEREAS: the support of an understanding and informed citizenry is vital to the planning and construction of public works programs and systems such as water, sewer, streets, highways and other types of facilities; and

WHEREAS: the health, sanitation, safety and general well-being of this community depends, to a great degree, on these services and facilities; and

WHEREAS: the quality, efficiency, and effectiveness of these facilities, as well as the planning, design, and construction of future facilities, is vitally dependent upon our public works engineers, administrators, and technicians; and

WHEREAS: retaining and attracting qualified and dedicated personnel to staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work performed by such employees; now therefore,

BE IT RESOLVED that I, V. M. Dostal, Mayor of the City Leawood, Kansas, do hereby proclaim May 9 - 15, 1971, as NATIONAL PUBLIC WORKS WEEK and call upon all citizens and civic organizations to acquaint themselves with the problems involved in providing public works facilities and services; and recognize the important role in our safety, health and well-being that is played by the public works officials in our community.

Mayor

J. Oberlander, City Clerk
Mayor Dostal made the following statement:

"Within a few moments, my term of office as Mayor of this fine City will expire. Before leaving office, I wish to address a few remarks to the citizens of Leawood. First and foremost, I express to you my heartfelt thanks for your confidence in permitting me to serve you for three terms as a councilman and one term as your mayor. I trust I have repaid your confidence. This I endeavored to do by making all my decisions with one premise in mind--Is the action I am taking in the best interest of the city? As I look back over the record, I am proud to report to you that I never waivered from that premise, I never took the easy course, the course which surely would bring me good newspaper publicity or the plaudits of any special interest groups. I labored at the task you entrusted to me and in the span of approximately eleven years of service, I missed only three official meetings requiring my presence, for to me a duty assumed carries with it a trust that the duty will be performed no matter what the personal sacrifice. On your behalf, my fellow citizens, I thank the many citizens and non-citizens who have served our city in many capacities with an unselfish devotion which gives a lie to those who state the spirit of civic dedication is dead. To those members of the official city family who devoted their time and talents to the best interests of the city, I also express my thanks on your behalf. To my own family, I express my most sincere thanks for their understanding, devotion and steadfast support through the sunny and the stormy days of my years of service. With your indulgence, I conclude these remarks with an anonymous essay I found sometime ago in one of my favorite religious publications:

'The Lord has given to every man his work. It is his business to do it and the Devil's business to hinder him if he can. So sure as God has given you a work to do, Satan will try to hinder you. He may present other things more promising, he may allure you by worldly prospects, he may assault you with slander, torment you with false accusations. Keep about your work, do not flinch because the lion roars, do not stop to stone the Devil's dogs, do not fool away your time chasing the Devil's rabbits. Do your work. Let liars lie, let sectarians quarrel, let corporations resolve, let editors publish, let the Devil do his work. But see to it that nothing hinders you from fulfilling the work that God has given you. Keep about your work. Let your aim be as steady as the star. Let the world brawl and bubble. You may be assaulted, wronged, insulted, slandered, wounded and rejected. You may be abused by foes, foresaken by friends and despised and rejected of men, but see to it with steadfast determination, with unaltering zeal, that you pursue the great purpose of your life and the object of your being until at last you can
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'say, "I have finished the work which you gave me to do."'

"My fellow citizens, I have finished the task you entrusted to me and, for now, I bid you all good-by and Godspeed."

Councilman Bruns inquired about certificates of appreciation for outgoing city officials and councilmen. Mayor Dostal said he would leave that to the judgment of the next Council.

At the suggestion of Councilman Bruns, Mrs. Dostal was given a round of applause.

Report on Housing of Dogs at 3110 West 93rd Street: City Architect John Granstedt reported he had investigated this matter and found that the owner of the dogs was moving from the City. He added that the dog pen was built before the area was annexed by the City.

On motion by Councilman Bruns, seconded by Councilman Gray, the meeting adjourned to Monday, May 17, 1971, 7:30 p.m.

Jrife Lile
Council Reporter

Attest:

City Clerk

Mayor
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, May 17, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding.

Rabbi Morris B. Margolies gave the invocation.

Public Swearing in of Newly Elected City Officials: The City Clerk administered the Oath of Office to the following: Margaret W. Jordan, Mayor; William M. Eddy, Councilman, Ward 1; Rodney S. Laughlin, Councilman, Ward 2; Richard J. Conklin, Councilman, Ward 3; and William R. Judd, Councilman, Ward 4.

Roll call of the new Council was answered by Councilmen Roach, Ballard, Bruns, Johnson, Eddy, Laughlin, Conklin, Judd.

Minutes: On motion by Councilman Johnson, seconded by Councilman Bruns, the minutes of the meeting of May 3, 1971, were approved as submitted.

Resolution No. 233 - Appreciation to Retiring Mayor Dostal: Mayor Jordan explained that retiring mayor V. M. Dostal could not be present. She proposed that a resolution be adopted honoring him for his service to the City of Leawood. Councilman Johnson read Resolution No. 233. On motion by Councilman Roach, seconded by Councilman Bruns, Resolution No. 233 was unanimously adopted. Copy of the resolution is attached hereto as part of the record. Councilman Bruns moved that Mayor Jordan personally present the gavel and a key to the City to retiring Mayor Dostal; seconded by Councilman Judd. Motion carried unanimously.

Election of President of the Council: Councilman Johnson nominated Councilman Ballard, seconded by Councilman Eddy. On motion by Councilman Johnson, seconded by Councilman Laughlin, nominations closed. Councilman Ballard was unanimously elected President of the Council.

Designation of Official City Newspaper: Mayor Jordan proposed that The Johnson County Scout be designated as the official city newspaper since it will have two editions weekly, is widely distributed and meets the requirements of the code. Councilman Johnson moved that the Johnson County Herald continue to be the official city newspaper; seconded by Councilman Eddy. Motion carried.

Designation of Depositories for City Funds: On motion by Councilman Bruns, seconded by Councilman Judd, Southgate State Bank was designated to continue as depository for the General Operating Fund. On motion by Councilman Bruns, seconded by Councilman Johnson, Kansas National Bank was
designated to continue as depository for the Special Funds. On motion by Councilman Bruns, seconded by Councilman Ballard, Johnson County National Bank was designated to continue as depository for Sanitary Sewer System Funds.

Appointments of City Officials as Required by Statute and City Ordinance: City officials were appointed as follows:

City Architect - John Granstedt - motion to approve appointment, Councilman Johnson; seconded, Councilman Judd; passed unanimously.

City Attorney - Larry Winn III - motion to approve appointment, Councilman Johnson; seconded, Councilman Roach; passed unanimously.

City Clerk - Jinny Oberlander - motion to approve appointment, Councilman Bruns; seconded, Councilman Judd; passed unanimously.

City Treasurer - Position will remain without reappointment at the present time. Mr. Hodson will continue to act as Treasurer until this position is filled.

Fire Chief - Jourdan Toman - motion to approve appointment, Councilman Judd; seconded, Councilman Laughlin; passed unanimously.

Police Chief-City Marshal - Martin J. Kelly - motion to approve appointment, Councilman Roach; seconded, Councilman Judd; passed unanimously.

Mayor Jordan administered the Oath of Office to the following: John Granstedt, City Architect; Larry Winn III, City Attorney; Jinny Oberlander, City Clerk; Jourdan Toman, Fire Chief; Martin J. Kelly, Police Chief-City Marshal.

Authorization of Signatures for Warrants for City Obligations: On motion by Councilman Bruns, seconded by Councilman Johnson, the signatures of the Mayor, Treasurer, City Clerk and President of the Council were authorized for payment of funds from the General Operating, Special and Sewer Funds, as required by the statutes of the State of Kansas.

Committee Appointments:

Administrative Committee: Margaret Jordan, Chairman
Rodney Laughlin (Budget & Finance)
Raymer Hodson (so far as able-Treasurer)
Donald Ballard (President of the Council)

On motion by Councilman Judd, seconded by Councilman Johnson, the appointments were approved.
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Board of Zoning Appeals: J. Calvin Spradley, new appt. 1974
Bob Anderson 1973
Louis Geis 1973
Charles Witthaus 1972
Earl Harding 1972

On motion by Councilman Roach, seconded by Councilman Bruns, the new appointment was approved. Chairman to be elected by the Board.

Budget & Finance: Rodney Laughlin, Chairman, new appt. 1974
Frank Loncar, new appt. 1974
Bob Blattenberg 1973
Raymer Hodson 1972

On motion by Councilman Judd, seconded by Councilman Roach, the new appointments were approved.

Building Code: Richard J. Conklin, Chairman, new appt. 1974
George Ranallo, electrical, new appt. 1974
Lynn Bowman, mechanical, new appt. 1974
John Granstedt 1973
Gene Kroh 1972

On motion by Councilman Bruns; seconded by Councilman Eddy, the new appointments were approved.

Intergovernmental Cooperation and Community Affairs: Ross Roach, Chairman, new appt. 1974
W. E. Mealman 1973
Loyd D. Jones 1972

On motion by Councilman Johnson, seconded by Councilman Bruns, the new appointment was approved.

Ordinance Committee: Clifford Johnson, Chairman, new appt. 1974
Andrew Lyons (to fill unexpired term of Margaret Jordan) 1973
Dr. Dick Underwood 1972

On motion by Councilman Judd, seconded by Councilman Bruns, the new appointments were approved.

Park Commission: Richard J. Conklin, Chairman, new appt. 1974
Eugene Alt 1973
Dan Weary 1973
Pearl Scott 1972
James Barrick 1972

On motion by Councilman Bruns, seconded by Councilman Judd, the new appointment was approved.

1257
Plan Commission: Richard J. Conklin, new appt. 1974  
J. Calvin Spradley, Board of  
Zoning Appeals, new appt. 1974  
Eugene Alt 1973  
John Granstedt 1973  
Ben Rockey (Overland Park),  
new appt. 1972  
_________ (Oxford Township),  
new appt. 1972  
_________ (Leawood), new appt. 1972  

On motion by Councilman Judd, seconded by Councilman Bruns, the new appointments were approved. Chairman to be elected by the Commission.

Public Safety Commission:  
William R. Judd, Chairman,  
new appt. 1974  
William R. Fish 1973  
Wayne Bonebright 1972  

On motion by Councilman Roach, seconded by Councilman Conklin, the new appointment was approved.

Sanitary Sewers & Storm Drainage:  
Donald Ballard, Co-Chairman and  
Sewer Commissioner 1973  
William Eddy, Co-Chairman and  
Sewer Commissioner,  
new appt. 1974  
John Granstedt, new appt. to  
fill unexpired term  
of J. S. Skaptason 1972  

Because of pressure of business, J. S. Skaptason had submitted his resignation. On motion by Councilman Judd, seconded by Councilman Johnson, Mr. Skaptason's resignation was accepted. On motion by Councilman Johnson, seconded by Councilman Judd, the new appointments were approved.

Street and Sidewalk Commission:  
Ed Bruns, Chairman 1973  
_________ , new appt. 1974  
_________ , new appt. to fill  
unexpired term of Mark Medved 1972  

On motion by Councilman Judd, seconded by Councilman Johnson, the designation of Ed Bruns as chairman was approved.

Public Works Commission:  
(Sewer) Donald Ballard, Chairman 1972  
(Street) Ed Bruns 1972  
(Sewer) William Eddy, new appt. 1973  
(Park) Richard Conklin, new appt. 1973
On motion by Councilman Bruns, seconded by Councilman Judd, the new appointments and appointment of Donald Ballard as chairman were approved.

Mayor Jordan stated the Street Superintendent would now become the Superintendent of Public Works.

Councilman Johnson was designated as parliamentarian for the Council.

Discussion of Purchase of Dictating Equipment: A memorandum had been distributed. Mayor Jordan explained the need for such equipment. There was a discussion of the cost of the machines and the number needed. Councilman Bruns moved that one transcribing unit and two battery operated recording units be purchased at $238.00; seconded by Councilman Johnson. Motion carried.

Ordinance No. 399 G - Relating to Time of Regular Council Meetings: Mayor Jordan presented an ordinance which would change the hour of the Council meetings to 7:30 p.m. Councilman Bruns moved that an emergency be declared so that the ordinance could go into effect the first meeting of June; seconded by Councilman Judd. Motion carried with Councilman Laughlin opposed on the basis that it was a misuse of the declaration of an emergency. Councilman Bruns moved the adoption of Ordinance No. 399 G relating to time of meeting. Ordinance adopted unanimously. The next Council meeting will be called for 7:30 p.m.

Discussion Relative to Approval Required for all Newsletters: Councilman Ballard suggested that the draft of the newsletter should be approved by the Council. There was a discussion of content, procedure for preparation and future use of the newsletter. Councilman Roach pointed out that the City Clerk had been single-handedly editing the newsletter. Councilman Roach stated he would be glad to do whatever he could to assist in publication of the newsletter but he did not want the total responsibility for it. Councilman Ballard moved that Mayor Jordan prepare the newsletter; seconded by Councilman Laughlin. Mayor Jordan stated she would prefer not to act as the writer of it. Whereupon, Councilman Ballard's motion and the second were withdrawn. Councilman Ballard moved that a rough draft of newsletters be distributed to the Council prior to publication and at least one Council meeting be held after distribution of this draft prior to printing so if there is any objection there would be a Council meeting at which to bring it up; seconded by Councilman Judd. Motion passed. Councilman Laughlin moved that the Council be informed that a newsletter is being prepared; seconded by Councilman Ballard. Motion carried. Mayor Jordan then appointed Rodney Laughlin to do whatever is required to get the newsletter publication set up. Upon motion by Councilman Bruns, seconded by Councilman Judd, the appointment was approved.
Resolution Relative to 95th Street Improvement: Councilman Roach made a statement to the effect that Leawood is a community of concerned citizens mindful of the needs of others, that our City must concern itself with the business and commerce of its neighbors, and that it is time to throw off the shackles of stubbornness and move forward on the improvement of 95th Street. He submitted that the 95th Street Improvement Plan, based on Johnson County declaring 95th Street a primary artery and paying for the full cost of improvement, endorsed by the City three years ago, merits the same support today. Councilman Roach added that he had reason to believe that the unfortunate relationship with the County Commissioners concerning 95th Street had ameliorated to some degree and that their attitude is one of conciliation. Councilman Roach moved adoption of the following resolution:

"WHEREAS, the City of Leawood is mindful of the increasing volume of traffic on 95 Street within its City limits from State Line to Mission Road, and

"WHEREAS, the City of Leawood, as a member of the community of cities which makes up this great Metropolitan area, deems it fitting and proper to help alleviate this traffic problem in the interest of the general welfare and progress of the community, and

"WHEREAS, the City of Leawood in a spirit of harmony and cooperation is willing to further explore the improvement of 95 Street within the City of Leawood,

"NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Leawood that a Committee of not less than five nor more than seven citizens of the City of Leawood be appointed to a 95 Street Improvement Committee, and

"FURTHER BE IT RESOLVED, that said Committee shall meet with the Johnson County Commissioners at the Commissioners' earliest convenience to find ways and means of expediting the improvement of 95 Street, and

"FURTHER BE IT RESOLVED, that an equitable formula for financing the improvement of 95 Street be agreed upon by this Committee and the Commissioners, and

"FURTHER BE IT RESOLVED, that high-priority be given to this essential improvement by both the City of Leawood and the Johnson County Board of Commissioners."

Councilman Ballard stated he agreed in principle but he would have liked to have had a copy of the resolution and an opportunity to study it. He suggested that it be distributed to the Council for study and recommendations for change. Councilman Johnson added the motion has merit but needs some editing. Councilman Judd recommended that Councilman Roach's proposal be turned down and that this Council as a body determine the future action that will be taken regarding 95th Street.
Motion to adopt the resolution failed for lack of a second. Councilman Roach raised the question as to whether a second was necessary on adoption of a resolution. Councilman Ballard moved that the subject be tabled until such time as the entire Council has had a copy of the resolution and an opportunity to decide individually what editorial changes should be made; seconded by Councilman Johnson. Mayor Jordan requested that the resolution be given to the City Clerk for distribution. There was discussion as to whether the resolution had been released to the press prior to presentation to the Council.

Presentation of Key to City to Retiring City Attorney Max Bagby: Mayor Jordan presented a key to the City to Mr. Bagby and expressed appreciation for his seventeen years of service to the City.

Ordinances Relating to Acceptance of Deeds from Kroh Bros. for Property Presently in City Streets - First Reading: Max Bagby presented for first reading an ordinance for acceptance of a deed from Kroh Bros. for property in 103rd Terrace, and an ordinance for acceptance of a deed from Kroh Bros. for property in the street at 86th and Ensley Lane and 87th and Meadow Lane. He stated legal descriptions had been approved by John Granstedt. Mayor Jordan requested the City Clerk to make copies of the ordinances and distribute to the Council.

Certificates of Appreciation to City Officials: Councilman Bruns asked the status of the matter of awarding certificates of appreciation to retiring officials of the City. Mayor Jordan said the City Clerk was going to look into a certificate that could be engraved in quantity and filled in as they are issued. Councilman Johnson requested that the matter be on the agenda for the June 7th meeting.

On motion by Councilman Ballard, seconded by Councilman Conklin, there was a short recess.

The Council reconvened at 9:45 p.m. following the recess. Councilmen Roach, Ballard, Bruns, Johnson, Eddy, Laughlin Conklin and Judd were present.


Improvement of 95th Street: Councilman Judd distributed copies of background information on the widening of 95th Street. He stated the basis for the percentage breakdown listed on the original widening of 95th Street west of Mission Road was an article that appeared in the Leawood Sun on January 25, 1968.

Bob Jacoby (Chairman of the 95th Street Committee) made a statement giving background information on negotiations for widening 95th Street and pointing out that storm sewers required in conjunction with 95th Street would cost as much
as the street, that the storm sewers and the widening of the street had been considered as an entire project, Leawood would be essentially paying for the storm sewers and the county paying for the street so in effect Leawood would be paying fifty per cent of the project. Mr. Jacoby also suggested that any study committee have a representative from the Overland Park City Council.

There was a discussion concerning distribution of recommendations in connection with the 95th Street matter. Mayor Jordan suggested that any recommendations, requests for information, or outline of procedure of councilmen be submitted in advance of the June 7th meeting so that a memorandum may be prepared and distributed in the Council folders.

Councilman Roach moved that if any member of this Council is to propose a resolution that it be struck off in multiple copies and distributed to every member of the Council prior to the meeting at which he proposes to present the resolution. Motion failed for lack of a second.

Change in Time of Distribution of Council Folders: There was discussion of a time for the distribution of the folders which would be a compromise between getting as much advance notice as possible and getting too far in advance. Councilman Judd moved that the agenda be provided councilmen two days prior to the present date, that is, Wednesday preceding the Council meeting; seconded by Councilman Laughlin. Motion passed unanimously.

Discussion Relative to Invitation of Mo-Ark Committee to Attend House and Senate Hearings Regarding Funding of Tomahawk Reservoir: Mayor Jordan stated hearings before committees charged with designation of funds for the preliminary study and land acquisition steps for the Little Blue Valley Reservoir project were set for May 24. Local people who have supported Tomahawk Reservoir have issued an invitation to Mayor Jordan to be a member of a delegation from Johnson County appearing in support of the funding of the reservoir. There was no request for any financial contribution by the City of Leawood. Mayor Jordan called for a discussion of whether the Council wished the City to be represented as a part of the delegation. She stated it was in the best interest of Leawood to seek a speedy resolution as to whether this project is going to go through or not. There was a discussion of the proposed activities of the delegation. There was discussion as to whether needed information might be obtained and lines of communication established by Mayor Jordan attending the hearings.

Councilman Ballard moved that Mayor Jordan establish, if possible, some contact with Johnson County and Overland Park for the purpose of establishing a group with representation from Leawood and all the other concerned areas which would work toward the proper development of Tomahawk Reservoir, and that Mayor Jordan may go to Washington to accomplish this; motion seconded by Councilman Judd.
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Councilman Roach asked Mayor Jordan to interpret her instructions. Mayor Jordan said any written statement would be subject to the approval of the Council, that she would not be there to give any oral testimony, that if asked she would say she was there because we feel that in an area so vitally affecting Leawood we need representation, information and to be a part of the planning and scheduling of Tomahawk Reservoir. Motion passed with Councilmen Bruns and Conklin opposed.

Discussion of Replacement of Air Conditioning at City Hall:
Mayor Jordan summarized a report made to the Council last July concerning alternatives for replacement of air-conditioning at City Hall. Councilman Ballard moved that the Council authorize an expenditure up to $1,800.00 for air-conditioning provided we do not have to use no fund warrants; seconded by Councilman Eddy. Motion carried. Mayor Jordan appointed Councilman Conklin to obtain three bids on an overhead system.

Request of Johnson County Shopper Re Method of Distribution:
Mayor Jordan read a request from Johnson County Shopper for permission to have a professional contract carrier distribute its publication under the name of Town and Country Shopper once a week in the City of Leawood, using the same methods of distribution as metropolitan dailies. She suggested the matter be turned over to the City Attorney for study under the handbill ordinance. Councilman Laughlin asked the City Attorney to give an opinion at the next meeting concerning whether the Leawood Sun method of distribution is within legal limits.

Leawood Garden Club Gift to Leawood Park: Mayor Jordan stated the Leawood Garden Club had donated five trees to the park. Councilman Conklin moved that the Mayor send a letter of thanks to the garden club; seconded by Councilman Judd. Motion carried unanimously.

Discussion of League Workshop for Newly Elected City Officials:
Mayor Jordan encouraged councilmen to participate in a newly-elected officials program and technical workshop presented by the League of Municipalities in Chanute, Concordia and Dodge City, Kansas, on May 20, 25 and 27.

Election Costs: Mayor Jordan stated the Election Commissioner had advised that if we retain five voting places for 1972 the budget cost will go from $787.50 to $1375.00. She asked the Council's pleasure as to authorizing two polling places in Ward 3, at Leawood South and at Brookwood School. Councilman Eddy moved that the polling places for next year's city election remain the same as they were this year; seconded by Councilman Bruns. Motion carried, Councilman Laughlin and Judd voting nay, Councilman Conklin abstaining.

Re-examination of Hospitalization Contract Relative to Additional Premium for Life Insurance: Mayor Jordan stated re-examination of the contract reveals that $1.22 per month per employee for $2,000 term life insurance was inadvertently
omitted. Additional cost to the City would be $657.00 for the year. Councilman Ballard moved that the matter be referred to the Budget & Finance Committee for further study; seconded by Councilman Eddy; motion carried.

The Council adjourned to executive session on motion by Councilman Conklin, seconded by Councilman Laughlin.

The Council returned to regular session at 12:10 a.m. to consider certain status forms discussed during the executive session. Councilmen Roach, Ballard, Bruns, Johnson, Eddy, Laughlin, Conklin and Judd were present.

Employee Status Changes:

On motion by Councilman Judd, seconded by Councilman Bruns, the Council approved the following increase in salary:

Joan Coons, Police Department, from $2.25 to $2.50 per hour effective June 1.

On motion by Councilman Judd, seconded by Councilman Bruns, the Council approved the following increase in pay and rank:

Veldon D. Prince, Patrolman to Patrolman First Class, increase in salary from $625 to $650 per month.

On motion by Councilman Judd, seconded by Councilman Bruns, the Council approved the following increase in pay and rank:

Brian A. Lane, Patrolman to Patrolman First Class, increase in salary from $625 to $650 per month.

Councilman Judd moved approval of increase in rank of Robert H. Wells from Patrolman to Sergeant-Shift Commander, increase in pay from $625 to $700 per month. Motion failed for lack of a second.

On motion by Councilman Judd, seconded by Councilman Bruns, the Council approved the following reclassification:

Kenneth P. Agnew, Lieutenant-Patrol Commander to Detective, no change in rate of pay.

On motion by Councilman Judd, seconded by Councilman Bruns, the Council approved the following employment:

Robert Scott Thedinger, Patrolman, at $625 per month.

On motion by Councilman Ballard, seconded by Councilman Johnson, the Council authorized the Sewer Department to hire a temporary employee at the rate of $3.25 per hour.

On motion by Councilman Laughlin, seconded by Councilman Bruns, the Council approved the salary of Larry Winn III, City
May 17, 1971

Councilman Laughlin moved that James R. Cope, Municipal Court Judge, be paid at the rate of $250.00 per month. Motion failed for lack of a second.

Councilman Johnson moved that James R. Cope, Municipal Court Judge, be paid at the rate of $275.00 per month; seconded by Councilman Bruns. Motion carried.


On motion by Councilman Judd, seconded by Councilman Ballard, the meeting adjourned to Monday, June 7, 1971, 7:30 p.m.

Mayor

Council Reporter

Attest:

City Clerk

1265
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, June 7, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Laughlin, Conklin, Eddy, Ballard, Johnson, Judd.

Minutes: On motion by Councilman Ballard, seconded by Councilman Conklin, the minutes of the meeting of May 17, 1971, were approved as submitted.

REPORTS

Treasurer: Mr. Hodson reported as of May 31, 1971, total revenue received, $296,721.42; expenditures through May and June payroll, $234,981.64; total balance, General Operating Account funds, $85,318.02; Sewer Fund (cash and Treasury Bills), $525,080.59. Report approved on motion by Councilman Johnson, seconded by Councilman Eddy. Councilman Johnson moved that a report on sewer assessment collections be given each year at the second meeting in April and at the second meeting in August; seconded by Councilman Ballard. Motion carried.

Police Judge: Chief Kelly reported for Judge Cope 137 cases docketed and fines of $1,920.00 collected during the month of May. Report approved on motion by Councilman Judd, seconded by Councilman Laughlin.

Fire Department: Chief Toman reported 38 calls for the month of May, including 19 rescue car calls; fire loss for the month, $100; fire loss for the year to date, $45,100. Report approved on motion by Councilman Judd, seconded by Councilman Johnson.

Police Department: Chief Kelly reported 120 arrests, 634 calls handled and 192 homes checked periodically during the month of May. Chief Kelly also reported 1,580 hours of training for members of the force for the quarter. Report approved on motion by Councilman Johnson, seconded by Councilman Ballard.

Public Works Superintendent: Paul Myers reported activities of the Department, including: Grading and ditching in annexed area; sandblasting caboose; correcting drainage problems; cleaning bridges and storm drains; sweeping streets; mowing grass in park areas; minor street patching; removing island from cul-de-sac. On motion by Councilman Judd, seconded by Councilman Ballard, the report was approved.

Visitors: Mary Kelly, Mrs. Mary Muehlberger, Niles Crispin, P. N. Cannon, George H. Morris, William E. Evans, Jr.,
June 7, 1971


Extra Meetings: Mayor Jordan stated that during the months of May and June when there is a tremendous amount of city business she would ask for a motion for adjournment at 10:30 p.m. with the understanding that there would be an extra meeting on the second Monday of the month in addition to the adjourned meeting on the third Monday. Councilman Johnson commented that three meetings per month would be out of order.

COMMITTEE AND COMMISSION REPORTS

Budget & Finance: Councilman Laughlin reported the City's proposed expenditures are $17,000 over projected income. He said the Committee was considering setting up alternative budgets, one to match our income and one of alternative expenditures if income exceeds the projection. He added it appears the gas tax this year will be $6,000 less than budgeted, and cautioned that expenditures must be watched quite closely. Report approved on motion by Councilman Ballard, seconded by Councilman Johnson.

Building Code: Councilman Conklin reported the Committee, at the suggestion of the City Architect, would review building permit fees. Report approved on motion by Councilman Judd, seconded by Councilman Laughlin.


Plan Commission: Councilman Conklin reported Gene Alt had been elected Chairman; Councilman Conklin, Vice Chairman; Ben Rockey, Secretary. The Plan Commission approved, subject to public hearing by the Board of Zoning Appeals, the proposed townhouse development in Leawood South; further revised plans of Dr. Hoover's proposed development at 113rd and Mission Road were referred to a committee for further study. The garage ordinance had been sent for official advertisement. Mr. Granstedt and Mr. Winn are preparing a proposed revised ordinance covering setback requirements. Zoning of airport property at 135th and State Line is under study backed by legal opinion from the City Attorney. Report approved on motion by Councilman Laughlin, seconded by Councilman Johnson. There was a discussion concerning a borrow pit at 103rd and State Line. Councilman Ballard moved that the City Attorney give an opinion as to whether or not the borrow pit is covered under our excavating ordinance and permit schedules, and that John Granstedt, City Architect, participate in an evaluation of the problem; seconded by Councilman Judd. Motion carried.

Public Safety: Councilman Judd introduced Patrolman Veldon Prince for whom a commendation was read at the last meeting, and introduced and read commendations as follows:
June 7, 1971

Patrolman Robert Wells, for alert attention to duty, dedication and professionalism in spotting, pursuing and apprehending burglary suspects on March 10, 1971.

Patrolman First Class Merle Gannen for alert and aggressive patrolling and crime prevention in stopping a car on June 2 at 100th and Mission Road, its passengers all convicted burglars.

Patrolman Steven Shults, aggressive patrolling resulting in the arrest of a young adult for possession of marijuana and capture of three burglary suspects near the Saddle & Sirloin Club on the night of June 2 and early morning of June 3.

Patrolman First Class Allan Buford, for his nomination to appear in the 1971 edition of Outstanding Young Men of America.

On behalf of the City, Mayor Jordan extended sincere thanks to these police officers.

Warning Siren for Leawood South Area: Councilman Judd stated application for Federal matching funds for the siren was in the hands of the Civil Defense Engineer. There was a general discussion of the siren and review of previous Council action concerning it.

Fire and Police Protection for Leawood Airport, 135th and State Line: Councilman Judd requested that the City Attorney research the possibility of requiring the operator of the Leawood Airport to provide some kind of crash equipment due to the hazardous nature of the operation and the strain it puts on both the Police and Fire Departments. Chief Kelly reported a Kansas City Police Department helicopter with floodlights was patrolling the airport area on two late-hour shifts.

Hazardous Situation at Northeast Corner of 95th and Lee: Councilman Judd stated there had been innumerable instances of cars utilizing sidewalk as street at this corner. The Public Safety Commission recommended that the Street Department install a curbing.

Payment of Off-Duty Officers for Patrolling July 4th Fireworks Display at Leawood Country Club: Chief Kelly reported the Board of the Leawood Country Club this year had offered to pay the overtime for officers involved in patrolling the fireworks display. Councilman Judd recommended that the Council accept the offer tendered by the Leawood Country Club to pay the policemen utilized for the evening of July 4th for purposes of patrolling the fireworks display. Following considerable discussion of the budget situation and whether or not it was the City's responsibility to patrol such functions, Councilman
Ballard moved that the Public Safety Commission handle the problem; seconded by Councilman Johnson. Motion carried.

Cancellation of Contract with Wayside Waifs: Because of problems encountered with Wayside Waifs and difficulty in getting them to respond to calls, Councilman Judd moved that the Council send a letter of cancellation of the contract with Wayside Waifs and that other alternatives be explored; seconded by Councilman Johnson. Motion carried.

Street Lights - 103rd to Red Bridge Road: Councilman Judd read a letter from Myron Calkins, Kansas City, Missouri, asking the City to consider providing street lights within our City limits along newly-widened State Line Road from 103rd Street to Red Bridge Road. Mayor Jordan suggested this be referred to Budget & Finance Committee.

Upon motion by Councilman Laughlin, seconded by Councilman Conklin, the report of the Public Safety Commission was approved.

Request of Leawood Baptist Church for Youth Center at 6133 State Line Withdrawn: Councilman Judd stated after an inspection of the proposed building by Chief Toman and discussion with Rev. Meyers, the church decided to withdraw the request.

Public Works: Councilman Ballard stated the Commission would meet on the second Monday of every month, and that they would set up a long-term street maintenance program. He invited Councilmen to visit the parks, the public works building, take notice of the street situation and give suggestions to the Commission.

Parks: Councilman Conklin reported permission had been granted for a Brownie troop to use the Brook Beatty Park which apparently had not been used for such a purpose previously. Mayor Jordan and Councilman Eddy lauded Councilman Conklin's action.

There was a short recess.

The Council reconvened at 9:35 p.m. following the recess. Councilmen Laughlin, Conklin, Eddy, Ballard, Johnson and Judd were present.

Street & Sidewalk: Mayor Jordan reported the Street & Sidewalk budget had been submitted.

Discussion re Caboose and Park: Councilman Laughlin suggested that the caboose be set up as an ornament rather than a restroom and that expenditures for conversion be suspended. There was a discussion of liability insurance coverage for it. Mayor Jordan requested an opinion from the City Attorney on public liability in connection with City properties. Councilman Laughlin moved that the Parks
Commission report to the Council as to the cost of converting the caboose into a restroom and the cost of alternative restroom facilities; seconded by Councilman Judd. Motion carried.

Councilman Eddy requested that the Parks Commission consult with the Public Safety Commission as to whether the park should be closed either one-half hour after the last authorized activity or at dark to eliminate vandalism. There was a discussion concerning the fact that a portion of the park was leased.

Sanitary Sewer & Storm Drainage: No report.

Appointments to the Street and Sidewalk Commission: Deferred to the next agenda.

Appointment to Plan Commission: Mayor Jordan proposed that Mrs. Dorothy Nelson, 3400 West 88th Street, be appointed to the Plan Commission to fulfill the term expiring in 1972. On motion by Councilman Johnson, seconded by Councilman Conklin, the appointment was unanimously approved.

Appointment to Johnson County Human Relations Commission: Mayor Jordan stated she was reluctant to burden any Council member with this assignment and asked the Council's approval to appoint someone other than a Council member to fill this position. Councilman Conklin moved that some citizen outside the Council be involved in this essential service; seconded by Councilman Laughlin. Motion carried unanimously.

Appointment of Assistant City Attorney: Mayor Jordan proposed the appointment of Mr. Ronald S. Reuter as Assistant City Attorney and reviewed his qualifications for the position. Upon motion by Councilman Johnson, seconded by Councilman Judd, the appointment was approved.

Appointment of City Treasurer: Deferred pending meeting of Budget & Finance Committee.

City Attorney Opinion re Request from Johnson County Shopper: City Attorney Winn summarized a written opinion submitted to Council members that under the laws of the State, The Johnson County Shopper did not constitute a newspaper per se, therefore would not be exempt under the newspaper designation; by its own admission and application, it is simply an advertising brochure. Therefore, the matter would properly come under the ordinance pertaining to distribution of advertising matter and application should be made under that ordinance for Council consideration.

Councilman Johnson stated he had had a complaint concerning tossing of The Leawood Sun. City Attorney Winn stated he would question the legality of any ordinance to limit the distribution of that newspaper. At the suggestion of the City Attorney, Mayor Jordan requested that the City Clerk write The Sun for a statement of their policy of distribution.
Forms for Certificates of Appreciation: Mayor Jordan presented a sample certificate of appreciation lettered by Chief Toman. Cost for printing in blank would be $30 for the first 200 and $15 for the second 200.

Acceptance of Resignation of Ross Roach: Mayor Jordan read a letter of resignation from Ross Roach as Councilman, Ward 3, and as representative to the Johnson County Human Relations Commission because of the press of business. Councilman Ballard moved that Mr. Roach's resignation be accepted; seconded by Councilman Judd. Motion carried, Councilmen Johnson and Eddy opposed.

Mayor Jordan requested that Councilman Conklin present a resolution recognizing the service Ross Roach rendered to the City and presenting him a key to the City; seconded by Councilman Laughlin. Motion failed, Councilman Laughlin voting for the resolution, Councilman Johnson voting against, the remainder of the Council abstaining.

Appointment of Councilman, Ward 3: Mayor Jordan proposed the appointment of John Lee Hoerner as Councilman, Ward 3, to fill the vacancy of Ross Roach for a term expiring in 1972. Resume concerning Mr. Hoerner had been distributed. Councilman Ballard moved that the appointment be approved; seconded by Councilman Johnson. Motion carried unanimously. Mayor Jordan stated she was assigning Mr. Hoerner to be Chairman of the Intergovernmental Cooperation and Community Affairs Committee.

Councilman Ballard requested that the resolution on 95th Street be considered before the question of funding the project.

Resolution No. 23½ - Revised Resolution re 95th Street: Copies had been distributed to Councilmen. Councilman Ballard requested that the City Clerk read the revised resolution. There was discussion of Councilman Judd's request that one resident of the street serve with the Public Works Commission in preparing a proposal. Councilman Ballard moved that Resolution 23½ be adopted as written; seconded by Councilman Eddy. There was a discussion of the plans for 95th Street approved by the Citizens Advisory Committee, storm drainage, and costs. Councilman Judd withdrew his request that a resident of 95th Street serve with the Public Works Commission in preparing a proposal. Motion to adopt Resolution No. 23½ carried unanimously. Copy is attached hereto as part of the record.

Federal Funding Possibility - 95th Street: Mayor Jordan explained the possibility of receiving Federal funding under the Urban Systems Program and emphasized that unless application is authorized at tonight's meeting, our chances can be very severely jeopardized. There was discussion of a letter dated June 7th from the Chairman of the Public Works Committee of Overland Park stating that the Overland Park Council this evening would initiate the necessary preliminary
steps for making application for funding of 95th Street improvement under provisions of the Federal Aid - Urban Systems Program, and requesting the names of those individuals in Leawood who have been assigned the responsibility to meet with representatives of Overland Park.

Councilman Ballard maintained that the Council should not act in haste, and that the Public Works Commission be allowed to handle the problem and work it out as one unified effort between Johnson County, Overland Park and Leawood.

Councilman Laughlin moved that application be made for early consideration for Federal funding. Motion failed for lack of a second.

Mayor Jordan asked the Public Works Commission to yield to the Council its meeting time next Monday night to consider the 95th Street matter if action is warranted by the investigation of the Public Works Commission, and the Police headquarters application. Councilman Ballard stated he preferred to consider it tonight.

Councilman Johnson moved that since the Public Works Commission has been appointed to handle the widening of 95th Street, that the Council give the Commission the authority to discuss the matter with the City of Overland Park, Johnson County and necessary government bodies; seconded by Councilman Judd. Motion carried.

Form for Certificates of Appreciation: Councilman Ballard moved that this matter be placed on the agenda of the next meeting; seconded by Councilman Conklin. Motion carried.

Appointment of Leawood Representative to Attend Hearing re Gast Bus Service, Inc. Application for K.C.C. Permit: Councilman Ballard moved that the Mayor be selected to represent the City of Leawood at this hearing or to choose a suitable substitute to investigate the application of the Gast Bus Service, with the understanding that this representative shall not commit the City to anything without the prior approval of the Governing Body; seconded by Councilman Judd. Motion carried. Mayor Jordan appointed Councilman Johnson to represent the City in this capacity.

Engineering Study for Septic Tank Area: Councilman Ballard stated there were 107 septic tanks located generally north of 83rd Street to the City Limits and generally between High Drive and Manor Road. He asked Council approval to have Shafer, Kline & Warren make an engineering study of the feasibility as to how and where lines should be built in that area in the event we can figure out a way to get them built. Such a study would probably cost between $1,500 and $2,000, to be paid from the Sewer Fund. Councilman Eddy moved that approval be given; seconded by Councilman Laughlin. Motion carried.

Legal Advisor to Sewer Commission: Deferred to next agenda.
Authorization to Pay Amount Due under Health Insurance Program: Mayor Jordan explained that payment of hospitalization benefits was being held up until the matter of $1.22 per employee per month for life insurance was resolved. Councilman Laughlin moved that the City pay the monies due Blue Cross-Blue Shield under our health insurance program, specifically excluding any monies for life insurance; seconded by Councilman Ballard. Motion carried. Mayor Jordan requested that the matter of the $1.22 for life insurance be put on the next agenda.

Advisory Services - City Engineer: Mayor Jordan stated Shafer, Kline & Warren had agreed to act as City Engineer on a consulting basis pending the resolution of the functions of the City Engineer and associated services.

Four Day Work Week - Police Department, Discussion - Council Priorities, and Report on Tomahawk Reservoir were deferred to the next agenda.

Police Headquarters-City Hall Expansion: Mayor Jordan stated an application was authorized to be prepared for the Governor's Committee on Criminal Administration to aid in the funding of the Police headquarters building. An application has been outlined that will bring in $31,500 of Federal funds but the deadline for the application has been moved up to June 15. She explained if we do not get a commitment on the money now the next time we can get the full Federal funding will be in September and this would not allow time to go before the Board of Tax Appeals to make a disposition of the return of the franchise tax refund. She said the application should be examined by the Council because it rests on some administrative decisions that were not contemplated at the last presentation to the Council, namely that one of the facilities that would be built under the Federal aid program is an associated courtroom that could be used for other functions. The plan basically would not be changed, the designation of certain portions would be amended. Where it is located does not matter as far as the application is concerned. The matching funds requested would be in two parts, one for juvenile court and detention, $24,000, and one for Police equipment, $7,500, to be applied for in September. Sewer plans would be stored in the courtroom.

Mayor Jordan asked the Council's indulgence for another meeting. She said she must be empowered by the vote of the Governing Body in order to sign the application.

There was discussion of the need to arrive at a decision as to the franchise tax refund.

Councilman Laughlin moved that the application be submitted for Federal matching funds of $31,500 for a police station with a designated courtroom; seconded by Councilman Ballard. Motion carried, Councilmen Ballard, Laughlin and Judd voting
aye, Councilmen Johnson, Eddy and Conklin abstaining, Mayor Jordan casting the deciding aye vote.

Mayor Jordan said copies of the application would be distributed to Councilmen and they might meet her at 10:00 a.m. Saturday at City Hall to examine the plans.

#2010 Appropriation Ordinances: Nos. 290A and 282S in the amounts of $118,378.63 (including $79,447.05, U. S. Treasury Bills) and $51,348.39, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

#2030 Councilman Laughlin stated there was now very little control of purchase orders, etc. and that the Budget & Finance Committee would recommend new procedures after the budget is prepared.

#2088 At the request of Councilman Judd, the meeting adjourned to executive session.

The Council returned to regular session at 12:30 a.m. to consider certain status forms discussed during the executive session. Councilmen Laughlin, Conklin, Eddy, Ballard, Johnson and Judd were present.

Employee Status Changes:

On motion by Councilman Judd, seconded by Councilman Eddy, the Council approved the following increase in salary:

Steven Shults, Patrolman, $600 to $625 per month, effective June 1, 1971.

On motion by Councilman Judd, seconded by Councilman Conklin, the Council approved the following increase in grade and salary:

Robert H. Wells, from Patrolman to Sergeant-Shift Commander with a corresponding increase in pay from $625 to $700 per month effective June 1, 1971.

On motion by Councilman Ballard, seconded by Councilman Laughlin, the salary of the Assistant City Attorney was established at $150.00 per month.

Councilman Judd moved that the meeting adjourn to the next regular session; seconded by Councilman Laughlin. This motion and second were withdrawn. On motion by Councilman Judd, seconded by Councilman Eddy, the meeting adjourned to Monday, June 21, 1971, 7:30 p.m.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, June 21, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Laughlin, Conklin, Eddy, Ballard, Bruns, Johnson, Judd.

Swearing in of Councilman, Ward 3: The City Clerk administered the Oath of Office to John Lee Hoerner as Councilman, Ward 3, to fill the vacancy created by Ross Roach's resignation.

Minutes: On motion by Councilman Eddy, seconded by Councilman Judd, the last sentence of the fourth paragraph on page 1273 was stricken from the record. On motion by Councilman Johnson, seconded by Councilman Judd, the minutes of the meeting of June 7, 1971, were approved as corrected.


Budget & Finance Committee Report on 1971 Budgeted Expenditures: Deferred to the next agenda at the request of Councilman Laughlin.

Recommendation re Four-Day Work Week for Police Department: Councilman Judd summarized a report handed councilmen concerning the 4-day work week under which the Police Department has been operating for seven months, and moved that the Council grant a temporary extension of the 4-day work week for the Police Department until such time as a new ordinance making it permanent can be established; seconded by Councilman Johnson. Motion carried unanimously.

City Attorney's Opinion Concerning Borrow Pit Operation - 103rd and State Line: City Attorney Winn stated in the absence of a specific ordinance such a borrow pit operation might be regulated under Ordinance No. 13-311 enabling the Police Department to regulate any deposit of materials on the street, and a broad interpretation could be made of Ordinance 5-104a that the massive excavation of dirt on the hill is an alteration of drainage. He suggested that Kroh Bros. be informed that they must confer with our building officials before continuing with the excavation and removal of dirt. Councilman Eddy moved that the Ordinance Committee attempt to comply with the State laws and draft a permit ordinance for trucks hauling materials within the City limits or between Leawood and another city; seconded by Councilman Bruns. Motion carried.

Appointment to Street Commission - 1972 Term: Mayor Jordan proposed that Jack Mozur be appointed to serve on the Street Commission.
June 21, 1971

Commission for the 1972 term left vacant by Mark Medved's resignation as City Engineer. Councilman Bruns moved that the appointment be approved; seconded by Councilman Johnson. Motion carried unanimously. Mayor Jordan requested the City Clerk to notify Mr. Mozur of his appointment.

Application for Permission to Distribute Johnson County Shopper Under Advertising Matter Section of Ordinances:
A copy of the application and the City Attorney's opinion had been distributed. Mr. Winn stated the application legally complied with requirements under our advertising section. Councilman Eddy moved that the application be tabled; seconded by Councilman Bruns. Motion carried. Consideration of the application will be placed on the next agenda.

Certificates of Appreciation: A proposed form of certificate of appreciation was discussed. Councilman Eddy recommended that the Mayor appoint a committee of two councilmen to look into this matter and report back at the next Council meeting. Mayor Jordan appointed Councilmen Laughlin and Johnson.

Appointment to Johnson County Human Relations Commission:
Mayor Jordan proposed the appointment of Gerald L. Rushfelt to the Johnson County Human Relations Commission to fill the unexpired term of Ross Roach. A memorandum concerning Mr. Rushfelt had been distributed. On motion by Councilman Johnson, seconded by Councilman Eddy, the appointment was unanimously approved. Mayor Jordan requested that the City Clerk notify Mr. Rushfelt of his appointment and of the scheduled meeting.

Report Concerning Application of Gast Bus Service: Councilman Johnson stated Gast Bus Service was seeking a permit from the Kansas Corporation Commission to transport other than educational groups to points within the State of Kansas and would like to have a Council representative at the hearing. Councilman Ballard moved that a letter be sent under the Mayor's signature encouraging the Kansas Corporation Commission to furnish a permit to Gast Bus Service; seconded by Councilman Bruns. Motion carried, Councilman Eddy abstained.

Legal Advisor to Sanitary Sewer Committee: Councilman Ballard stated he had sent a letter to the Council and Mayor dated June 1 requesting that Max Bagby be appointed as legal advisor to the Sewer Committee because of his valuable background information. He stated the appointment would only be for a period of time to get new construction under way and that the Sewer Committee would use the City Attorney on all new problems. There was a discussion as to the most suitable fee arrangement. Councilman Johnson moved that Max Bagby be appointed as legal advisor to the Sanitary Sewer Committee and that he be paid a fee of $25.00 per hour from the Sewer Fund for services rendered upon request of the Sewer Committee, including research and time spent at committee meetings;
seconded by Councilman Bruns. Motion carried. Mayor Jordan
commended Councilman Ballard for preparation of the memorandum
on this subject.

Life Insurance Portion of City Hospitalization Program:
Councilman Laughlin reviewed a memorandum distributed on
this matter. Councilman Johnson said bids were obtained and
an examination would show that the $1.22 for life insurance
was included in the figure approved by the Council. Council-
man Ballard moved that the representative of Blue Cross-Blue
Shield who gave us this package appear before the Council to
present his own case, and that the Budget & Finance Committee
investigate it with him prior to his appearance; seconded by
Councilman Eddy. There was a review of the negotiations.

Mayor Jordan read the request for bids dated October 23, 1970.
The motion and second were withdrawn. Councilman Ballard
then moved that the Budget & Finance Committee restudy this
question and make a recommendation at the next meeting;
seconded by Councilman Bruns. Councilman Eddy moved to amend
the motion to state that copies of the report of the Budget
and Finance Committee be sent to all councilmen prior to the
next meeting; seconded by Councilman Hoerner. Motion as
amended carried unanimously.

Report Concerning Tomahawk Reservoir: Mayor Jordan stated
her trip to Washington with the Mo-Kan delegation did
not cast a great deal of light on the Tomahawk Reservoir.
She said $150,000 planning funds are included in the recom-
mended budget for fiscal 1973; an amendment for restudy
proposed by Senator Dole is probably going to mean that
land acquisition will not be undertaken in the 1973 budget.
Mayor Jordan said in view of the requests that are starting
to come in to the City for construction in the south, we
cannot overemphasize the importance of an early decision
on the reservoir. As information comes in, it will be
channeled to the Council. Councilman Conklin read letters
addressed to Mayor Jordan and President Nixon from the
Leawood South Homeowners Association voicing disapproval
of the reservoir. Councilman Eddy moved that the Council
accept the report of the Mayor on Tomahawk Reservoir and
that discussion on Tomahawk be closed until we have addi-
tional information; seconded by Councilman Laughlin. Motion
carried.

Appointment of City Treasurer: Deferred.

Commendation Received - Sgt. Sellers: Councilman Judd
stated he had no knowledge of this commendation.

Appointment to Plan Commission from Oxford Township: Deferred.

Distribution of Scout-Sun Publications: Copies of a reply
From Mr. Rose concerning handling of requests for discon-
tinuance of delivery were distributed to councilmen. Council-
man Laughlin suggested councilmen keep in touch with consti-
tuents to determine whether delivery is indeed stopped when
requested. Councilman Laughlin moved that the Assistant City
June 21, 1971

Attorney investigate the legality of the Scout-Sun Publications' method of soliciting subscriptions within the City and render an opinion at the next Council meeting; seconded by Councilman Judd. On motion by Councilman Bruns, duly seconded, the motion was amended to request that the Assistant City Attorney also investigate restricting distribution to only those who subscribe.

There was a short recess to reverse the recording tape.

Councilman Bruns read a memorandum he had received from a parent detailing instructions given by the Scout-Sun to a prospective delivery boy.

Motion carried as amended.

Discussion of Council Priorities: Councilman Bruns moved that this matter be moved to the end of the agenda; seconded by Councilman Ballard. Motion carried.

Ordinances No. 400 S and No. 401 S - Relating to Acceptance of Deeds from Kroch Bros. For Property Presently in City Streets: On motion by Councilman Bruns, Ordinances No. 400 S and No. 401 S were adopted with seven aye votes, Councilman Hoerner abstaining.

Recommendation of Public Works Commission re Police Headquarters Location: A letter from Shafer, Kline & Warren concerning elevation of the proposed police headquarters building had been distributed. Councilman Ballard stated the Public Works Commission would prefer that the building be located somewhere other than on the present Public Works property; if it is built on the Public Works property, it should be adjacent to the south side of the settling basin. A photograph showing the proposed elevation of the floor and an overlay showing the suggested change in location on the Public Works tract were displayed. Councilman Judd stated that the application for Federal funds had been submitted with unanimous approval of the Public Safety Commission. There was a discussion of locations and whether there were sufficient funds available to purchase Tract H. Councilman Bruns moved acceptance of the report of the Public Works Commission; seconded by Councilman Johnson. Motion carried.

Formal Action on Request for Federal Funding of 95th Street: Councilman Ballard stated he had polled the Council before sending the letter to the State Highway Commission, copies of which had been distributed. Councilman Ballard moved that the Council formally, publicly approve the application for Federal Aid - Urban Systems Program for the improvement of 95th Street between Mission Road and State Line; seconded by Councilman Bruns. On motion by Councilman Judd, seconded by Councilman Conklin, the motion was amended to provide that the application be based upon the plans previously drawn and approved by a prior Council. Motion carried as amended.
Recommending of Budget & Finance Committee re Kansas City Power & Light Refund: A memorandum had been distributed. Councilman Laughlin commented that the Committee conclusion that there would be sufficient funds to cover the cost of traffic signals and lighting was based on the assumption that additional lighting would not be approved for new areas until there was a probability of revenue within a very short period of time. He said the Budget & Finance Committee had not considered the request for street lights along State Line from 103rd Street to Red Bridge Road. Councilman Bruns moved that the matter go back to the Budget & Finance Committee for study and recommendation at the next Council meeting; seconded by Councilman Eddy. Motion carried.

Ordinance Relating to Court Costs - First Reading: Mayor Jordan stated this was a recommendation from the new Police Judge for keeping the court costs in line with the expenses of the court and with prevailing practice throughout the county. Provisions of the ordinance were discussed.

Discussion Regarding Salary for Council: City Attorney Winn reported his research revealed that personal liability would not be expanded by a decision that councilmen be paid, and that under the Workmen's Compensation Act payment of $1.00 per year would be defined as a gratuity. Councilman Johnson moved that Councilmen be paid $50.00 per month salary; that the Mayor receive $100.00 per month salary; that if a councilman does not attend a meeting, there would be a deduction of $25.00, $50.00 for the Mayor, not to exceed a total of $50.00 in one month for councilmen, $100.00 for the Mayor; effective after the election in 1972; seconded by Councilman Ballard. There was discussion concerning availability of funds. Councilman Eddy moved the question; seconded by Councilman Johnson. Motion carried. Motion on salary for councilmen carried, Councilmen Ballard, Bruns, Johnson, Eddy voted for; Councilmen Laughlin and Judd opposed; Councilmen Hoerner and Conklin abstained. Mayor Jordan requested that the Ordinance Committee prepare an ordinance relating to the pay for councilmen.

Discussion of Council Priorities: Councilman Bruns moved that the discussion of Council priorities be deferred to the next Council meeting, and that this meeting adjourn to the next regular meeting; seconded by Councilman Eddy. Motion carried, Councilman Hoerner opposed.

Council Reporter

City Clerk

Attest:

June 21, 1971

Margaret Jordan
Mayor

City Clerk

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Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Tuesday, July 6, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Laughlin, Conklin, Hoerner, Eddy, Ballard, Bruns, Johnson, Judd.

Minutes: On motion by Councilman Bruns, seconded by Councilman Eddy, the minutes of the meeting of June 21, 1971, were approved as submitted.

Mayor Jordan stated in order to expedite Council business she had requested the department heads on an experimental basis to supply written reports to the Council to be filed with the City Clerk as part of the public record and for study by the Council during the five days immediately preceding Council meetings. Since they must work on a calendar month, it will be impossible for the Police Department and the Police Judge to have their reports ready. Their reports will be furnished Councilmen at the Council table. Mayor Jordan requested that department heads be present to answer questions.

REPORTS

Treasurer: Mr. Hodson reviewed the report submitted. He stated there was a total of $28,452.00 sewer dues unpaid. Councilman Hoerner moved that the financial reports be prepared in such a way that they show the comparison of the current year's budget with the previous year's budget and the current expenditures and receipts in comparison with the previous year; seconded by Councilman Johnson. Motion carried. Report approved on motion by Councilman Bruns, seconded by Councilman Eddy.

Police Judge: Chief Kelly summarized the report of Judge Cope, as follows: 148 cases docketed and fines of $2,552.00 collected during the month of June. The report was approved on motion by Councilman Bruns, seconded by Councilman Laughlin.

Fire Department: Chief Toman's report was submitted and approved; report on file.

Police Department: Because of the changeover to the computer it was impossible for the Department to prepare a written report in time for this meeting. Chief Kelly reported 131 arrests, 751 calls handled and 237 homes checked periodically during the month of June. Report approved on motion by Councilman Bruns, seconded by Councilman Judd.

Public Works Superintendent: Paul Myers' report was submitted and approved; report on file.
Discussion of Form and Content of Reports: Mayor Jordan stated failing any motion from the Council, the experimental program for reports would be continued. Suggestions were made that department heads make oral comments on their reports and that they might include editorial comments in their written reports.

COMMITTEE AND COMMISSION REPORTS

Budget & Finance: Copies of a projection on the 1972 financial situation had been distributed. Councilman Laughlin stated if the City is going to give employees even a five percent pay increase, it must cut back purchases. He said the increase in real estate valuation this year was infinitesimal. At the time the 1972 budget is presented an analysis of the 1971 situation will also be given. There was a discussion of the City's tight financial situation.

Recommendation on Power & Light Franchise Tax Refund: Councilman Laughlin stated a recommendation would be deferred pending a Public Safety Commission projection on what would have to be added to maintain an adequate level of lighting in the City.

Street Lights Along State Line from 103rd to Red Bridge Road: Councilmen Laughlin reported the Committee would have a recommendation soon.

Life Insurance Portion - City Hospitalization Program: Councilman Laughlin stated he had listened to the tape of the meeting of March 1 when representatives of bidding companies were present but there was no discussion of any significance about life insurance; that the matter of hospitalization insurance was referred to the Administrative Committee and that Committee came back to the Council at the next meeting and recommended that the Blue Cross-Blue Shield program be adopted; there are no minutes of the Administrative Committee meeting; the contract was not located for examination before tonight's meeting. Councilman Johnson moved that thirty days' notice be given to Blue Cross-Blue Shield that we are going to put hospitalization and life insurance open for bids again; seconded by Councilman Bruns. City Attorney Winn suggested that such a motion would be premature until the terms of the contract have been examined and the provisions for termination studied. Whereupon, Councilman Bruns withdrew his second to the motion. Councilman Laughlin moved that the motion be tabled; seconded by Councilman Hoerner. Motion failed with 3 aye votes: Councilmen Hoerner, Conklin, Laughlin; 5 nay votes: Councilmen Johnson, Eddy, Ballard, Bruns, Judd.

Councilman Johnson moved that proposals for hospitalization and life insurance be obtained from six or so companies to determine whether or not we do have the best deal for the City of Leawood in view of the tightness of money; seconded by Councilman Bruns. Motion carried with Councilmen Johnson, Bruns, Judd, Ballard and Conklin voting for; Councilmen Laughlin, Hoerner and Eddy voting against. Chief Toman
stated that Fire Department employees were quite happy with the cost and benefits of Blue Cross-Blue Shield; he questioned whether existing conditions would be covered if the company were changed, and added that the City is furnishing its employees life insurance under the KPERS plan.

Building Code: No report.


Appointment of Chairman of Intergovt. Coop. & Comm. Affairs Committee: Mayor Jordan proposed the appointment of Councilman Hoerner as Chairman of the Intergovernmental Cooperation and Community Affairs Committee. On motion by Councilman Bruns, seconded by Councilman Judd, the appointment was approved.

Ordinance: Councilman Johnson presented the following:

Ordinance No. 402 G - Relating to Court Costs - Second Reading: On motion by Councilman Bruns, Ordinance No. 402 G was adopted unanimously.

Ordinance No. 403 G - Relating to Residential Garage Parking Requirements - Second Reading: On motion by Councilman Bruns, Ordinance No. 403 G was adopted unanimously.

Ordinance No. 404 S - Relating to Acceptance of Deed from Kroh Bros., Inc. Conveying Parts of Lots 353 and 191, Leawood, for Street Purposes: Mayor Jordan stated this ordinance repeals Ordinance No. 401 S because of a typographical error in the property description. Councilman Bruns moved that an emergency be declared so this ordinance might be approved on first reading; seconded by Councilman Ballard. Motion carried, Councilman Laughlin opposed. On motion by Councilman Ballard, Ordinance No. 404 S was adopted unanimously.

Ordinance Relating to Acceptance of Deeds from Vic Regnier and Ranch Mart, Inc. Conveying to the City Tracts of Ground to Be Used for Street Right-of-Way - First Reading: Mayor Jordan explained this land was deeded by Mr. Regnier some years ago but never formally accepted, for enlargement of right-of-way adjacent to the parking lot at Ranch Mart North. There was discussion of the need for a map showing the location of the tracts.

Ordinance Relating to Four-Day Work Week for Police Department - First Reading: Mayor Jordan stated this ordinance changes definitions to allow the Police Department to work other than five 8-hour days per week.

Ordinance Relating to Payment of Salaries to Mayor and Councilmen - First Reading: Councilman Judd stated he was strongly opposed to such an ordinance in view of the limited budget facing the City.
Plan Commission - Presentation of Plat of Merry Lea Farms,
143rd and Mission Road: Councilman Conklin presented the
Merry Lea Farms plat for approval, stating that the Plan Com-
misson had been working with the developer for some time
and felt the matter should be expedited. There was discussion
concerning whether the Council had sufficient information to
proceed.

Visitors: Virginia Mathis, Hazel Sharp, Perry M. Sharp,
John E. Irwig, Mr. and Mrs. E. M. Fields, Don P. Bruce,
R. F. Jameson, Dr. Don Hoover, Ed Bopp.

Presentation of Plat of Merry Lea Farms (continued): Miss
Hazel Sharp stated her family was opposed to installation
of an independent sewage treatment plant on the proposed
Merry Lea Farms development because it would ruin their
water system and pollute springs used for watering cattle.
Mr. John Irwig stated he was opposed to a sewage treatment
plant with no trunk lines, but would favor creating a sewer
district. Dr. Don Hoover reviewed the history of the
negotiations and stated his people had tried to cooperate
with the City. He said at the last Plan Commission meeting,
the decision was to withdraw the request for a sewage treat-
ment plant. Councilman Conklin read a memorandum from
Eugene Alt, Chairman of the Plan Commission, dated July 1,
1971, that the report of the Plan Commission concerning
Merry Lea Farms be submitted to the Council with the recom-
mandation that individual septic tanks be provided, sewage
disposal techniques to be subject to approval by City,
County and State health authorities. Mr. John Irwig and
Miss Hazel Sharp each stated they had no objection to septic
tanks if they met all of the requirements of the State,
County and City.

Councilman Ballard moved that the Merry Lea Farms matter be
returned to the Plan Commission and referred back to the
Council after the declaration of restrictions has been
approved by the Plan Commission and the City Engineer has
approved the street, storm water and sanitary sewer designs
and specifications for each are submitted; seconded by
Councilman Laughlin. Motion carried.

There was a short recess.

The Council reconvened at 10:45 p.m. following the recess.
Councilmen Laughlin, Conklin, Hoerner, Eddy, Ballard, Bruns,
Johnson and Judd were present.

Public Safety - Appointment of Director of Civil Defense:
Upon recommendation of the Public Safety Commission,
Councilman Judd moved that Ed Akerly be reappointed as
Director of Civil Defense; seconded by Councilman Ballard.
Motion carried.

Resolution No. 235 - Relating to Approval of Request of Fire
Chief to Permit Captain Scheer to Work Vacation Period:

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July 6, 1971

Councilman Judd stated this was requested due to the force being short-handed because of a resignation. City Attorney Winn recommended that this be accomplished by resolution. Councilman Judd moved that a resolution be adopted making exception to existing city ordinance to permit Captain Scheer to work his vacation period and be paid for seven shifts, totaling $490.00; seconded by Councilman Ballard. Resolution No. 235 adopted. Copy is attached hereto as part of the record.

Discussion Relative to Rigid Enforcement of Ordinance Requiring Private Vehicles to Yield to Emergency Vehicles: Councilman Judd related a recent incident of a motorist ignoring the siren of a Fire Department vehicle, and moved that the City Clerk be requested to advise the news media that the City is going to institute a crackdown on persons who ignore emergency vehicles, and request that this information be published in the local media. There was discussion of advisability of imposing a mandatory minimum fine for violators. Motion seconded by Councilman Hoerner; carried.

Request for Council Permission to Investigate Ordinance Governing State Line Airport: On motion by Councilman Bruns, seconded by Councilman Eddy, the Public Safety Commission was granted permission to investigate a memorandum by the City Attorney concerning control of the airport with the possibility of adopting ordinances. Motion carried.

Public Works - Street: Councilman Bruns stated a Department truck needed $500 repairs or to be replaced. He had three sealed bids for a new truck; payment for the truck would come from overlay funds. Councilman Eddy moved that the bids be opened and the low bid accepted; seconded by Councilman Ballard. Motion carried. Bids were opened for a 1971 Ford F-100 pickup, as follows:

- Griff Crawford, Olathe, Kansas, $2,535.87
- Schlozman Ford, Overland Park, Kansas, $1,941.03
- Mission Ford Sales, Mission, Kansas, $2,187.87

The bid of Schlozman Ford was accepted.

Parks: No report.
Sanitary Sewer & Storm Drainage: No report.

Distribution of Sun-Scout Publications - Opinion of Assistant City Attorney: Mr. Winn summarized the Assistant City Attorney's opinion stating that the City would be permitted to request the Sun-Scout newspaper to comply in the solicitation portion of their delivery with our ordinances pertaining to peddlers, hawkers, vendors, etc., but probably could not prohibit them from throwing the paper free of charge. He suggested a letter be sent informing the Sun-Scout of the provisions of Ordinance 8-301 and asking that they submit an application as required by that ordinance. A motion and second to that effect were withdrawn in favor of Mayor Jordan.
July 6, 1971

simply requesting that the City Clerk notify the Sun-Scout that they are technically in violation of Section 8-301 and request that they comply by furnishing a list of solicitors, their areas and hours of operation. Mayor Jordan referred to the City Attorney for opinion the status of Avon and Fuller Brush representatives and whether they need an occupation license.

Service Contract for Heating and Air Conditioning - City Hall:
Councilman Bruns moved that the heating and air conditioning service contract with Truog and Nichols be renewed for an annual premium of $295.00; seconded by Councilman Eddy. Motion carried.

Distribution of Johnson County Shopper: At 11:40 p.m., shortly after this subject was introduced, Councilman Bruns asked to be excused from the meeting to return a telephone call. On advice of City Attorney Winn, motions by Councilmen Eddy and Laughlin imposing restrictions on distribution of the Johnson County Shopper were withdrawn. Mr. Winn proposed that a strong suggestion be made to Mr. Crispin that a postage-paid card be attached to the first issues clearly stating the party to be contacted to terminate delivery and which a citizen could return to stop delivery. On motion by Councilman Laughlin, seconded by Councilman Judd, the application for permission to distribute the Johnson County Shopper was approved.

Appropriation Ordinances: Nos. 291A and 283S in the amounts of $37,660.43 and $3,352.52, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

At the request of Councilman Judd, the meeting adjourned to executive session.

The Council returned to regular session at 12:00 midnight. Councilmen Laughlin, Conklin, Hoerner, Eddy, Ballard, Johnson and Judd were present.

On motion by Councilman Judd, seconded by Councilman Ballard, the Council approved the following employment:

Robert James Haskin, Probationary Firefighter, at $495.00 per month.

Councilman Judd moved the acceptance of the resignations of Jerry Ray Goodwin and Larry W. Sidebottom; seconded by Councilman Ballard. Motion carried.

On motion by Councilman Eddy, duly seconded, the meeting adjourned to Monday, July 26, 1971, 7:30 p.m.

[Signatures]

June Lile  
Council Reporter

Margaret Jordan  
Mayor

Attest:

[Signatures]

City Clerk  1285
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, July 26, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Laughlin, Conklin, Eddy, Ballard, Bruns, Johnson.

Minutes: On motion by Councilman Bruns, seconded by Councilman Johnson, the minutes of the meeting of July 6, 1971, were approved as submitted.

Opening of Bids for Street Repair Program: The City Clerk opened bid proposals as follows:

Suburban Asphalt, Inc., Lee's Summit, Mo.:
- Item No. 1 $35,427.58
- Item No. 2 26\%
- Item No. 3 11.00
- Item No. 4 12.50

Harbour Brothers, 6915 Kaw Drive:
- Item No. 1 $29,921.25
- Item No. 2 22\%
- Item No. 3 7.00
- Item No. 4 16.25

On each proposal, the bid bond was five per cent and equipment to be used was listed. Councilman Bruns requested that Councilman Eddy examine the list of equipment on each bid and make a recommendation.

Request for Permission to Solicit Funds at Ranch Mart Shopping Center - American Medical Center at Denver: Councilman Bruns moved that permission to solicit funds for American Medical Center be granted as requested, seconded by Councilman Ballard. Motion carried.

Bids for Street Repair Program: Councilman Eddy stated the equipment listed on the bids was capable of doing the work involved. Councilman Bruns moved that the low bid of Harbour Brothers, a Kansas firm, be accepted; seconded by Councilman Johnson. During discussion of the matter, Paul Myers stated the Department had estimated the cost of the overlaying to be $25,000. Councilman Eddy raised the question of whether there was a state or city ordinance against awarding a contract for an amount higher than the estimate. On motion by Councilman Bruns, seconded by Councilman Laughlin, the matter was tabled until the question of law could be researched.

Resolution No. 236 - Relative to Creation of Tomshawk Creek Sewer Sub-District No. 4: An outline of the proposed district
had been distributed. Virgil H. Pollock of J. C. Nichols Company was present to answer questions. Following discussion of the matter, Councilman Ballard moved adoption of the resolution, seconded by Councilman Bruns. Resolution No. 236 unanimously adopted. Copy is attached hereto as part of the record.


Bids for Street Repair Program: City Attorney Winn read City Ordinance 1-412 and Kansas Statute 14-440 and stated that awarding this contract clearly would be contrary to those sections. There was discussion of how the estimate was made and who participated in making it. Councilman Eddy suggested that if Shafer, Kline & Warren has an estimate it might still be brought before the Council. City Attorney Winn agreed the bids could be held in abeyance until such time as the estimate might be examined. On motion by Councilman Conklin, seconded by Councilman Bruns, the motion was tabled pending contact with Shafer, Kline & Warren regarding their estimate.

There was a short recess to change the recording tape.

Plan Commission Recommendation re Merry Lea Farms Plat: Councilman Conklin moved acceptance of the plat and deed restrictions for Merry Lea Farms. Eugene Alt, Chairman of the Plan Commission, stated this matter had been approved by the Plan Commission, City Architect, City Engineer, Street and Sewer Committees and conforms with all the necessary regulations. Motion seconded by Councilman Eddy; carried.

Plan Commission Recommendation re Verona Gardens Plat: Councilman Conklin presented the plat, stating it had been reviewed by Shafer, Kline & Warren, the Street Committee and the Sewer Committee, and that the Plan Commission recommends approval subject to compliance with the Shafer, Kline & Warren recommendation noted on the plans that an additional inch of surfacing be added to 119th Street. On motion by Councilman Bruns, seconded by Councilman Johnson, the plat for Verona Gardens was accepted as amended by requiring a three-inch surface course on 119th Street.

Bids for Street Repair Program: Councilman Bruns stated he had been in touch with Phil Kline who stated it would be difficult to make an estimate now that bids have been opened. There was discussion of possible procedure. Councilman Bruns' motion to accept the bid of Harbour Brothers and the second were withdrawn. An attempt will be made to obtain an estimate from Shafer, Kline & Warren and the matter will be on the next agenda.

Ordinance No. 405 S - Relating to Payment of Salaries to Mayor and Councilmen - Second Reading: Motions by Councilman
Laughlin to delay consideration of this matter failed for lack of a second. Councilman Johnson moved that a vote be taken on the ordinance; seconded by Councilman Ballard. Motion carried. Ordinance No. 405 S was adopted with Councilmen Conklin, Eddy, Ballard, Bruns and Johnson voting aye; Councilman Laughlin voting nay. Mayor Jordan vetoed the ordinance, stating that she appreciated the dedicated service being given by elected officials but in view of the budget and levy lid, this was not the time for such an ordinance.

Bids on Hospitalization: Councilman Johnson stated he had not obtained bids for hospitalization and life insurance, and asked that the Mayor follow the instructions of the Council and obtain the bids.

Provision for Dog Control: Police Chief Kelly reported his investigation revealed that the Johnson County Humane Society rendered excellent service in dog control. He said they had consented to give a written agreement for at least the rest of the year at the following rates: Calls from 8:00 a.m. to 5:00 p.m. five days per week, $5.00; calls at other times, $7.50. Mayor Jordan requested that the proposal be obtained in writing and presented to Councilman Judd. Councilman Eddy moved that temporary authority be given to the Police Department to use this service at the prices stated until such time as the written proposal may be examined; seconded by Councilman Bruns. Motion carried.

Presentation of Proposed Budget for 1972: Copies of a proposed budget had been distributed. Mr. Vern Schallehn, accountant, was present to answer questions. Councilman Laughlin presented the proposed budget, explaining items and recommending that a recreation commission be set up outside the levy limit and that any equipment purchases in the Fire Department come out of the Special Fire Equipment Fund so that the City might take advantage of the maximum ad valorem levy.

Councilman Ballard moved that the Budget & Finance Committee do everything possible to move the absolute maximum number of dollars outside the tax limit for parks; seconded by Councilman Bruns. Motion carried unanimously.

Councilman Laughlin moved that the Ordinance Committee have an ordinance drafted to establish a recreation commission which would be responsible for the operations of all the City parks, and present it to the Council at the next meeting; seconded by Councilman Bruns. Motion carried unanimously.

After lengthy discussion, revisions to certain accounts in the departmental budgets as submitted were agreed upon.

At the request of Councilman Ballard, the Council adjourned to executive session.
The Council returned to regular session at 11:20 p.m. with Councilmen Laughlin, Conklin, Eddy, Ballard, Bruns and Johnson present.

Councilman Johnson moved that the resignation of Thomas Lovett, Firefighter First Class, be accepted; seconded by Councilman Bruns. Motion carried.

Councilman Ballard moved that the status of Sewer Department employee Jack C. Moore be changed from temporary to full time; seconded by Councilman Bruns. Motion carried.

On motion by Councilman Bruns, seconded by Councilman Eddy, the meeting adjourned to Monday, August 2, 1971, 7:30 p.m.

Margaret W. Jordan
Mayor

Attest:

June Lile
Council Reporter

Johnny Oberlander
City Clerk
Minutes of a regular meeting of the City Council of the City of Leswood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, August 2, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Laughlin, Conklin, Hoerner, Eddy, Ballard, Bruns, Johnson, Judd.

Changes in Agenda: Councilman Johnson moved that the item, "Appointment of Councilman, Ward 2" be deleted from the agenda and that "Appointment of a Councilman, Ward 2 - General Discussion" be substituted therefor; seconded by Councilman Ballard. Motion carried.

Councilman Ballard moved that the item listed under Ordinance Committee Report, "Ord. #405 S, salaries for Mayor and Council", be deleted from the agenda; seconded by Councilman Johnson. Motion carried, Councilman Hoerner opposed.

Councilman Bruns asked to be excused from the meeting and said that the subject of the engineer's estimate regarding the overlay of streets would not be presented tonight. Councilman Eddy moved that Mr. Bruns' report on streets be presented at this time and eliminated at the time shown on the agenda; seconded by Councilman Hoerner. Motion carried.

Public Works Commission - Streets - Engineer's Estimate re Street Repair Program for 1971: Councilman Bruns reported he had instructed the Public Works Superintendent to cut the mileage and secure an engineer's estimate and then resubmit the street repair program for bids. Councilman Eddy moved that the bids opened at the last Council meeting be rejected; seconded by Councilman Bruns. Motion carried. There was discussion of the content of the request for bids. Councilman Eddy withdrew a motion setting out specific requirements to be included in the request, and suggested that the Street Department consult with Shafer, Kline & Warren regarding wording of the request for bids. Councilman Judd moved that Councilman Eddy be appointed to confer with Shafer, Kline & Warren regarding preparation of the request for bids; seconded by Councilman Bruns. Motion carried.

At his request, Councilman Bruns was excused from the meeting.

Minutes: On motion by Councilman Ballard, duly seconded, the minutes of the meeting of July 26, 1971, were approved as submitted.

REPORTS

Treasurer: Mr. Hodson's written report was submitted. He stated receipts were below expenditures for the month of July, but that the financial situation was not badly out of line.

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with the budget. Councilman Hoerner inquired about the possibility of including comparative figures of last year per an earlier motion of the Council. Mayor Jordan stated this would be difficult because of a realignment of accounts. Mayor Jordan read from the treasurer's report of this month a year ago. The Treasurer's report was approved on motion by Councilman Judd, seconded by Councilman Hoerner.

Police Judge: Judge Cope's report was submitted and approved on motion by Councilman Eddy, seconded by Councilman Conklin.

Fire Department: Chief Toman's report was submitted and approved on motion by Councilman Judd, seconded by Councilman Ballard.

Police Department: Chief Kelly's report was submitted and approved on motion by Councilman Judd, seconded by Councilman Conklin.

Public Works Superintendent: Paul Myers' report was submitted. There was discussion of the need for a more comprehensive report. Mayor Jordan requested that the Public Works Commission submit a recommendation on what information should be included in the Superintendent's report and accumulated to facilitate preparation of the budget.

Councilman Eddy moved that at any time Police personnel find somebody in City buildings other than normal working hours or normal functions, that the Police Department include as a special part of its activity report the names of the individuals and the activity they are engaged in--not to include meetings set up through the City Clerk; seconded by Councilman Ballard. Motion carried unanimously.

COMMITTEE AND COMMISSION REPORTS

Budget and Finance: On motion by Councilman Eddy, duly seconded and carried, the report of the Budget and Finance Committee was moved on the agenda to just before approval of the Appropriation Ordinances.

Building Code: No report.


Ordinance: Ordinance No. 406 G - Relating to Four-Day Work Week for Police Department - Second Reading: Ordinance No. 406 G, proposed by Councilman Johnson, was adopted unanimously.

Ordinance No. 407 S - Relating to Acceptance of Five Deeds from Vic Regnier and Ranch Mart, Inc. Conveying to the City Tracts of Ground to be Used for Street Right-of-Way - Second Reading: Councilman Johnson proposed that Ordinance No. 407 S be adopted. Ordinance adopted with five aye votes, Councilmen Judd and Laughlin abstained.

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Ordinance Relating to Licenses for Sale of Cereal Malt Beverages - First Reading: Councilman Johnson presented this ordinance for first reading. Mayor Jordan explained its purpose was to clarify language of existing Ordinance 3-204a.

Discussion of Ordinance Relating to Acceptance of Deed from Kroh Bros., Inc. Conveying to the City a Tract of Ground to be Used for Street Purposes and Known as 89th Street: Following discussion, Councilman Laughlin moved that the Plan Commission review Kroh Bros. complete plans as now promulgated for all of their property within the Limited Office District south of 86th Terrace, through the buildings approved on the south of 89th Street, west to High Drive, and present a recommendation to the Council at such time as the Commission feels the matter is worked out properly; seconded by Councilman Ballard. Motion carried unanimously.

Councilman Hoerner moved that the City Attorney and the Mayor confer on the whole matter of accepting streets and present to the Council not later than September 7 a recommended procedure for acceptance of streets; seconded by Councilman Conklin. Motion carried unanimously.

Plan Commission - A. Y. McDonald Building, 10342 State Line: Councilman Conklin referred to a letter from Bennett Construction Co., Inc. concerning remodeling of the building at 10342 State Line Road and stated the Plan Commission felt it had no jurisdiction in the matter since the remodeling conformed to City requirements. There was discussion of present plans for general office use of the facilities and possible future expansion to include a clinic by Russell M. Tolley & Associates. On motion by Councilman Judd, seconded by Councilman Laughlin, the Council approved only the present phase of the plans.

There was a short recess.

The Council reconvened at 9:55 p.m. following the recess. Councilmen Laughlin, Conklin, Hoerner, Eddy, Ballard, Johnson and Judd were present.

Plan Commission - continued: Councilman Hoerner moved that the Council go on record as stating it had no preconceived objection to any additional development of the property provided it falls within the zoning of the area and provided that all other ordinances and requirements that have to do with development of property within the City are complied with; seconded by Councilman Judd. Motion carried. Mayor Jordan requested that Mr. Bennett leave a copy of the plans for the record.

Public Safety: Resolution No. 238 - Relating to Approval of Request to Permit Captain Strack to Work Vacation Period; Councilman Judd moved the adoption of a resolution to permit Captain Jerry Strack to work six shifts during his vacation period; seconded by Councilman Ballard. Resolution adopted. Copy is attached hereto as a part of the record.
August 2, 1971

Report Concerning Dog Control: Chief Kelly reported that he had received a letter from Wyandotte County Humane Society confirming terms of a proposed agreement for animal pick up. The temporary authority granted last meeting will remain in effect until the written proposal is distributed to councilmen.

Public Works Commission - Resolution No. 237 re 95th Street: There was a general discussion of the resolution presented by Councilman Ballard and distributed to councilmen prior to the meeting. Councilman Ballard explained what had been done, where the matter stands now, and what is anticipated. Councilman Ballard moved the adoption of Resolution No. 237; seconded by Councilman Hoerner. Mayor Jordan thanked and congratulated Councilmen Ballard, Eddy, and Conklin and the Public Works Commission for the work they had done in a very short time. Councilman Hoerner's second was withdrawn temporarily to give Bob Jakobe and two other gentlemen in the audience an opportunity to speak. Mr. Jakobe expressed concern that the cost of storm sewers which would be required in conjunction with the widening of the street was not included in the cost estimates. Councilman Eddy pointed out that storm drainage and the sewer system in general in this area would have to be extensively rebuilt regardless of what is done to the street, and the street is rapidly growing into disrepair. Resolution adopted, Councilman Judd abstained. Copy is attached hereto as part of the record.

Parks - Creation of Parks Commission Fund: On recommendation of the Park Commission, Councilman Conklin moved that a levy of .489 mills per $100 valuation (which will bring the levy up to the mill levy lid for the city) be set to fund the budget for the Park Commission; seconded by Councilman Ballard. Motion carried. Mayor Jordan requested that the Ordinance Committee draft an ordinance for the mill levy for the Parks Commission to be adopted on an emergency basis at the next meeting.

Sanitary Sewers and Storm Drainage: No report.


Appointment of a Councilman, Ward 2 - General Discussion: There was discussion of the manner of appointing new councilmen. Councilman Hoerner moved that the procedure for filling a vacant position on the Council be as follows: (1) That within a week after a vacancy becomes known that it be publicized to all members of the Council with an appropriate statement to the press that there would be a vacancy to be filled; (2) That a nominating committee composed of the Mayor, the Council President and the other Councilman from the ward where the vacancy occurs be charged with the responsibility of finding a suitable candidate or candidates for the position; (3) As soon as is conceivable after the publication, that the nominating committee recommend one or more candidates for approval by the Council; (4) That the candidate or candidates
be voted upon by the Council at the meeting following the meeting at which they are presented, during which time councilmen would have an opportunity to check the candidates' qualifications.

There was a short recess to reverse the recording tape.

Tape 12 Side 2

Appointment of a Councilman (continued): Councilman Eddy seconded Councilman Hoerner's motion; motion carried.

Councilman Ballard moved that this procedure for filling Council vacancies be presented as an ordinance; seconded by Councilman Laughlin. Motion carried.

Discussion re Distribution of Each Agenda: A memorandum had been distributed. Councilman Ballard moved that the agenda be furnished to the Johnson County office of The Star, the Sun-Scout, the Leawood Squire, the Johnson County Herald, and the School Board of District #229; seconded by Councilman Johnson. Motion carried.

Report re A.T.A.: Mayor Jordan stated the City had been asked to serve as a collection depot for information forms concerning origination and destination points of bus riders. Councilman Hoerner moved that the forms be collected for the Metropolitan Advisory Board of A.T.A.; seconded by Councilman Eddy. Motion carried.

Discussion of Responsibilities of Homes Associations: Deferred to next meeting.

Discussion re Contract for Lawn Maintenance: There was discussion of whether performance under the present maintenance contract for the City Hall lawn and Brook Beatty Park justified the cost. Councilman Ballard moved that the City Attorney cancel the City Hall lawn and Brook Beatty Memorial Park section of the maintenance contract, if possible; seconded by Councilman Judd. Motion carried.

1972 Budget: Copies of the 1972 budget as revised at the meeting of July 26 had been distributed. Following discussion of each schedule, with some further revisions being agreed upon, the proposed 1972 budget was accepted. The budget hearing will be held on Saturday, August 14, 1971, 10:00 a.m.

Permission to Rent Safe Deposit Box Outside City: Mayor Jordan stated the office safe was overflowing and the City Attorney had approved storage of documents in a safe deposit box outside the City. On motion by Councilman Johnson, seconded by Councilman Laughlin, Ranchmart State Bank was designated as depository for City documents.

City Attorney Opinions: Copies of opinions on Leawood Park liabilities, heavy industrial area at 103rd Street, and status of Fuller Brush and Avon representatives will be distributed to Councilmen for their files.
Bids for Hospitalization and Life Insurance: Mayor Jordan stated the City Attorney had advised that the major medical portion of the present insurance was not terminable except on the anniversary date, November 1, and suggested that the matter be deferred.

Appropriation Ordinances: No. 292A in the amount of $34,202.03 (except Item No. 5266 for $1,337.00 to Hensley Asphalt Co. which on motion by Councilman Eddy, seconded by Councilman Conklin, was deleted from the approval), and No. 2843 in the amount of $156,436.95 (including $118,986.25, U. S. Treasury Bills), providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved.

On motion by Councilman Judd, duly seconded, the meeting adjourned to Monday, August 16, 1971, 7:30 p.m.

[Signatures]

Mayor
Council Reporter
City Clerk
Minutes of a Budget Hearing of the Governing Body of the City of Leawood, Kansas.

A Hearing in connection with the proposed City budget for 1972 was held at 10 A.M. on Saturday, August 14, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Jordan presiding.

Roll call was answered by Councilman Bruns, Judd and Conklin. Also present were City Treasurer Hodson, City Attorney Winn, and the City Clerk.

There was no one present to request any explanation, deletion or addition relative to the proposed budget.

Mayor Jordan advised those present that formal approval of the budget would be handled at the August 16 Council meeting.

The meeting was adjourned to August 16, 1971, 7:30 P.M., on motion of Councilman Bruns, seconded by Councilman Conklin.

[Signatures]

Mayor

City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, August 16, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Conklin, Hoerner, Eddy, Bruns, Johnson, Judd.

Minutes - Meeting of August 2, 1971: Councilman Conklin proposed that the minutes be amended so that the fourth sentence of the second paragraph on page 1293 shall read: "Mayor Jordan thanked and congratulated Councilmen Ballard, Eddy, Bruns and Conklin and the Public Works Commission for the work they had done in a very short time." On motion by Councilman Bruns, seconded by Councilman Hoerner, the minutes of the meeting of August 2, 1971, were approved as amended.

Addition to Agenda: Councilman Bruns moved that Certification of the 1972 Budget be added to the agenda. Councilman Johnson questioned whether the budget hearing had been legally held since a quorum of the Council was not present. The matter was deferred to the end of the agenda.

Warrant Check No. 5266, Hensley Asphalt Co., $1,337, Withheld From Approval of August Appropriation Ordinance: On motion by Councilman Bruns, issuance of warrant check No. 5266 was authorized and approval of Appropriation Ordinance No. 292A was completed.

Request for Council Resolution re Animal Control: Following discussion, a motion by Councilman Judd was withdrawn. Councilman Hoerner moved that Chief Kelly, working with the City Attorney, be given authority to negotiate a contract for the City of Leawood with the Humane Society of Greater Kansas City, limited to a maximum of $1,201.00 for the fiscal year 1972, and submit it to the Council for approval; seconded by Councilman Bruns. Motion carried. Councilman Eddy moved that Chief Kelly be authorized to continue the present arrangement with the Humane Society of Greater Kansas City until October 1, 1971, on the basis of the fee schedule outlined in the letter from the Humane Society dated July 23, 1971, and that figures on how much has been spent and how much is left for the remaining three months of the year be brought before the Council at the first meeting in October; seconded by Councilman Conklin. Motion carried.

Visitors: Mrs. Kenneth Turner, Ed Bruns, Jr., Charles Buchanan, Gerald Stipancich, E. L. Winthrop. Member of the Press: Ann Canfield. Mrs. Turner requested that additional copies of the agenda be furnished to the audience. Charles Buchanan protested the manner of publicizing the budget hearing and the percentage of increase in the 1972 budget as reported in the Kansas City
Star. Following explanation by Mayor Jordan, he withdrew the protest.

City Attorney's Opinion Relative to Contracts - Hospitalization Program for City Employees: Copies of the opinion were distributed. Councilman Johnson and the City Attorney will draft a request for bids on the insurance program.

Metroplan Resolution re 95th Street: Copies of a resolution by the Metropolitan Planning Commission had been distributed. Gary Metcalf, Traffic Engineer of Overland Park, presented an original letter memorandum for signature by Mayor Jordan approving the designation of 95th Street in Leawood and Overland Park as a part of the Urban Road System Plan, and a map showing the designation. Councilman Eddy moved that Mayor Jordan sign the Metroplan for Wyandotte and Northeast Johnson County Partial Urban System Map of August 16, 1971, and the letter memorandum which is also being signed by the Mayor of Overland Park and County Commissioner Davis; seconded by Councilman Johnson. Motion carried, Councilman Judd opposed.

Ordinance No. 408 G - Relating to Licenses for Sale of Cereal Malt Beverages - Second Reading: Councilman Johnson proposed the adoption of Ordinance No. 408 G; ordinance adopted unanimously.

Ordinances for First Reading - (1) Ordinance Conveying Deed to Land, Leawood Park; (2) Franchise Ordinance for Operation of Traffic Signals, (3) Ordinance Relating to Procedure for Replacing Councilmen: Councilman Johnson stated these ordinances would not come out of committee until next meeting.

Appointment of City Treasurer: A resume concerning Charles R. Hansel had been distributed. Mayor Jordan reviewed the qualifications of Mr. Hansel. Upon motion by Councilman Bruns, seconded by Councilman Johnson, the appointment of Charles R. Hansel as City Treasurer was unanimously approved. Mayor Jordan stated Raymer Hodson, outgoing treasurer, deserved a great deal of credit for the faithful service he had given the City.

Request for Permission to Solicit Funds - National Cystic Fibrosis Research Foundation: On motion by Councilman Bruns, seconded by Councilman Judd, permission to solicit funds within the City was granted to National Cystic Fibrosis Research Foundation. Councilman Eddy stated he felt the Council should be concerned as to what percentage of funds solicited within the City by any organization actually go to the cause for which they are solicited and what percentage goes to management and overhead. Mayor Jordan requested Councilman Hoerner, in conjunction with the City Attorney, to originate and submit to the Council a form of application for permission to solicit funds which includes a line for this percentage information.
Discussion - Letter from Messianic Witnesses of Kansas City: Councilman Judd moved that this matter be placed on the agenda for the next meeting and that the Public Safety Commission study the request in detail; seconded by Councilman Bruns. Motion carried.

Application for Renewal of Retail Liquor License - Ranch Mart Liquor Store: City Attorney Winn stated the application conforms with City ordinance. On motion by Councilman Bruns, seconded by Councilman Johnson, the application was approved.

Acceptance of Resignation of Rodney S. Laughlin: Mayor Jordan said Councilman Laughlin had moved from the City. On motion by Councilman Bruns, seconded by Councilman Judd, the resignation of Rodney S. Laughlin as Councilman, Ward 2, was accepted. Councilman Johnson moved that as soon as the recognition certificate or plaque for city officials is agreed upon that Mr. Laughlin be given one for elected officials, as well as a key to the City; seconded by Councilman Conklin. Motion carried. Mayor Jordan added that Councilman Laughlin had done an outstanding job as Budget and Finance Committee Chairman.

Delegates to Annual City Convention of League of Kansas Municipalities: Mayor Jordan requested that councilmen submit ideas on legislation needed for cities to the City Clerk for submission to the League. On motion by Councilman Johnson, seconded by Councilman Bruns, Mayor Jordan was named as one of the delegates to the League convention. On motion by Councilman Bruns, seconded by Councilman Johnson, Councilman Ballard, President of the Council, was named as the second delegate. On motion by Councilman Bruns, duly seconded, Councilmen Eddy and Johnson were named as the alternates.

Public Safety Recommendation Concerning Lighting Adequacy: Mayor Jordan requested that this matter be added to the agenda. Councilman Eddy moved that the request to add this subject to the agenda be denied on the basis that the Council did not yet have sufficient information on it; seconded by Councilman Bruns. Motion carried, Councilman Hoerner opposed.

Councilman Johnson moved that the City Attorney find out what we can do to share the cost of street lights on Mission Road with Prairie Village; seconded by Councilman Bruns. Motion carried.

Discussion of Sidewalk at Lee Boulevard and Somerset Road: There was discussion concerning the sidewalk physically attached to the street at this location and ways of distinguishing it from the street. Councilman Eddy requested that Councilman Bruns investigate the possibility of installing button-type bumps to separate street from sidewalk.

Certification of 1972 Budget: City Attorney Winn stated that Kansas statutes pertaining to the budget hearing and publication of notice of the hearing had been complied with and that
tonight's meeting was the appropriate time for the Council to take action on the budget. Councilman Bruns moved that the 1972 budget as published in The Johnson County Herald be approved; seconded by Councilman Judd. Motion carried, Councilman Johnson abstained.

Minutes of Budget Hearing: On motion by Councilman Bruns, seconded by Councilman Conklin, the minutes of the budget hearing of August 14, 1971, were approved; Councilman Johnson abstained.

Status of Crossing Guards: Councilman Bruns requested that the Public Safety Commission report to the Council on the status of crossing guards at the earliest possible time.

There was a short recess.

At the request of Councilman Judd, the Council adjourned to executive session.

The Council returned to regular session at 9:55 p.m. with Councilmen Conklin, Hoerner, Eddy, Bruns, Johnson and Judd present.

On motion by Councilman Judd, seconded by Councilman Bruns, the following employee status change was approved:

Steven G. Shults, from Patrolman to Patrolman First Class at $650 per month.

On motion by Councilman Bruns, seconded by Councilman Eddy, the meeting adjourned to Tuesday, September 7, 1971, 7:30 p.m.
Minutes of a special meeting of the City Council of the City of Leawood, Kansas.

A special meeting of the City Council was held at 5:30 p.m. on Friday, August 20, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Mayor Jordan read the request for the special meeting and waiver of notice thereof signed by Councilmen Bruns, Conklin, Eddy, Johnson, Judd and Hoerner, for the purpose of considering annexation of territory south of 151st Street at the request of certain property owners in that area. Roll call was answered by Councilmen Conklin, Hoerner, Eddy, Bruns, Johnson and Judd.

Mayor Jordan read Resolution No. 170 adopted April 22, 1968, and added that it stated the present position of the City of Leawood. It was uncertain whether Overland Park had adopted a similar resolution. The official boundary map of the City of Leawood was displayed. City Attorney Winn stated recent annexations of the City of Overland Park included land generally flush along 151st Street from Nall to beyond Metcalf, and under the current annexation laws it would be quite feasible for Overland Park now to start an eastwardly move. There was discussion of the recent annexation situation and of the annexation laws.

Visitors: Virginia Mathis, Mrs. Tom Spivey, Mrs. L. K. Corkran, Mr. and Mrs. Norman Breckenridge.

There was an open discussion with the visitors concerning ownership of property in the area south of 151st Street and east of Nall and feelings concerning annexation.

Mayor Jordan stated Florence K. and James W. Bruce, Fred W. and Mabel Hay, and Thomas S. Spivey had filed requests for annexation by Leawood.

Eugene Alt, Chairman of the Plan Commission, indicated the Oxford Township zoning for the area in question. Mayor Jordan added that any such property taken into the City would be as unzoned territory.

Mayor Jordan explained that the Council would not be able to act on the Corkran and Breckenridge requests at this meeting because there was no common point between that property and any other property that had requested annexation.

Ordinance No. 409 S - 55th Annexation: Councilman Bruns proposed the adoption of Ordinance No. 409 S annexing to the City of Leawood certain lands known as the Bruce, Hay and Spivey properties, and moved for declaration of emergency so that the ordinance might be adopted on first reading. Motion for declaration of emergency seconded by Councilman Judd; unanimously carried. Ordinance No. 409 S was adopted unanimously.
Resolution No. 239: Councilman Hoerner moved the adoption of Resolution No. 239, reaffirming Resolution No. 170 passed by the Leawood City Council on April 22, 1968; seconded by Councilman Johnson. Resolution No. 239 adopted unanimously; copy is attached hereto as a part of the record. Mayor Jordan stated she would take an attested copy of the resolution to the Overland Park City Council.

On motion by Councilman Bruns, duly seconded, the meeting adjourned to Tuesday, September 7, 1971, 7:30 p.m.
Minutes of a special meeting of the City Council of the City of Leawood, Kansas.

A special meeting of the City Council was held at 5:30 p.m. on Tuesday, August 24, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. The City Clerk read the request for this special meeting signed by councilmen for the purpose of considering annexation of territory south of 151st Street at the request of certain property owners in that area, and such other matters as are necessary to implement the action taken by the Council in this regard. Roll call was answered by Councilmen Conklin, Hoerner, Eddy, Ballard, Bruns, and Judd.

Kathy Erbacher, Kansas City Star reporter, was present.

Mayor Jordan presented petitions for annexation by owners of property in Sections 9 and 10, Township 14, Range 25.

Ordinance No. 410 S - 56th Annexation: Councilman Bruns moved the adoption of Ordinance No. 410 S, annexing property owned by Dr. Alan T. and Felicia Thal. There was discussion concerning extending fire and street services to the territory under consideration. City Attorney Winn stated the statute does not provide any specific showing of ability to care for and provide services for annexed territory. Mayor Jordan added it was made clear to these people that we have very serious doubts about extending these services, and that we are not equipped to take them in except as unzoned territory. There was discussion of the need for a long-range determination as to how far City boundaries should be extended, and the immediate need to keep things open to protect ourselves and offer shelter to those who have requested annexation. Ordinance No. 410 S was unanimously adopted.

Ordinance No. 411 S - 57th Annexation: Councilman Hoerner moved the adoption of Ordinance No. 411 S, annexing property of Mrs. Grover C. Monahan. Ordinance No. 411 S was unanimously adopted.

Councilman Hoerner asked to be excused from the meeting.

Councilman Eddy urged that the Mayor and/or the Inter-governmental Cooperation Committee meet with Overland Park officials at the earliest possible time to discuss the situation. Mayor Jordan said Mr. Alt and Councilman Hoerner were awaiting action on their request for a meeting.

Eugene Alt stated the Plan Commission was not in a position to say at present precisely how big the City ought to be and where it ought to go, but the Commission feels all avenues should be kept open for continued growth at this time.
At the request of Councilman Bruns, the Council adjourned to executive session.

The Council returned to regular session at 6:40 p.m. Councilmen Conklin, Eddy, Ballard, Bruns and Judd were present.

On motion by Councilman Bruns, seconded by Councilman Conklin, the meeting adjourned to Tuesday, September 7, 1971, 7:30 p.m.

[Signatures]

Mayor

Council Reporter

City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Tuesday, September 7, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Conklin, Eddy, Ballard, Bruns, Judd.

Changes in Agenda: Mr. Eddy moved, in consideration of members of the public present concerning 95th Street, that the agenda be changed so that these people might be heard right after the opening of bids for the street repair program; seconded by Councilman Judd. Motion carried. Councilman Bruns moved that all other public business be brought up after the 95th Street issue; seconded by Councilman Judd. Motion carried.

Minutes - Meeting of August 16, 1971: On motion by Councilman Bruns, seconded by Councilman Judd, the minutes of the meeting of August 16, 1971, were approved as submitted.

Minutes - Meeting of August 20, 1971: On motion by Councilman Bruns, seconded by Councilman Conklin, the minutes of the special meeting of August 20, 1971, were approved as submitted.

Minutes - Meeting of August 24, 1971: On motion by Councilman Bruns, seconded by Councilman Judd, the minutes of the special meeting of August 24, 1971, were approved as submitted.

Visitors: Rev. Lyle P. Murphy, Dr. and Mrs. Richard Dayringer, Bob Goldstein, Mr. and Mrs. William G. Turner, Mr. and Mrs. B. W. Blattner, Mr. and Mrs. Bill G. Traver, Mrs. J. L. Grimes, Mrs. C. C. Crippin, Mr. and Mrs. Dennis M. Boer, Mr. and Mrs. S. J. Boschert, J. Oren Elledge, Robert E. Jakobs, Floyd G. Whitney, Jr., Fred E. Gardner, Rosemary Wolf, Mr. and Mrs. W. S. Hillis, Mr. and Mrs. A. C. Sanders, Mr. and Mrs. Mark Medved and Diane and Marilyn Medved. Member of the Press: Elaine Bessier.

Opening of Bids for Street Repair Program: Mayor Jordan read the acting city engineer's estimate for the street repair program submitted by Shafer, Kline & Warren in the amount of $25,509.25. The following bid was opened:

Harbour Brothers, Inc., 6915 Kaw Drive, total $24,651.80.

This was the only bid received from 24 requests sent out. On motion by Councilman Judd, seconded by Councilman Eddy, the bid of Harbour Brothers, Inc. in the amount of $24,651.80 was accepted; Councilman Bruns abstained stating he felt the specifications were drawn too tight.

Presentation of Documents re Widening of 95th Street: Mr. Robert E. Jakobs read a statement prepared by Mr. Selonke,
Chairman of the 95th Street Homeowners Association, entitled "Progress, is it for Pavement or Preservation?". Since copy of the statement had not been furnished the City, Mayor Jordan advised that it would be considered at a later meeting.

Councilman Judd pointed out that 95th Street bisects three wards so that the people on 95th Street should be represented by at least six councilmen; that it was the feeling of the people present that they were not represented by this Council in the resolution adopted August 2. Councilman Judd added that he felt there should be a general referendum on how the City's portion of the funding would be done; that the people within the watershed should be informed of the necessity for storm drainage, and that residents of the City should be informed that the Metropolitan chart approved by the Council also calls for the widening of Lee Boulevard, 83rd Street and 103rd Street. Councilman Judd recommended that after the statement made by Mr. Jakobe had been reviewed the Council take a position pertaining to rezoning along 95th Street in the event the street is widened in excess of 45' 4''.

Mr. Jakobe made a statement concerning widening of 95th Street, referring to an article which appeared in The Kansas City Star relative to cost and a statement by Commissioner Davis concerning use of the street. He added that storm drainage and the widening should be considered as one project.

There was a short recess to change the recording tape.

Discussion re Letter from Messianic Witnesses: A memorandum had been distributed. Rev. Lyle P. Murphy explained his request to be permitted door to door visitation on evangelical mission. After discussion, Mayor Jordan stated any action by the Council would be premature until a formal request for solicitation was submitted.

Presentation of Medallion from Secretary-General of Mexico: Miss Diane Medved presented to the City a medallion from the Secretary-General of Mexico in return for a key to the City of Leawood which had been presented the Secretary-General by Miss Medved. Mayor Jordan requested the City Clerk to send a letter of acknowledgment.

REPORTS

Treasurer: The Treasurer's report, including a monthly analysis of expenditures, was submitted by Mr. Hansel. Mayor Jordan explained the new method of analysis. She stated each chairman of a committee would be requested to indicate exactly what each line account in the 1972 budget was to cover. The Treasurer's report was approved on motion by Councilman Bruns, seconded by Councilman Eddy. Councilman Judd requested that the treasurer research the minutes at the time the allocation for crossing guards was made to determine whether it was to come out of the police or the administrative budget for the current year.
Municipal Judge: Judge Cope's report was submitted and approved on motion by Councilman Bruns.

Fire Department: Chief Toman's report was submitted and approved on motion by Councilman Judd, seconded by Councilman Bruns.

Police Department: Chief Kelly's report, presented by Sergeant Wells, was approved on motion by Councilman Bruns, seconded by Councilman Judd.

Public Works Superintendent: Paul Myers' report was submitted and approved on motion by Councilman Bruns, seconded by Councilman Conklin. Mayor Jordan commended the promptness in installation of traffic markers on 95th Street east of Lee and on Lee Boulevard at Somerset.

COMMITTEE AND COMMISSION REPORTS

Budget & Finance: No report.

Building Code: No report.

Intergovt. Coop. & Community Affairs: Resolution re Overland Park annexation was deferred.

Ordinance: Ordinances on the agenda for first reading were deferred until Councilman Johnson could be present.

Plan Commission - Ordinance to Increase Plan Commission Membership From Seven to Nine Members (First Reading): Councilman Conklin presented the ordinance for first reading, stating membership of the Plan Commission needed to be increased because of the volume of work which needs to be done.

Councilman Conklin reported the Plan Commission was not prepared to recommend a definite set of boundary lines for the City, but avenues should be left open for development and growth.

Public Safety - Resolution No. 240 - Providing for Installation of Seven Additional Street Lights: On motion by Councilman Judd, seconded by Councilman Bruns, the following resolution was unanimously adopted:

"BE IT RESOLVED that the Mayor be authorized to sign Resolution No. 21 under Ordinance No. 264 providing for additional street lighting in the City of Leawood, Kansas, to be paid for from the City's reserve fund with the Kansas City Power & Light Co. (between 9744 and 9804 High Drive, 9805-9900 High Drive, 2012 W. 98th, 2044 W. 81th Terr., 8732 Cherokee Ct., 89th and High southbound to Sagamore, 3410 W. 88th)"
Public Works - Street: No report.

Public Works - Parks: Councilman Conklin reported pre-application information had been supplied to Metroplan indicating interest in Federal funds available for purchase of park land. He also reported that a letter received from the Safety Specialist of Great American Insurance Company indicated the City would be less liable for accident litigation if a railing were installed around the top of the caboose.

Public Works - Sanitary Sewer & Storm Drainage - Resolution No. 241 - Consenting to Creation of Lateral Sewer District No. 1 in State Line Main Sewer District: City Attorney Winn stated the documents were in customary form. On motion by Councilman Ballard, seconded by Councilman Bruns, Resolution No. 241 was adopted; copy is attached hereto as part of the record.

Location of Police Station: Councilman Ballard stated the Public Works Commission had decided to go on record definitely indicating that the police station should not be located on the present Public Works property.

Borrow Pit - 103rd and State Line: Councilman Ballard suggested this operation be investigated by the Building Inspector.

Street Lights on State Line, 103rd to Red Bridge Road: Councilman Ballard requested that the Public Safety Commission investigate negotiating for these street lights with Kansas City, Missouri.

Recommended Procedure for Accepting Land Conveyed to City: Mayor Jordan indicated a procedure recommended by City Attorney Winn would be adopted whereby developers would submit to the Plan Commission proposals to convey land to the City, accompanied by a sketch, before Council action.

Discussion - Responsibilities of Homes Associations: There was discussion of homes associations and their responsibilities for trash collection, park and island care and tree removal, and the desirability of having these responsibilities assumed by the City. Councilman Ballard moved that the City Attorney evaluate the homes associations in relation to the City government and give some guidance as to what type report we might require from them in order to know what is going on each year; seconded by Councilman Conklin. Motion carried. Councilman Ballard moved that the City Attorney examine a method whereby the City could assume the responsibilities for parks, street rights-of-way and trash collection in a utility format; seconded by Councilman Bruns. Motion carried.

Discussion - Violations of Zoning Ordinances: There was discussion relative to violations of zoning and building
permit ordinances and the need to inform the public of these regulations. It was the general feeling of the Council that enforcement should be stepped up. A procedure was discussed whereby the Police Department would report violations to City Hall for action by the Building Inspector. Councilman Ballard moved that the newsletter be used to inform the public of frequently violated ordinances and the building permit requirement; seconded by Councilman Bruns. Motion carried.

Recommended Application Form re Requests for Permission to Solicit Funds: A form drawn up by Councilman Hoerner had been distributed. Councilman Ballard moved that the form, amended by adding the words "and administration" as noted, be approved; seconded by Councilman Bruns. Motion carried.

Applications for Personnel Under Emergency Employment Act of 1971: Mayor Jordan stated under the President's proposal to increase employment of veterans money was available on a 10%-90% sharing basis in the form of cash salary, supervisory services, matching facilities, etc., and suggested that the Council consider hiring a police clerk and a planning assistant under this program. There was discussion of priorities in need for personnel. A motion by Councilman Bruns was withdrawn. Councilman Ballard moved that the Mayor be authorized to make application for personnel and that the priority be (1) police clerk, (2) planner, and (3) police clerk; seconded by Councilman Bruns. Motion carried, Councilman Eddy opposed.

Appointment to Board of Zoning Appeals: Upon recommendation of Charles Witthaus, Board of Zoning Appeals Chairman, the appointment of James Fellenstein to fill the unexpired term of Louis H. Geis on that Board was approved on motion by Councilman Bruns, seconded by Councilman Judd.

Approval - Certificate of Appreciation and Key to City for Retiring Treasurer: On motion by Councilman Judd, seconded by Councilman Bruns, awarding of the usual badges of office and certificate of appreciation to Raymer Hodson, retiring treasurer, was approved.

Proclamation - Y-Indian Guide Week: On motion by Councilman Bruns, seconded by Councilman Judd, the period from September 19 through September 25, 1971, was proclaimed Y-INDIAN GUIDE WEEK.

Councilman Eddy requested that investigation be made as to whether The Johnson County Shopper had complied with Council suggestion that a postage-paid card with name of person to contact to stop delivery be supplied in the first issues of the publication.

Resolution No. 242 - Setting Sewer Assessment for 1972: On motion by Councilman Eddy, Resolution No. 242 setting the 1972 sewer assessment at the same figure as 1971 was unanimously adopted. Copy is attached hereto as part of the record.
At the request of Councilman Ballard, the Council adjourned to executive session.

The Council returned to regular session at 11:00 p.m. Councilmen Conklin, Eddy, Ballard, Bruns and Judd were present.

Approval of Employment - Administration: Councilman Ballard moved that Frances Farrar be employed as Sewer Clerk at $410.00 per month to replace Pat Trotter; seconded by Councilman Bruns. Motion carried.

Appropriation Ordinances: Nos. 293A and 285S in the amounts of $35,810.16 and $255,587.87 (including $207,460.10, U. S. Treasury bills), providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

On motion by Councilman Bruns, seconded by Councilman Conklin, the meeting adjourned to Monday, September 20, 1971, 7:30 p.m.

Attest:

[Signature]
City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, September 20, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Conklin, Eddy, Ballard, Bruns, Johnson, Judd.

Minutes: On motion by Councilman Bruns, seconded by Councilman Eddy, the minutes of the meeting of September 7, 1971, were approved as submitted.

In consideration of members of the public present the order of business was changed.

Application to Solicit - Leawood Lions Club: Lions Club members Harry Brown, F. R. Edgington and R. L. Sutton were present in behalf of the application. City Attorney Winn stated the application was in order, and it was approved by acclamation.

Proclamation - Leawood Lions Candy Week: By unanimous vote, Mayor Jordan was authorized to proclaim the week of September 26 through October 2, 1971, as LEAWOOD LIONS CANDY WEEK.

Councilman Judd expressed the Council's appreciation to the Leawood Lions Club for all the benefits that have accrued to the City through the Lions Club.


Proclamation - Patriotic Education Week: On motion by Councilman Bruns, seconded by Councilman Judd, the Mayor was authorized to proclaim the week of October 12 to 19, 1971, as PATRIOTIC EDUCATION WEEK, and City Attorney Winn was designated as the City's representative to speak at a meeting of the Tomahawk Society of Children of the American Revolution on October 13, 1971.

Mayor Jordan added that the people at the Council table are excellent representatives of participating citizenship.

Presentation of Safety Award from Kansas Highway Commission to City of Leawood: Mr. Lyle D. Ward presented to the City of Leawood a special award for traffic engineering for 1970 and a special award for traffic law enforcement for 1970 for Class B cities. Mayor Jordan and Chief Kelly acknowledged the awards. Chief Kelly introduced the following officers primarily responsible for traffic engineering in the City: Earnest Gardner, Ron Kossenjan, Allan Buford, Gale Welch and Veldon Prince.
Mayor's Report on Annexation and Discussion of Model Ordinance for Joint Cities-County Plan Commission: Mayor Jordan referred to publicity given recent annexations and stated that the annexations by the City of Leawood were all in response to urgent petitions by the landowners involved. She read a letter from Commissioner Davis requesting a meeting to discuss growth problems in the southeast part of the county, and reviewed discussions between representatives of Overland Park, Olathe and Leawood to work out details of a plan to implement annexation procedures which would be more orderly and more responsive to the needs of the areas involved. She stated a committee composed of Eugene Alt, Donald Pipes and Ray Riley had drafted a proposal for a joint cities-county plan commission. Mr. Eugene Alt explained the committee's proposal, copies of which had been given to councilmen. Mr. Alt stated the proposal was not in final form. Mayor Jordan added that the question before the Council was whether or not Leawood should continue to explore the possibility of having this commission formed to augment the functions of our own Plan Commission. Councilman Conklin reported the Leawood Plan Commission discussed the proposed ordinance and was in complete agreement with the establishment of a joint cities-county plan commission to promote economy and efficiency in the coordinated development of the area in the best interest of the county as a whole; and that the Commission endorsed in principle and in substance, subject to final revision, the proposed joint cities-county plan commission ordinance, and recommended that Leawood be a participating member of the joint cities-county plan commission. Councilman Bruns moved for approval of the recommendation of the Leawood Plan Commission; seconded by Councilman Conklin. Motion carried.

COMMITTEE AND COMMISSION REPORTS

Ordinance - Kansas City Power & Light Franchise: Suggested revisions of the franchise ordinance presented by Councilman Johnson were discussed. Councilman Johnson stated the ordinance would be redrafted and presented at the next meeting.

Ordinance - Conveyance of Deed to Land - Park: Deferred at the request of Councilman Johnson.

Ordinance - Procedure for Replacing Councilmen: Councilman Johnson reviewed changes suggested by the Ordinance Committee and stated the ordinance would be resubmitted.

Ordinance - Proposed Zoning Code Revision Covering Setbacks (First Reading): Councilman Johnson presented for first reading revised wording of this ordinance as recommended by the Plan Commission.

Plan Commission - Ordinance No. 412 G - Increasing Plan Commission from Seven to Nine Members (Second Reading)
motion by Councilman Conklin, Ordinance No. 412-G was unanimously adopted.

Nomination to Plan Commission: Councilman Conklin moved approval of the appointment of Mr. G. Nelson Fisher, recommended by the Plan Commission Chairman, as a member of the expanded Plan Commission; seconded by Councilman Bruns. Motion carried. Mr. Alt proposed the appointment of Mr. Kirk O'Dell as the second out-of-city member of the Plan Commission. On motion by Councilman Johnson, the appointment of Mr. O'Dell was unanimously approved.

Public Safety: Councilman Judd requested an executive session at the end of the agenda. Councilman Judd referred to the Ordinance Committee for clarification Ordinance 14-110 providing exception to 25 miles per hour speed limit on certain streets. Councilman Judd reported the Public Safety Commission had discussed police and fire protection with the owner of the State Line Airport and had obtained a copy of Kansas City, Missouri statutes governing private airports. The matter was referred to the Ordinance Committee.

Councilman Judd requested that the City Attorney investigate taxation of property in the area of the airport and consider rezoning.

Lighting of State Line Road, 103rd to Red Bridge Road: Councilman Judd reported the Public Safety Commission had voted to retain the position that this is a primary responsibility of the City of Kansas City, Missouri, and no action should be taken at this time. Councilman Ballard moved that the Public Works Commission determine exactly how many street lights fall within the City limits of Leawood, determine how much the lights would cost, and make a recommendation; seconded by Councilman Bruns. Motion carried.

Street Lights, Mission Road, 83rd to 95th: Councilman Johnson moved that the Public Works Commission investigate background and possible negotiations with Prairie Village for sharing the cost of street lights along Mission Road between 83rd and 95th Streets; seconded by Councilman Ballard. Motion carried.

Public Safety - Request to Consider Traffic Signal at 89th and State Line: Councilman Judd reported Kansas City, Missouri, had notified Leawood of their intent to place traffic signals at the intersection of 89th and Ward Parkway and requested that Leawood consider installation of a traffic signal at 89th and State Line. He reported the Public Safety Commission had submitted a request for a traffic count of vehicles turning onto State Line from 89th, and from State Line onto 89th. Recommendation will be withheld pending receipt of requested information.
95th Street - Mr. Selonke's Statement: Copies of the statement had been distributed. Mayor Jordan read a statement from Virgil Holdredge, County Engineer charged with submitting the application for Federal funding on 95th Street, that "although the design is below the Federal minimum acceptable standards, the Federal District Engineer would accept for consideration four eleven-foot lanes for inclusion in the Federal Urban System." Councilman Ballard moved that the subject be tabled until such time as the Council feels it is appropriate to discuss it again; seconded by Councilman Bruns. Councilman Judd stated points raised in Mr. Selonke's statement were pertinent and called for a public statement by this Council that it will stay with the compromise plan, that if Federal funds are granted that the Council will submit to a general referendum the amount to be raised by Leawood, and that the Council will grant the zoning change if requested by the residents. Motion to table consideration of the matter carried, Councilman Alt opposed.

Resignation of Eugene Alt from Park Commission: Mayor Jordan stated Mr. Alt was resigning from the Park Commission to devote his time to the Plan Commission. Mr. Alt's resignation was accepted on motion by Councilman Judd, seconded by Councilman Bruns.

Request from Scout Brent Akright for Service Project for Life Rank: Mayor Jordan read the request of Scout Akright to remove trash along 95th Street or any other project which might be suggested to qualify for Life rank. This matter was referred to the Public Works Commission for implementation.

Report from Selection Committee for Vacancy in Council Position, Ward 2: On recommendation of the special nominating committee, Councilman Johnson moved that Dr. William Earl Evans, 8741 High Drive, be appointed to the position of Councilman, Ward 2, to serve until the next election. Councilman Johnson reviewed Dr. Evans' qualifications. Councilman Judd moved that the motion be amended to state that the appointment was for the unexpired term of Rodney Laughlin; seconded by Councilman Eddy. Amended motion carried.

Appointment of Deputy City Clerk: On motion by Councilman Bruns, seconded by Councilman Conklin, the appointment of Frances Farrar as Deputy City Clerk was approved.

Report of Human Relations Commission: Mayor Jordan urged councilmen to study the report submitted and at the next meeting Human Relations Commission members would appear before the Council to discuss the content of the report and its request for affirmative action.

On motion by Councilman Bruns, seconded by Councilman Eddy, the Council adjourned to executive session.

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The Council returned to regular session at 10:20 p.m. Councilmen Conklin, Eddy, Ballard, Bruns, Johnson and Judd were present.

On motion by Councilman Judd, seconded by Councilman Bruns, termination of Robert Thedinger as a Patrolman was accepted.

On motion by Councilman Judd, seconded by Councilman Bruns, the following employment was approved:

Gary Ray Mann, Probationary Patrolman, at $600.00 per month.

Councilman Judd moved that the following employment be approved subject to receipt of satisfactory credit report:

Robert Leon Sharp, Probationary Firefighter, at $495.00 per month, effective October 1, 1971.

Seconded by Councilman Bruns. Motion carried, Councilman Johnson abstained.

On motion by Councilman Bruns, seconded by Councilman Eddy, the meeting adjourned to Monday, October 4, 1971, 7:30 p.m.

Attest:

City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, October 4, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Conklin, Eddy, Ballard, Bruns, Johnson, Judd.

Oath of Office to Councilman, Ward 2: The City Clerk administered the Oath of Office to Dr. William E. Evans, Jr. as Councilman, Ward 2, to fill the unexpired term of Rodney S. Laughlin.

Minutes: On motion by Councilman Johnson, seconded by Councilman Judd, the minutes of the meeting of September 20, 1971, were approved as submitted.

REPORTS

Treasurer: The Treasurer's report was submitted. Councilman Bruns moved that the report be approved; seconded by Councilman Eddy. Councilman Johnson requested time to read the report. Councilman Bruns then moved to table the motion pending Councilman Johnson's perusal; seconded and carried.

Municipal Judge: Judge Cope's report was submitted and approved on motion by Councilman Bruns, seconded by Councilman Conklin.

Fire Department: Chief Toman's report was submitted and approved on motion by Councilman Bruns, seconded by Councilman Eddy.

Police Department: Chief Kelly's report was submitted and approved on motion by Councilman Johnson, seconded by Councilman Bruns. Mayor Jordan congratulated the department on the substantial increase in arrests.

Public Works Superintendent: Paul Myers' report was submitted and approved on motion by Councilman Bruns, seconded by Councilman Ballard.

Presentation of Key to City to Saymer Hodson: Mayor Jordan presented a key to the City to Mr. Hodson and stated he had distinguished himself as City Treasurer by his calm, his acumen, his expert advice and his willingness to stay on while she sought a new city treasurer.

In order to recognize visitors present, Mayor Jordan requested a slight alteration in the agenda. Councilman Ballard moved that visitors be recognized at this time; seconded by Councilman Bruns; carried.
October 4, 1971

Member of the Press: Elaine Bessier.

Human Relations Commission: Mayor Jordan introduced Gerald Rushfelt, new designee to the Human Relations Commission, and stated it had not been possible to complete the report scheduled to be presented at this meeting. She requested that the report be deferred to the meeting of October 18. Mr. Rushfelt referred to a report of the Commission distributed recently relating to current findings and recommendations concerning exercise of fair employment in Johnson County. Mayor Jordan urged councilmen to call Mr. Rushfelt when there is any question about civil rights, minority problems or any person feeling he is unrepresented in the legislative councils of Johnson County. There was discussion between Mr. and Mrs. Lang, Mr. Rushfelt, Mrs. Turner and members of the Council as to the functions of the Human Relations Commission. Councilman Ballard moved that the report of the Human Relations Commission be accepted; seconded by Councilman Bruns. Motion carried.

Proclamation - BAFA Week - Benefit Auction for Art: On motion by Councilman Bruns, seconded by Councilman Johnson, Mayor Jordan was authorized to proclaim the week of October 25 thru October 31, 1971, as "BAFA WEEK".

Treasurer's Report: On motion by Councilman Judd, seconded by Councilman Bruns, the treasurer's report was approved.

COMMITTEE AND COMMISSION REPORTS

Budget and Finance: No report.

Building Code: No report.

Intergovernmental Cooperation and Community Affairs: Mayor Jordan announced that Mr. Hoerner's removal from the City had vacated the seat of senior councilman, Ward 3. Councilman Bruns moved that the President of the Council, the remaining Councilman of Ward 3, and the Mayor screen the applicants and recommend an appointment for Mr. Hoerner's position; seconded by Councilman Judd. Motion carried. Mayor Jordan proposed the appointment of Councilman Evans as Chairman of the Intergovernmental Cooperation and Community Affairs Committee. On motion by Councilman Bruns, seconded by Councilman Johnson, the appointment was approved.

Ordinance Committee - Ordinance re Vacancy in Offices of Mayor or Councilman (First Reading): Councilman Johnson presented changes in wording proposed by the Committee.

Ordinance - Kansas City Power & Light Franchise: Councilman Johnson presented changes proposed by the Ordinance Committee. There was discussion of the changes. Councilman Johnson moved that the City Attorney review the franchise ordinance and make
A RESOLUTION

DECLARING THE WEEK OF OCTOBER 25, 1971, AS "BAFA WEEK" AND COMMENDING AND SUPPORTING THE BENEFIT AUCTION FOR ART.

WHEREAS, the Women's Auxiliary Committees comprised of the Vanderslice Committee, Sketch Box Committee, Paletteeers Committee, and the Fireside Committee have volunteered their services in support of the Benefit Auction for Art to be held October 29, 30 and 31, 1971; and

WHEREAS, Co-Chairmen of BAFA, Robert H. Lange and Mrs. Frank W. Lee, Jr., their Steering Committee and the Board of Governors of the Kansas City Art Institute have launched said auction as a fund-raising program for the benefit of the Kansas City Art Institute; and

WHEREAS, Items donated by individuals and business firms will be displayed on KBMA Television and auctioned by civic leaders appearing as auctioneers, during the period October 29, 30 and 31, 1971; and

WHEREAS, the funds generated by the Benefit Auction for Art through the altruistic efforts of the civic minded volunteer workers, donors and bidders represent a significant contribution toward the fostering of cultural pursuits through the development and growth of artistic and aesthetic creativity and appreciation in Leawood; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF LEAWOOD:

That the Mayor and Council hereby lend their enthusiastic support to the Benefit Auction for Art, to be conducted on October 29, 30 and 31, 1971; and

BE IT FURTHER RESOLVED, that the week beginning October 25, 1971, and ending October 31, 1971, be and the same is hereby set aside as a special occasion, and is designated as "BAFA WEEK"; and

BE IT FURTHER RESOLVED, that this Resolution be spread upon the minutes of the Council in testimony thereof, and that copies hereof be furnished to:

Robert H. Lange, Chairman of BAFA
Mrs. Frank W. Lee, Jr.; Co-Chairman of BAFA
William N. Deramus III, Chairman, Board of Governors of Kansas City Art Institute
The Hon. Margaret W. Jordan, Chairman, Vanderslice Committee
Mrs. Hugh Libby, Chairman, Sketch Box Committee
Mrs. Robert Plotsky, Chairman, Paletteeers Committee
Mrs. Hal B. Reed, Chairman, Fireside Committee

in token of the appreciation of the Mayor and the Council for the splendid and untiring efforts of those organizations to enhance the quality of the cultural life of their community.

Mayor

Attest:

City Clerk
recommendations concerning whether or not the City should enter into it; seconded by Councilman Bruns. Councilman Judd moved that the motion be amended to instruct the City Attorney to review the suggested changes made by the Ordinance Committee; seconded by Councilman Bruns. Motion to amend carried. Councilman Eddy suggested that the Council reconsider the original motion for the City Attorney's opinion in writing as to the entire document. Motion as amended carried. To clarify, Councilman Johnson moved that the City Attorney submit a written opinion on the franchise ordinance, together with the revisions suggested by the Ordinance Committee; seconded by Councilman Bruns. Motion carried.

There was a short recess to reverse the recording tape.

Tape 13
Side 2

Councilman Eddy moved that the City Attorney review the original franchise ordinance submitted by Kansas City Power & Light Company and submit a written opinion as to: (1) Does Leawood have to enter into this agreement or can the City contract this work privately, and (2) Is this a fair and equitable ordinance for the City to adopt considering its term; seconded by Councilman Ballard. Motion carried.

Public Safety: Councilman Judd requested that Chief Toman read a letter from Joseph Farrar commending Chief Toman and the Fire Department for their help, encouragement and friendship with Mr. Farrar's son through sporting events behind the station, and for efforts of the rescue squad during an asthma attack. Councilman Conklin added his commendation and related an incident of the Department's prompt arrival to help an injured child in Leawood South.

Dog Control - Follow-up Action: Councilman Judd reported expenditures for animal control this year to date, $220.40, with $279.60 remaining in the budget. Councilman Evans suggested that for 35% per capita the City could have more complete animal control, and showed pictures of a child disfigured by a dog. Councilman Bruns moved that this matter be accepted for consideration; seconded, and carried. There was discussion of the need for control, the tax lid, sources of finance, and possibility of a cooperative method of animal control with other cities. Councilman Bruns suggested that Councilman Evans and the Ordinance Committee formulate an appropriate leash ordinance and present it to the Council. Councilman Eddy requested a report from the Public Safety Commission on the specific instance of an animal call mentioned by Councilman Evans, including time of complaint and time of response, if any. Councilman Bruns suggested animal control be given complete coverage in the newsletter.

Public Safety - Resolution No. 241 - Providing for Installation of Seven Additional Street Lights: On motion by Councilman Judd, seconded by Councilman Bruns, the following resolution was adopted:

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October 4, 1971

RESOLUTION NO. 21

"BE IT RESOLVED that the Mayor be authorized to sign Resolution No. 21 under Ordinance No. 264 providing for additional street lighting in the City of Leawood, Kansas, to be paid for from the City's reserve fund with the Kansas City Power & Light Co. (7 locations)"

Councilman Judd requested an executive session for consideration of appointment to the Police Department, and moved that it be held at the end of the agenda; seconded by Councilman Bruns. Motion carried.

Councilman Evans moved that he be allowed to present a number of items at the Chairman's pleasure on the agenda; seconded by Councilman Judd. Motion carried.

Plan Commission - Ordinance No. 413 G - Relative to Setback Requirements: Councilman Conklin read the recommendation of the Plan Commission that this ordinance be adopted. On motion by Councilman Johnson, Ordinance No. 413 G was unanimously adopted.

Public Works - Street: No report.

Public Works - Parks: No report.

Public Works - Sanitary Sewer and Storm Drainage: No report.

Report from Committee re Certificates of Appreciation: Councilman Johnson presented a sample certificate recommended by the Committee. He explained the cost would be $100 for art and dye charge, plus preparation at $3.00 to $4.25 each depending on quantity, plus a walnut plaque for elected officials at $11.00 each, leatherette frame for appointed officials at $1.00 each. Councilman Eddy moved that the Committee's recommendation be accepted; seconded by Councilman Bruns. Motion carried, Councilman Ballard opposed. Councilman Judd's motion for designation of funding was withdrawn. Mayor Jordan requested that Councilman Johnson make a recommendation at the next meeting as to the line item to which the expenditure should be applied.

Mayor's Report on Cities Convention: Deferred.

Discussion re 1970 Audit: A letter from the County Attorney questioning certain procedures upon his examination of the 1970 audit and a letter from Troupe-Kehoe giving the factual basis upon which the questions were raised were discussed. Mayor Jordan stated the Budget & Finance Committee was endeavoring to set up a bookkeeping system in accordance with the requirements of the State accrual accounting law.

Salary Adjustment: Councilman Ballard requested that this matter be taken up in executive session at the end of the agenda.
Proclamation - Telephone Pioneer Day - Southwestern Bell Telephone: On motion by Councilman Bruns, seconded by Councilman Judd, Mayor Jordan was authorized to proclaim October 28, 1971, as TELEPHONE PIONEER DAY.

Request for Permission to Solicit Sales - Boy Scout Troop #430, Nell Hills Grade School: Copies had been distributed. Upon motion by Councilman Bruns, seconded by Councilman Ballard, the request was approved.

Suggestions by Councilman Evans: Councilman Evans moved that each council meeting start with an invocation to be given by invited clergymen or by a member of the Council; seconded by Councilman Bruns. Councilman Ballard moved that the motion be tabled to give councilmen an opportunity to study the matter; seconded by Councilman Eddy. Motion to table carried, Councilman Evans opposed.

Councilman Evans moved that each councilman be allowed to appoint two pages from government classes in area high schools to serve with him for a six-weeks' period; seconded by Councilman Ballard. Councilman Judd suggested that this matter be presented in writing for consideration prior to the next meeting. On motion by Councilman Eddy, seconded by Councilman Judd, the motion was tabled.

Councilman Evans suggested: (1) That the City Attorney look into the possibility of allowing young adults to ride in police cars as observers; (2) That an offer by Tom Leathers to donate space in The Squire for articles by our Mayor and Councilmen be accepted; (3) That the beauty of our City be maintained by doing something about laws that are presently unenforced. Councilman Ballard moved that the Intergovernmental Cooperation and Community Affairs Committee chairman take the responsibility for making recommendations to the Council for changing the ordinances or coming up with some way to enforce the ordinances that we have in relation to various degenerating situations; seconded by Councilman Eddy. Motion carried.

Councilman Evans suggested it might be wise to have a public relations committee and pamphlets showing some of the advantages of Leawood. He raised the question of whether the City is protected regarding future development. Councilman Evans suggested publishing a newsletter monthly rather than quarterly.

Acceptance of Resignation from Human Relations Commission: On motion by Councilman Bruns, seconded by Councilman Judd, the Council accepted the resignation of Richard Yanofsky from the Human Relations Commission because conflicts with the meeting schedule made it impossible for him to participate fully.

Appropriation Ordinances: Nos. 294A and 2863 in the amounts of $165,522.24 (including $134,218.38, U.S. Treasury Bills), and $263,515.95 (including $258,282.48, U.S. Treasury Bills),
providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

The Council adjourned to executive session.

The Council returned to regular session at 10:35 p.m. Councilmen Evans, Conklin, Eddy, Ballard, Bruns, Johnson and Judd were present.

Employee Status Changes: Councilman Ballard moved that the pay rate on the status form of Frances Farrar be shown at $350.00 per month; seconded by Councilman Bruns. Motion carried.

On motion by Councilman Judd, duly seconded, the following employment was approved:

David Gillespie, Probationary Patrolman, at $600.00 per month, effective October 11, 1971.

Councilman Bruns moved that the meeting adjourn to Tuesday, October 19, 1971, 7:30 p.m.; seconded by Councilman Judd. Motion carried with Councilmen Bruns, Judd and Conklin voting for, Councilmen Johnson and Eddy opposed, Councilmen Ballard and Evans abstained.

The action was reconsidered and, on motion by Councilman Ballard, seconded by Councilmen Johnson, the meeting adjourned to Monday, October 18, 1971, 7:30 p.m.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, October 18, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Evans, Conklin, Eddy, Ballard, Bruns.


Changes in Agenda: Councilman Eddy moved that consideration of the following items be deferred to the next meeting: (1) Hospitalization Program for City Employees, (2) Re-Evaluation - System of Submitting Written Departmental Reports, (3) Recommendation re Administrative Account to be Charged for Certificates of Appreciation, (4) Option for Purchase of Tract "H", Industrial District, and (5) Mayor's Report - Cities Convention. Mayor Jordan ruled that the motion was conglomerate and the items should be considered individually.

Re-evaluation - System of Submitting Written Departmental Reports: A memorandum had been distributed. Mayor Jordan stated if no change is requested the present system would continue.

Recommendation re Administrative Account to be Charged for Certificates of Appreciation: Deferred until Councilman Johnson could be present.

Option for Purchase of Tract "H", Industrial District: There was discussion concerning whether this should remain on the agenda.

Mayor's Report - Cities Convention: Mayor Jordan stated this report was covered by the recommendation of the League of Municipalities which had been distributed.

Items for Presentation by Councilman Evans: Councilman Evans moved that items numbered 1 through 12 on the agenda be made a special order for the meeting of November 1, 1971; seconded by Councilman Bruns. Motion carried.

Councilman Bruns moved for an executive session after discussion of the Option for Purchase of Tract "H"; seconded by Councilman Eddy. Motion carried.

Ordinance re Vacancy in Office (Second Reading): Councilman Ballard moved that the second reading of the ordinance be deferred until the Ordinance Committee Chairman could be present; seconded by Councilman Bruns. Motion carried.
Hospitalization Program for City Employees: Councilman Evans moved that consideration of the hospitalization program be deferred until November 1, 1971; seconded by Councilman Bruns. Motion carried.

Plan Commission Recommendation re Acceptance of Limited Office District Final Plan: Councilman Conklin reported that the Plan Commission had unanimously voted to recommend approval by the Council of Kroh Bros. Company plans for Phase 3 of the Limited Office District Development at 89th and State Line Road. There was discussion of the meaning of terms used and the effect of the action called for by the Council. Councilman Bruns moved approval of the Limited Office District Phase-3 Plan; seconded by Councilman Conklin. Jack Gardner and George P. Kroh, representing the developer, presented the plans and discussed them with the Council. Mayor Jordan read an opinion by the City Attorney dated October 12, 1971, concerning the plans. Councilman Eddy moved that this matter be tabled until the next meeting, that in the interim the City Attorney's opinion be distributed to all members of the Council and a copy of the plans made available at the City Hall for study; seconded by Councilman Ballard. Motion carried, Councilmen Conklin and Bruns opposed. Discussion continued concerning specifications for sanitary sewers, storm drainage and streets, as well as added police patrol and beautification.

Minutes: On motion by Councilman Eddy, seconded by Councilman Bruns, the minutes of the meeting of October 4, 1971, were approved as submitted.

Option for Purchase of Tract "H", Industrial District: Councilmen Eddy and Ballard expressed concern as to whether all alternatives had been considered.

On motion by Councilman Bruns, seconded by Councilman Eddy, the Council adjourned to executive session.

The Council returned to regular session at 9:05 p.m. Councilmen Evans, Conklin, Eddy, Ballard and Bruns were present.

Employee Status Changes: On motions by Councilman Bruns, each seconded by Councilman Evans, the following employment was approved:

Richard A. Furns, Probationary Patrolman, at $600.00 per month;

Carl Dennis Andrew, Probationary Firefighter, at $495.00 per month.

On motion by Councilman Bruns, seconded by Councilman Evans, the resignation of Gale Kenneth Welch as Patrolman First Class was accepted.
October 18, 1971

#1430 Option for Purchase of Tract "H", Industrial District: Councilman Bruns moved that a report on Tract "H", Industrial District, be included in the next Council folder, and that the option for purchase be considered at the next meeting; seconded by Councilman Evans. Motion carried.

#1440 Acceptance of Limited Office District Final Plan: Councilman Ballard suggested the plan be approved with exceptions. Councilman Bruns moved approval of the recommendation of the Plan Commission subject to review of 89th Street by Councilman Eddy and the Plan Commission, subject to the beautification and the police and security precautions suggested by Councilman Evans, and subject to the approval of the final sewer plans by the Sewer Committee; seconded by Councilman Ballard. Motion carried.

On motion by Councilman Bruns, seconded by Councilman Conklin, the meeting adjourned to Monday, November 1, 1971, 7:30 p.m.

Attest:

[Signature]
Mayor

[Signature]
Council Reporter

[Signature]
City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was scheduled to be held at 7:30 p.m. on Monday, November 1, 1971, in the City Hall. Mayor Margaret W. Jordan called the meeting to order. Roll call was answered by Councilmen Evans, Conklin, Eddy, Judd.

Since there was not a quorum present, the call for the meeting was continued to Monday, November 8, 1971, 7:30 p.m.

Attest:

Mayor

Council Reporter

City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, November 8, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Conklin, Eddy, Ballard, Johnson, Judd.

Minutes - Meeting of October 18, 1971: On motion by Councilman Eddy, seconded by Councilman Conklin, the minutes of the meeting of October 18, 1971, were approved as submitted, Councilman Johnson abstaining.

Minutes - Meeting of November 1, 1971: On motion by Councilman Judd, seconded by Councilman Eddy, the minutes of the meeting of November 1, 1971, were approved as submitted.

REPORTS

Treasurer: The Treasurer's report was submitted. Mr. Hansel noted that the Police budget was close to being spent. Mayor Jordan stated a recommendation for re-allocation of funds would be presented in December if it is required. On motion by Councilman Eddy, seconded by Councilman Judd, the report was approved.

Municipal Judge: Judge Cope's report was submitted. Councilman Eddy moved that the report be approved; seconded by Councilman Ballard.

At 7:40 p.m. Councilman Evans entered the meeting.

Councilman Johnson requested a copy of the complete judge's report, and it was examined by Councilmen Judd and Johnson. Motion to approve the report carried. Councilman Judd moved that the Council receive a complete report of the judge's summarization of the month; seconded by Councilman Evans. Motion carried.

Fire Department: Chief Toman's report was submitted and approved on motion by Councilman Judd, seconded by Councilman Conklin.

Police Department: Chief Kelly's report was submitted and approved on motion by Councilman Judd, seconded by Councilman Eddy.

Public Works Superintendent: Paul Myers' report was submitted and approved on motion by Councilman Eddy, seconded by Councilman Evans.

COMMITTEE AND COMMISSION REPORTS
Budget and Finance: No report.

Building Code: No report.

Intergovt. Coop. & Community Affairs: Councilman Evans reported he and Councilman Judd were working to acquire some professional help in public relations. The report was approved on motion by Councilman Eddy, seconded by Councilman Johnson.

Ordinance - Ordinance No. 414 G - Relating to Vacancy in Offices of Mayor or Councilman (Second Reading): Councilman Johnson proposed that Ordinance No. 414 G be adopted. Ordinance adopted unanimously.

Plan Commission - Offer of Option to Purchase Tract "H": Councilman Conklin read a resolution by the Plan Commission basically extending the Plan Commission's recommendation to the Council that Tract "H" be considered as a suitable site for the future location of the Police Department, and reaffirming the previous resolution of the Plan Commission of April 1, 1971, recommending that Tract "H" be acquired by the City for this purpose. Mayor Jordan stated the Offer of Option to Purchase had been reviewed by the Plan Commission and the City Attorney. The Offer of Option was discussed, as well as the desirability of the tract and other parcels of land in the area. Councilman Judd emphasized the immediate need for a police facility and that Tract "H" had the full, unqualified approval of the Chief of Police, the Public Safety Commission and the Plan Commission. Mayor Jordan made a plea for immediate action on this matter. Councilman Eddy moved that the option be approved; seconded by Councilman Judd. Discussion continued concerning Tract "H", other locations, and funding. Councilman Eddy amended his motion to read that the Offer of Option be approved as contained in the document submitted with the letter dated October 18, 1971; seconded by Councilman Judd. Motion carried, Councilman Ballard voting against.

Exceptions to Approval of Limited Office District Final Plan: Councilman Eddy stated that before he could make a report concerning 89th Street he needed a plot plan showing what the City owns in that area. Mayor Jordan stated the City Clerk had obtained the plot plan, but in order for the plot plan to be evaluated it would be necessary to determine the legal title to various portions; that the new Administrative Assistant of the City would determine the ownership and present the documents to Councilman Eddy. There was discussion of the exceptions placed by the Council on the approval of the Limited Office District Plan. Councilman Evans stated Kroh Bros. would submit in writing their proposal for satisfying the beautification and safety aspects.

Public Works - Streets: No report.
Public Works - Parks: No report.

Public Works - Sanitary Sewer & Storm Drainage: Councilman Ballard reported water pollution control standards were being formulated for the Indian Creek basin and urged all councilmen to attend a meeting to which they would be invited in the near future to learn of these standards from the Chief of the Kansas Board of Health.

Public Safety: Councilman Judd moved for an executive session after all other business has been considered; seconded by Councilman Ballard. Motion carried.


Stuart Johnson urged that the Council consider a noise limitation ordinance. The matter was discussed and referred to the Public Safety Commission. Mr. Johnson presented news articles concerning such ordinances in other cities.

Councilman Judd moved that due to extenuating circumstances, the executive session be held at this time and not delayed to the end of the meeting; seconded by Councilman Johnson. Motion carried.

Mayor Jordan invited the visitors to return to the meeting after the executive session, estimated to end at approximately 10:30 p.m.

The Council adjourned to executive session at 9:10 p.m.

The Council returned to regular session at 10:20 p.m. Councilmen Evans, Conklin, Eddy, Ballard, Johnson and Judd were present. Statements made in executive session, recorded on Tape No. 13a, and the documents submitted thereunder, are incorporated herein by reference.

Public Safety - Employee Status Changes: Councilman Judd moved that Detective Kenneth Agnew be removed from office effective November 2, 1971, on the basis of testimony submitted during the executive session on the ground that he has abused the power of his office (proceedings in executive session have been incorporated in the record of this session); seconded by Councilman Ballard. Motion carried unanimously.

Councilman Judd moved the appointment of Richard Blume as Captain, Police Department, salary $850 per month; seconded by Councilman Evans. Motion carried unanimously.

Councilman Judd moved acceptance of the resignation of Richard Furns as Patrolman, effective November 6, 1971; seconded by Councilman Evans. Motion carried unanimously.

Recommendation re Hospitalization Program: Councilman Johnson introduced Mr. Jim Stanley who discussed in detail a report of comparative data on group insurance for employees.
of the City which Mr. Stanley had prepared at the request of Councilman Evans. The chart included analysis of proposals by Travelers, Prudential, General American and Bankers of Iowa. Copies of the proposals and possibly additional ones will be submitted to the Administrative Committee for a recommendation to the Council on November 15.

#3185

Recommendation re Administrative Account to be Charged for Certificates of Appreciation: Councilman Johnson recommended that the cost of certificates of appreciation be charged to Account 109 - Office Supplies.

#3195

Items for Presentation by Councilman Evans:

1. Invocation at each Council meeting: Councilman Evans moved that each Council meeting be started with a prayer and that any Councilman who wishes may be excused during the prayer; seconded by Councilman Johnson. Councilman Eddy amended the motion to include that Councilman Evans obtain the person to give the prayer; seconded by Councilman Judd. Motion to amend carried, Councilman Evans opposed. Motion as amended carried.

#3303

2. Ordinance allowing Councilmen to appoint pages: Councilman Evans moved that an ordinance be drawn allowing councilmen to appoint pages. Mayor Jordan explained there was a problem about the position of such pages within the structure of the City. There was discussion of other means of involving young people in city government.

#3400 (end of Tape 13)

Councilman Evans moved that a letter from the Mayor and the City Council be sent to Dr. John Baeke of the School Board telling him that the Council is willing to cooperate in some way to involve the students in local government; that we would like their suggestions and a committee formed to work with our committee to make a recommendation; seconded by Councilman Johnson. Motion carried. Mayor Jordan requested that the Community Affairs Committee implement this investigation.

#38

3. Animal control associated with child batterment: Councilman Evans stated this matter had been referred to the Ordinance Committee.

#50

4. Provision for young adults to ride in police cars: Councilman Evans and Mayor Jordan explained that this idea had been dropped in favor of a recommendation by the Council of Mayors that police officers and equipment be released on off-duty time to contribute to a vocational training course to be sponsored by District 512.

#63

5, 6 and 12. Better communications, articles for news media, and newsletters: There was discussion of various ways of communicating with the citizens, the consensus being that the newsletter should be reactivated under the direction of Councilman Evans on a quarterly basis, if possible.
7. Resolution re City Maps: Mayor Jordan stated this matter was being considered.

11. Air Conditioning: Councilman Evans moved that Dr. Alvarez be contacted regarding the air conditioners to determine whether or not they are of the stated quality, and arrangements made to purchase them for the Council chambers. Councilman Conklin moved to table the motion because, according to the City's electrical consultant, the power supply was inadequate at present; seconded by Councilman Johnson. Motion to table carried, Councilman Evans voting against. On motion by Councilman Johnson, seconded by Councilman Judd, consideration of the offer of air conditioners was placed on the agenda for the next meeting.

10. Resolution re formation of Junior Chamber of Commerce: Councilman Evans moved to table the matter pending contact from Mr. Jim Hanley; seconded by Councilman Ballard. Motion carried.

8 and 9. Resolutions re enforcement of ordinances and review of zoning laws: Councilman Evans moved that these two items be placed on the agenda for the next meeting; seconded by Councilman Johnson. Motion carried.

Raccoon Problem: Councilman Johnson discussed a complaint he had received concerning raccoons. Mayor Jordan advised there was no jurisdiction in the city over raccoons.

Mayor Jordan announced that an acknowledgment had been received from Taylor Brady and the YMCA for the memorial contribution by the City to the YMCA of Johnson County in memory of Mr. Brady's father.

Acceptance of Resignation of Dan Weary from Park Commission: On motion by Councilman Conklin, seconded by Councilman Johnson, the resignation of Dan Weary from the Park Commission, on the basis of press of business, was accepted.

Appropriation Ordinances: Nos. 295A and 287S in the amounts of $35,268.44 and $5,362.30, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved, Councilman Evans abstaining.

On motion by Councilman Judd, seconded by Councilman Conklin, the meeting adjourned to Monday, November 15, 1971, 7:30 p.m.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, November 15, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Evans, Conklin, Ballard, Johnson, Judd.

The invocation was given by Father George Bursak of Cure of Ars Catholic Church.

Councilman Bruns entered the meeting at the close of the invocation.

Minutes: On motion by Councilman Johnson, seconded by Councilman Evans, the minutes of the meeting of November 8, 1971, were approved as submitted.


Items for Presentation by Councilman Evans:

8. Enforcement of Ordinances: Mayor Jordan explained procedures which had been set up within the City for handling of violations of City ordinance, including weekly staff meetings and provision that complaints would be signed by the City officer operational in the particular sphere in which the complaint is issued. Councilman Evans stated the procedures adequately covered the matter.

9. Review of Zoning Laws: Councilman Evans asked whether the zoning laws of the City control the type of construction along State Line and the structure of multi-family residences. The matter was discussed, with the explanation that anything proposed to be built along State Line must come before the Plan Commission. Mayor Jordan explained that the Plan Commission was actively considering recommendations to the Council on the need for additional classifications of zoning. She added that the new Administrative Assistant had been able to complete an annexation map of the City. Councilman Evans moved that the Plan Commission review the present ordinances and see if additions are needed to protect the citizens who have their homes here permanently, and make sure that the ordinances cover durability, beauty and conformity; seconded by Councilman Johnson. Motion carried.

Air Conditioning for City Hall: Councilman Conklin moved that the matter be deferred to the next agenda; seconded by Councilman Bruns. Motion carried.

Appointment to Parks Commission: Councilman Conklin moved approval of the appointment of Mr. William S. Johnson to the
November 15, 1971

Parks Commission; seconded by Councilman Bruns. A resume of Mr. Johnson's qualifications had been distributed. Motion carried unanimously.

Discussion re Board of Zoning Appeals Matter: Mayor Jordan reported that because of recent publicity, a form for application to the Board of Zoning Appeals had been prepared by the Administrative Assistant and would be acted upon by the Board of Zoning Appeals on Wednesday evening. At the suggestion of Mayor Jordan, Councilman Bruns moved that definitive action by the Council on this matter be deferred until December; seconded by Councilman Johnson. There was discussion concerning the City Attorney's opinion on recording Board of Zoning Appeals hearings and restrictions on signs in the Limited Office District. Motion carried. Councilman Ballard suggested the Ordinance Committee and the Plan Commission consider a revision of the ordinance to cover commercial-type zoning. Councilman Ballard moved that the Council go on record as recommending to the Board of Zoning Appeals that a sign be erected outside the Kroh building on State Line identical to the one used at 104th Terrace and State Line; seconded by Councilman Bruns. Motion carried. The City Clerk was instructed to furnish a copy of these minutes to the appropriate parties.

Councilman Johnson moved that Kroh Bros. be notified that they are in violation of City ordinance on certain signs they have on State Line, and that the Council is taking the matter under advisement; seconded by Councilman Ballard. Motion carried.

Application for Cereal Malt Beverage License - Leawood South Golf and Country Club: Mayor Jordan stated the City Attorney had examined and approved the application. On motion by Councilman Bruns, seconded by Councilman Judd, the application was approved.

Councilman Judd requested an executive session after completion of other business.

Commendation for Chief Kelly from Office of James Wheeler: Mayor Jordan read a letter from County Attorney James Wheeler commending Chief Kelly for unusual cooperation in connection with drug raids in the county. A vote of thanks was extended to Chief Kelly by the Council.

Technical Assistance Conference for City Officials: Mayor Jordan read the schedule of a conference sponsored by the League of Municipalities to be held November 18 and 19. Councilman Bruns suggested Mayor Jordan attend the conference. Mayor Jordan stated the material would be available in the City Clerk's office if anyone was interested.

Hospitalization Program for City Employees: A memorandum from Mr. Jim Stanley had been distributed recommending that
a contract be drawn for hospitalization, surgical, major medical and life insurance coverage with Travelers Insurance Company. Mr. Stanley discussed the recommendation with the Council. Councilman Johnson moved that group health, accident and life insurance for City employees be placed with the Travelers Insurance Company; seconded by Councilman Judd. Motion carried. Councilman Ballard suggested that a meeting be arranged with all the employees to explain precisely why the change is being made from Blue Cross-Blue Shield to Travelers. Councilman Evans moved that a written vote of thanks be sent to Mr. Stanley for his wonderful cooperation; seconded by Councilman Johnson. Motion carried unanimously.

Discussion Concerning Administrative Assistant: Councilman Johnson asked who appointed the Administrative Assistant. Mayor Jordan explained that he was employed under the Emergency Employment Act of 1971, as authorized at the meeting of October 18; that he was strictly an employee and not an official of the City.

Exceptions to Approval of Limited Office District Final Plan: Councilman Evans reported he had received a letter from Kroh Bros. concerning the parking lot. Councilman Bruns moved that a copy of the letter be distributed and that the matter be placed on the agenda for the next Council meeting.

On motion by Councilman Bruns, seconded by Councilman Judd, the Council adjourned to executive session at 8:40 p.m.

The Council returned to regular session at 8:55 p.m. Councilmen Evans, Conklin, Ballard, Bruns, Johnson and Judd were present.

Employee Status Changes: Councilman Judd moved acceptance of the resignation of Richard Blume as Captain, Police Department; seconded by Councilman Bruns. Motion carried unanimously.

Councilman Judd moved acceptance of the resignation of Livio Joseph Cucar, Probationary Firefighter; seconded by Councilman Bruns. Motion carried unanimously.

Councilman Judd moved the promotion of Al R. Sellers from Sergeant, Police Department, at $750 per month, to Acting Lieutenant, Police Department, at $800 per month; seconded by Councilman Johnson. Motion carried unanimously.

Councilman Judd moved the promotion of Detective H. Robert Becker to Acting Lieutenant, Police Department, salary increase from $750 to $800 per month; seconded by Councilman Bruns. Motion carried unanimously.

On motion by Councilman Bruns, seconded by Councilman Ballard, the meeting adjourned to Monday, December 6, 1971, 7:30 p.m.

Mayor Jordan
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, December 6, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen W. E. Evans, Conklin, Eddy, Ballard, Johnson, Judd.

The invocation was given by Rev. Guy D. Casey.

Appointment of Councilman, Ward 3: Upon recommendation of the special nominating committee, Councilman Conklin moved the appointment of Homer C. Evans as Councilman, Ward 3, to fill the unexpired term of John Hoerner, to May, 1972; seconded by Councilman Johnson. A personal resume for Mr. Evans had been distributed. Motion carried unanimously. In view of the urgency of the agenda and the matters requiring his particular knowledge, Councilman W. E. Evans moved that Mr. Homer C. Evans be seated at this meeting; seconded by Councilman Conklin. Motion carried unanimously.

Oath of Office to Councilman, Ward 3: The City Clerk administered the Oath of Office to Mr. Homer C. Evans as Councilman, Ward 3.

Appointment of Chairman of Budget & Finance Committee and Member of the Administrative Committee: On motion by Councilman W. E. Evans, seconded by Councilman Judd, the Council confirmed the appointment of Councilman H. C. Evans as Chairman of the Budget & Finance Committee and as a member of the Administrative Committee.

Minutes: On motion by Councilman Johnson, seconded by Councilman Judd, the minutes of the meeting of November 15, 1971, were approved as submitted.

REPORTS

Treasurer: The Treasurer's report was submitted and approved on motion by Councilman Conklin, seconded by Councilman Johnson.

Municipal Judge: Judge Cope's report was submitted and approved on motion by Councilman Johnson, duly seconded.

Fire Department: Chief Toman's report was submitted and approved on motion by Councilman Johnson, seconded by Councilman Judd.

Police Department: Chief Kelly's report was submitted and approved on motion by Councilman Judd, seconded by Councilman W. E. Evans.
Public Works Superintendent: Paul Myers' report was submitted and approved on motion by Councilman Ballard, seconded by Councilman Conklin.

COMMITTEE AND COMMISSION REPORTS

Budget & Finance: No report.

Building Code: No report.

Intergovt. Coop. & Comm. Affairs: Councilman W. E. Evans reported a member of the Junior Chamber of the metropolitan area had accepted the challenge to set up a junior and senior chamber of commerce in the area as a subsidiary of the metropolitan group. Councilman W. E. Evans requested that before a meeting scheduled for January 4th each councilman submit the names of at least ten people under age 35 who might be interested in joining a chamber of commerce.

Ordinance: Councilman Johnson reported the Committee would work on the dog ordinance shortly. He requested that the Kansas City Power & Light franchise ordinance as amended by the Ordinance Committee be distributed to councilmen for discussion at the next meeting. Councilman Johnson requested a list of ordinances which had been referred to the Ordinance Committee.

Plan Commission: Councilman Conklin referred to a memorandum from Eugene Alt, chairman of the Plan Commission, recommending, because of additional legal work required by the Plan Commission, that the City Attorney be paid an additional $50 per month from the Plan Commission budget. Following discussion, Councilman Johnson moved that the recommendation be rejected; seconded by Councilman W. E. Evans. There was further discussion and Councilman Ballard moved that the subject be tabled until the Council is better informed and can look into the situation; seconded by Councilman Eddy. Motion to table carried.

Public Safety: Councilman Judd moved approval of part-time employment of Mary Jo Stinehour as Student Clerk, to upgrade records preparatory to complete computerization, from 1:00 p.m. to 5:00 p.m. five days per week, at $1.65 per hour; seconded by Councilman W. E. Evans. Motion carried.

Public Works - Street: No report.

Public Works - Parks: Councilman Conklin reported it was possible that the Lions Club could come up with a locomotive as a companion to the caboose. Councilman Eddy repeated his earlier suggestion that the park be closed at night, and asked that the Public Safety Commission consider the matter.

Public Works - Sanitary Sewer & Storm Drainage: Councilman Ballard reported that our City officials had not been informed
of the meeting with the Kansas Board of Health concerning pollution standards. He said the Kansas Board of Health reported that a set of standards had been set and submitted to Kansas City, Missouri.


Procedure re Acceptance of Deeds: A memorandum had been distributed. No action was required.

Recommendation re Purchase of Air Conditioners for City Hall: Councilman Conklin referred to a memorandum which had been distributed. Councilman Ballard moved that the City proceed as rapidly as possible to provide adequate electrical service for necessary lighting and air conditioning, and proceed with investigation of air conditioners; seconded by Councilman Johnson. Councilman W. E. Evans moved that the motion be amended to state that $200 be allocated for the purchase of the two window air conditioners offered the City post haste; seconded by Councilman Johnson. Amendment carried, Councilman Eddy voting nay. Motion as amended carried.

Discussion - Board of Zoning Appeals Matter: Councilman Eddy moved that the minutes of the Board of Zoning Appeals meeting of October 20 be distributed to the Council for discussion at the next meeting, and suggested that councilmen read the article appearing in The Squire concerning the same meeting; seconded by Councilman W. E. Evans. Motion carried. Councilman Eddy requested that Charles Witthaus, Chairman of the Board of Zoning Appeals, be requested to appear before the Council. Mayor Jordan suggested that Board of Zoning Appeals minutes of November 17 also be distributed to the Council.

Discussion of Enforcement of City Ordinances: There was discussion concerning signs along State Line and other ordinance violations. Councilman Ballard moved that the Plan Commission be asked to write a policy for controlling signs within our present ordinance and present it to the Council; seconded by Councilman W. E. Evans. Motion carried. Councilman Eddy moved that verbal notification of ordinance violations be continued but if the correction has not been made within a period of fifteen days that the ordinance be enforced; seconded by Councilman Ballard. There was further discussion. A motion to table was defeated. Motion carried, Councilman Johnson abstaining, Councilman W. E. Evans voting nay. Councilman Eddy suggested in the Plan Commission deliberation that consideration be given to possible different sign regulation in the industrial area.

Parking Lot, Limited Office District: Copies of a letter from George P. Kroh had been distributed for Council information. No action required.
Resolution No. 2 - for Application to Kansas Department of Economic Development: Councilman Conklin introduced Resolution No. 244, authorizing application for Federal grant to share cost of a planning consultant or planning consultant firm to compile a comprehensive city development plan. Upon motion by Councilman Ballard, Resolution No. 244 was unanimously adopted. A copy is attached hereto as part of the record.

Bids for Purchase of Gasoline: A resume of bids dated November 28, 1971, was discussed. Councilman Eddy suggested that all City vehicles be fueled in one place. Mayor Jordan asked for a recommendation on this from the Public Works Department. Councilman Judd requested that the matter of bids for gasoline be held in abeyance until such recommendation is received.

Applications for Cereal Malt Beverage Licenses - Martin's Finer Foods and King Louie Ranch Mart: Mayor Jordan stated both these applications had been approved by the City Attorney as to form and content. Upon motion by Councilman Judd, seconded by Councilman Ballard, the applications were approved.

Analysis of Personnel Survey: A questionnaire and a detailed analysis of the answers by city employees had been distributed for information. The change in hospitalization coverage was discussed. Councilman Ballard moved that Mayor Jordan take action to arrange a meeting of all the employees with Travelers Insurance Company representatives at the earliest possible time to explain the new policy as opposed to the old; seconded by Councilman Judd. Councilman W. E. Evans made a statement describing what happened, and stating that Mr. Stanley had not had an opportunity to make his recommendation on group insurance in a proper manner. Councilman Eddy moved that the Council go on to the next item on the agenda; seconded by Councilman Judd. Motion carried.

CATV: Mayor Jordan stated the Federal letter of intent, effective March 1st, would have very serious implications on CATV for the City in the next five years. She said it would be advisable to have a group of Councilmen look into the matter of the proposed franchise request by TeleCable and make a recommendation as soon after the first of the year as possible. Councilman Ballard moved that the following councilmen serve on the CATV Committee: H. C. Evans, Budget & Finance; W. E. Evans, Intergovernmental Cooperation; and W. R. Judd, Public Safety; seconded by Councilman W. E. Evans. Motion carried, Councilman Judd abstained.

Ordinance Relative to Dog Control and Ordinance Relative to Kansas City Power & Light Franchise: Deferred to the next agenda, as mentioned under Committee Reports.
Seventh Day Adventist Request: Following discussion of the request, Councilman Judd moved that the application be approved; seconded by Councilman Ballard. Motion carried, Councilmen Ballard and Judd voting for; Councilman Johnson voting nay; Councilmen W. E. Evans, Conklin, H. E. Evans, and Eddy abstaining.

Discussion re Proposed Ordinance Creating a City Health Department: Councilman W. E. Evans moved that a charter ordinance be adopted creating a City Health Department and naming a City Health Director. He read the proposed charter ordinance. Motion was seconded by Councilman Johnson. The ordinance, its implications, and the need for Ordinance Committee recommendation were discussed. Motion to adopt the charter ordinance failed with five nay votes, Councilmen Johnson and W. E. Evans voting for.

Councilman Eddy moved that the ordinance creating a City health department which Councilman W. E. Evans had proposed be submitted to the Ordinance Committee and brought before the Council in the normal manner; seconded by Councilman Judd. Motion carried.

Announcement re Junior and Senior Chambers of Commerce: This had been discussed under Committee Reports.

Appropriation Ordinances: Nos. 296A and 288S in the amounts of $36,570.07 and $214,960.52 (including $210,000.00 Certificates of Deposit), providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

Mayor Jordan announced that the special meeting for approval of final appropriation ordinances would be held December 30, 1971.

On motion by Councilman Judd, seconded by Councilman Ballard, the meeting adjourned to Monday, December 20, 1971, 7:30 p.m.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, December 20, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen W. E. Evans, Conklin, H. C. Evans, Eddy, Ballard, Bruns, Johnson, Judd.

Mayor Jordan advised that the wage and salary ordinance would have to be acted upon at this meeting. A motion to set the time for an executive session at 8:45 p.m. failed.

The invocation was given by Father Bob Swift of St. Michael and All Angels Episcopal Church.

Minutes: On motion by Councilman W. E. Evans, seconded by Councilman Johnson, the minutes of the meeting of December 6, 1971, were approved as submitted.


Stuart C. Johnson handed information concerning a noise ordinance to the Ordinance Committee.

Report from Budget & Finance Committee and Recommendation re Tract "H": Councilman H. C. Evans reported the Budget & Finance Committee met on December 16 and passed a resolution to recommend on a fiscal basis that purchase of Tract "H" be made, subject to the availability of funds, at the December 30 meeting. He said at the present time the forecast indicates there will be a comfortable margin to take up the option offered for the first section of Tract "H" in the amount of $12,721.46. He further reported the Committee had set a routine for committee meetings. Councilman Johnson moved that copies of Budget & Finance Committee meetings be distributed to the Council; seconded by Councilman W. E. Evans. Motion carried.

There was discussion that action on purchase of Tract "H" should be taken at this meeting rather than leaving it to December 30. Councilman Ballard moved that the offer of purchase be accepted and that $12,721.46 of the remaining balance of the 1971 budget be applied toward the purchase of Tract "H" if that amount is available; seconded by Councilman Judd. Motion carried.

Gasoline Storage Tank - Discussion: Deferred.

Recommendation from Administrative Committee re Pay for City Attorney for Work for Plan Commission: Mayor Jordan stated this matter would be considered in executive session as part of the wage and salary ordinance.
CATV: Councilman H. C. Evans reported that the Committee on CATV, appointed at the last Council meeting, was beginning to function but was not ready to make a recommendation at this point.

Air Conditioning and Wiring for City Hall: Mayor Jordan stated more information was needed and suggested that the matter be deferred. On motion by Councilman W. E. Evans, seconded by Councilman Bruns, the matter was tabled.

Ordinance - Dog Control: Councilman Johnson stated the Committee was not ready to make a recommendation on a new dog control ordinance. He read from a dog control ordinance of Shaker Heights, Ohio. Possible provisions of a dog control ordinance were discussed. Councilman Johnson requested that this matter be put on the agenda of the mid-January meeting.

Ordinance - Kansas City Power & Light Franchise: Provisions of the franchise ordinance as submitted by Kansas City Power & Light Company and changes proposed by the Ordinance Committee were discussed. Councilman Johnson requested that the matter be placed on the agenda of the meeting of January 3.

Ordinance No. 416 S - City Boundaries: Mayor Jordan stated such an ordinance is required by state law to be filed before the year ends by any city that changes its boundaries during the year. Upon motion by Councilman Johnson, Ordinance No. 416 S was adopted unanimously.

Opening of Bids for Fire and Extended Coverage Insurance for City Hall, Fire Station, and Public Works Buildings: Bids were opened as follows:

- Haas & Wilkerson Insurance Agency, $1,017.00 per year;
- Charles D. Williams & Co., $1,075.00 per year.

Mayor Jordan stated bids were solicited on the basis that buildings be covered for 90% of replacement value. There was discussion of the change to 90% co-insurance coverage and other provisions of the bids. Councilman Judd moved that the low bid of Haas & Wilkerson in the amount of $1,017.00 be accepted; seconded by Councilman Ballard. Motion carried. Councilman Johnson suggested that next year insurance be reviewed 90 days in advance of the year end.

Request for Permission to Solicit Funds - Kansas Heart Association: On motion by Councilman Johnson, seconded by Councilman Bruns, this matter was tabled so that copies of the application could be distributed.

League of Kansas Municipalities - Contribution: Mayor Jordan explained the financial plight of the League which furnishes valuable services as municipal advisor. On motion by Councilman Johnson, seconded by Councilman W. E. Evans, up to $65.00 was allocated for contribution to the League of Kansas Municipalities.
Resolution No. 245 - Application re Flood Insurance: Mayor Jordan explained that the Federal Government would subsidize flood insurance to make it available to our citizens provided that the Council pass an enabling resolution before December 31. Councilman W. E. Evans moved that Resolution No. 245 be adopted, seconded by Councilman Ballard. Resolution No. 245 was unanimously adopted (copy is attached hereto as part of the record).

Appointment of Committee to Draft Resolution re Earnings Tax Proposal: Councilman Ballard moved that the Mayor appoint a committee to draft a resolution for presentation at the January 3rd meeting of the Council condemning as shortsighted and unfair the proposal by Jackson County and Kansas City, Missouri, political leaders to finance Kansas City, Missouri, public schools by an earnings tax; seconded by Councilman Eddy. Motion carried. Mayor Jordan appointed Councilmen Ballard, W. E. Evans and Conklin to this committee and suggested that Councilman Ballard act as chairman.

Leasing of Police Cars: Mayor Jordan stated this matter had been reviewed by the Public Safety Commission and the Administrative Committee. Councilman Judd reported on an investigation by Lieutenant Sellers into the advisability of leasing cars in lieu of purchasing. He stated Kelley-Williams submitted the best bid for a lease arrangement, closed end contract, 40,000 miles per year allowance plus 3% over mileage allowance on 1972 Lesabre sedans at $243.50 each per month, or $263.50 per month on 50,000 miles per year allowance. Councilman Judd stated the lease arrangement would allow one additional car over what the City would have if cars were purchased, and all the services specified on the brochure at probably less gross cost than maintaining our old cars and two new ones. Councilman Bruns moved, since this was an emergency situation and had been well studied, that the Council approve leasing of the Buicks subject only to the Public Safety Commission checking into power seats; seconded by Councilman W. E. Evans. Motion carried.

Turkeys for City Employees: Councilman Bruns moved that all City employees receive a turkey (or ham, if they prefer) for Christmas from the City, cost not to exceed $10.00 per employee; seconded by Councilman Johnson. Motion carried.

Declaration of City Holidays: Councilman Eddy moved that December 24 and December 31 be declared holidays; seconded by Councilman Johnson. Motion carried.

Application for Cereal Malt Beverage Licenses - Ranch Mart Barbeque and Pumpernik's: Deferred to a later agenda.

At the request of Councilman Judd, the Council adjourned to executive session at 9:30 p.m.

Tape #14 Side 2

The Council returned to regular session at 11:10 p.m. Councilmen W. E. Evans, Conklin, H. C. Evans, Eddy, Ballard, Bruns, Johnson and Judd were present.
New Employee - Police Department: Councilman Judd submitted for approval the following employment:

Royce L. Bounds, Patrolman, at $600.00 per month effective December 23, 1971.

Upon motion by Councilman W. E. Evans, seconded by Councilman Bruns, the employment was approved.

School Crossing Guard: Councilman Judd moved that Mrs. Dorothy Way, Marsha Bagby School, and the PTA of that school be advised that the crossing guard position would be terminated as of January 1, 1972; seconded by Councilman Bruns. After discussion, motion carried, Councilman Ballard opposed.

Following further discussion, Councilman Ballard moved that the Marsha Bagby School crossing guard be paid from the Sewer Fund through the remainder of this school year and that the School and its PTA be notified immediately that the City does not have this position funded beyond the end of this school year; seconded by Councilman Judd. A motion to amend by Councilman W. E. Evans to drop the crossing guard as of January 1, 1972 unless Overland Park agrees to pay one-half the cost failed. A motion to amend by Councilman Eddy was withdrawn. Councilman Ballard's motion carried, Councilmen Bruns and W. E. Evans voting nay; Councilman Johnson abstaining.

Councilman Eddy suggested that the Mayor write a letter explaining the situation to Marsha Bagby School and its PTA, the City of Overland Park, and the School Board.

Ordinance No. 415 S - Providing for Establishment of Wage and Salary Schedules per Code 1-1001 for Budget Year 1972: Ordinance No. 415 S was adopted. Voting for it were Councilmen W. E. Evans, H. C. Evans, Bruns, Ballard and Judd.

On motion by Councilman Bruns, duly seconded, the meeting adjourned to Thursday, December 30, 1971, 5:00 p.m.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 5:00 p.m. on Thursday, December 30, 1971, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Conklin, H. C. Evans, Bruns, Johnson, Judd.

Minutes: On motion by Councilman Bruns, seconded by Councilman Judd, the minutes of the meeting of December 20, 1971, were approved as submitted.

Contract for Purchase of Tract "H": Mayor Jordan stated the purchase of Tract "H" was approved at the last meeting subject to availability of funds. Councilman H. C. Evans reported that the statement of expenditures showed an unexpended balance of $21,000 and recommended that the City go ahead with the purchase of Tract "H". On motion by Councilman H. C. Evans, seconded by Councilman Judd, acceptance of the option for purchase of Tract "H" was reaffirmed.

Approval of Salary Increases - Payroll Rate Review Sheets: Mayor Jordan explained that the proposed increases had been reviewed by each department chief and amounted to 5.5% cost of living increases less increase in fringe benefits, pending a ruling on merit increases by the Federal Wage and Price Control Board. Councilman Johnson questioned whether every employee was entitled to an increase and asked to see the complete merit review sheets. On motion by Councilman Bruns, seconded by Councilman Judd, the Council proceeded to the next matter on the agenda while Councilman Johnson examined the merit review sheets.

Applications for Cereal Malt Beverage Licenses - Ranch Mart Barbeque and Pumpernik's: City Attorney Winn stated both applications were in order. On motion by Councilman Bruns, seconded by Councilman Judd, the applications of Ranch Mart Barbeque and Pumpernik's were approved.

Ordinance No. 417 G - Re Failure of Performance under Contracts: City Attorney Winn explained that this ordinance was needed to give the City power to declare non-payment under a covenant entered into with the City to be an assessment against the property and to certify same to the County Clerk. He requested that the ordinance be adopted on an emergency basis to become effective before a covenant now prepared is signed. Councilman Bruns moved that an emergency be declared and that Ordinance No. 417 G be adopted. There was discussion of procedure. Mayor Jordan ruled that a motion to amend by Councilman Johnson was out of order on the basis that it was not pertinent or relevant. At Council-
man Bruns' suggestion, City Attorney Winn repeated his presentation of the ordinance for Councilman Johnson. Ordinance No. 417 G was adopted unanimously.

Approval of Salary Increases - Payroll Rate Review Sheets: Following discussion of the wage and salary schedules, a motion by Councilman Johnson failed when Councilman Bruns withdrew his second. Councilman Bruns moved approval of salary increases as shown on payroll rate review sheets presented; seconded by Councilman Judd. Motion carried, Councilman Johnson abstained.

Appropriation Ordinances: Nos. 297 A and 289 S in the amounts of $15,365.53 and $306,044.91 (including $250,000.00 Certificates of Deposit), providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved unanimously.

Plan Commission Recommendation re Mid America Regional Council: Recommendation of the Plan Commission that the City become a member of the Mid America Regional Council was read. Mayor Jordan explained that membership in the Regional Council was limited to cities in excess of 75,000 population. Following discussion, Councilman Bruns moved that the Ordinance Committee prepare a resolution requesting a representative of the cities under 75,000 population on the Mid America Regional Council, to be presented to the Council of Mayors; seconded by Councilman Judd. Motion carried.

Recommendation re Pay for City Attorney's Work for Plan Commission: A recommendation of the Plan Commission that the office of Attorney for the City Plan Commission be created and that it be filled by the City Attorney was read. Following discussion, Councilman Bruns moved to accept the recommendation of the Plan Commission; seconded by Councilman Johnson. Motion carried.

Approval of Purchase Orders for Balance of 1971 Funds: On motion by Councilman Bruns, seconded by Councilman Johnson, purchase orders were approved for 1971 outstanding expenditures of the Fire Department in the amount of $37.00; for rewiring and air conditioning of City Hall, $2,000.00; for lease of two patrol cars, $6,156.00; and for purchase of Tract "H", $12,721.46.

On motion by Councilman Bruns, seconded by Councilman Judd, the meeting adjourned to Monday, January 3, 1972, 7:30 p.m.
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, January 3, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen W. E. Evans, Conklin, H. C. Evans, Ballard, Judd.

The invocation was given by Rev. John W. Heslip.

Minutes: Time had not permitted preparation of the minutes of December 30, and upon motion by Councilman Judd, seconded by Councilman W. E. Evans, this matter was passed to the next agenda.


REPORTS

Treasurer: Mr. Hansel stated the Treasurer's report was given at the December 30th meeting.

Municipal Judge: The City Clerk read Judge Cope's report. Upon motion by Councilman Conklin, seconded by Councilman W. E. Evans, the report was approved.

Fire Department: Chief Toman's report was approved on motion by Councilman W. E. Evans, seconded by Councilman Judd.

Police Department: Chief Kelly's report was approved on motion by Councilman W. E. Evans, seconded by Councilman Judd.

Public Works Department: Paul Myers' report was approved on motion by Councilman Judd, seconded by Councilman W. E. Evans.

COMMITTEE AND COMMISSION REPORTS

Budget & Finance: Councilman H. C. Evans reported the Committee had begun a search for a new auditing firm and hoped to have a recommendation at the next Council meeting.

Building Code: Councilman Conklin called attention to the report of the Building Inspector. Mayor Jordan requested that copies of letters re zoning code violations be furnished to the City Clerk and to the Police Department. Two instances of possible violations were discussed. Councilman Ballard suggested the Council needed to evaluate the advisability
of having a part-time Building Inspector.


Ordinance: No report.

Plan Commission: Report given at the last meeting. Councilman Judd moved that the Mayor be instructed to bring the matter of representation on the Mid America Regional Council to the attention of other mayors of Northeast Johnson County with the object in mind of having official representation on the successor to the Metropolitan Plan Commission for the benefit and protection of the smaller cities with less than 75,000 population; seconded by Councilman W. E. Evans. Motion carried.

Public Safety: Councilman Judd requested an executive session after all other business; seconded by Councilman W. E. Evans. Motion carried.

Public Works - Streets: No report.

Public Works - Parks: Councilman Conklin announced there would be a meeting of the Parks Committee on Wednesday evening and invited councilmen to attend. He reported the Leawood Lions Club had offered to buy equipment for the park and asked for suggestions from the Council. Several ideas were discussed, including youth counselor, locomotive, layout of the park, the need for a new sign and for a barricade to keep cars away from the play area. Paul Myers stated his department could install a barricade.

Sanitary Sewer & Storm Drainage: Councilman Ballard reported that during the last rainstorm there were numerous sewer backups.

OLD BUSINESS

Air Conditioning and Rewiring of City Hall: George J. Ranallo, electrical engineer, gave a report on the contemplated rewiring project for which an appropriation was made at the last meeting.

Purchase of Gasoline Storage Tank and Gasoline: Councilman Ballard recommended that one storage tank be purchased for use by the Fire, Sewer, Public Works and Police Departments, and moved that the purchase of a 10' by 17' tank at $1,165.50 be authorized and charged to the four departments on an equal basis; seconded by Councilman W. E. Evans. Motion carried. Councilman Ballard then read quotations for regular gasoline, as follows:

<table>
<thead>
<tr>
<th>Oil</th>
<th>Price per Gallon</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard Oil</td>
<td>11.85 cents</td>
</tr>
<tr>
<td>Gulf</td>
<td>12.45 cents</td>
</tr>
</tbody>
</table>

1345
Councilman Ballard moved that the City enter into a contract with Standard Oil Company for the City's 1972 supply of regular gasoline based on transport price of 11.85 cents per gallon; seconded by Councilman Judd. Motion carried.

Policy Statement of Governing Body re Zoning Violations:
Mayor Jordan called for a policy statement as to whether or not violations are to be ticketed immediately upon inspection or whether a warning letter is to issue and a time certain given to respond. Following discussion, Councilman Ballard moved that the matter be left to the Building Code officials to enforce as they see fit; seconded by Councilman W. E. Evans. Motion carried.

Resolution re Earnings Tax: Councilman Ballard requested that this matter be placed on the agenda for the next meeting to give councilmen an opportunity to review the proposed resolution.

NEW BUSINESS

Appointment to Human Relations Commission: Mayor Jordan proposed the appointment of Mrs. Robert C. Raisbeck to the Human Relations Commission to fill the vacancy created by Mr. Yanofsky's resignation. She reviewed Mrs. Raisbeck's qualifications. On motion by Councilman Judd, seconded by Councilman W. E. Evans, the appointment was approved.

Presentation by Metro Junior Chamber of Commerce: Councilman W. E. Evans introduced Mr. Robert A. Hinton of Metropolitan Johnson County Junior Chamber of Commerce who explained the activities and areas of involvement of the Jaycees and answered questions. Mayor Jordan asked Mr. Hinton to get in touch with the City when he was ready to proceed.

Distribution of Johnson County Shopper: Mayor Jordan called for a decision as to whether the Council would request the Johnson County Shopper on an annual basis to include mailing cards to cancel distribution of the Shopper to any household that did not wish to receive the paper. Councilman Judd moved that the cards be required again this year; seconded by Councilman Ballard. Motion carried.

Microfilming of City Records: A memorandum and copy of the relative statutes had been distributed. The matter was discussed, with Mayor Jordan recommending that records be microfilmed and preserved on rolls. Councilman Judd moved for adoption of microfilming; seconded by Councilman W. E. Evans. Motion carried.
January 3, 1972

#1410 Request for Permission to Solicit Funds - Kansas Heart
Association: The form and content of the application had
been approved by the City Attorney and copies had been
distributed. Upon motion by Councilman H. C. Evans, seconded
by Councilman Conklin, the application was approved.

#1435 Request for Permission to Keep Horses - H. E. Patton, 9218
State Line: Copies of the letter of request had been distri-
buted. On motion by Councilman Judd, seconded by Councilman
W. E. Evans, the request was granted.

#1460 School Crossing Guard: The status of the crossing guard at
the Marsha Bagby School was reviewed with Mrs. Gloria Beaty,
a PTA representative.

#1535 Presentation of Check to Leawood Scholarship Fund: Mayor
Jordan stated Chief Toman would pick up a check which was
to have been presented as a donation to the City's scholar-
ship fund by Mr. Chuck Vile of King Louie Ranchmart in the
amount of $391.00, proceeds of a Christmas bowling tournament.
Councilman Judd moved that the check be presented to the
Scholarship Committee at Kansas University to be awarded to
a Leawood resident as that Committee sees fit after proper
screening; seconded by Councilman W. E. Evans. Motion
carried.

Councilman Judd moved that the City Clerk be instructed to
send a letter of thanks to King Louie Ranchmart for presenta-
tion of the $391.00 with the City's assurances that it will
go to a worthy student; seconded by Councilman W. E. Evans.
Motion carried.

At the request of Councilman Judd, the Council adjourned to
executive session at 9:35 p.m.

The Council returned to regular session at 9:40 p.m. Council-
men W. E. Evans, Conklin, H. C. Evans, Ballard and Judd were
present.

Employee Status Change: Councilman Judd moved that Joan Coons
be classified a full-time employee, duties to be divided
between Court Violations Clerk for the Administrative Depart-
ment and Police Clerk for the Police Department, with a
division of pay, $280.00 per month due from the Administrative
Department, $170.00 per month from the Police Department;
seconded by Councilman W. E. Evans. Motion carried.

Appropriation Ordinance: No. 298A in the amount of $22,885.73,
providing for payment of certain claims against the City was
submitted and approved.

On motion by Councilman Conklin, seconded by Councilman Judd,
the meeting adjourned to Monday, January 17, 1972, 7:30 p.m.

[Signatures]

[City Clerk's Name]
[Mayor's Name]
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, January 17, 1972, in the Fire Station, 9609 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilman W. E. Evans, Conklin, Eddy, Ballard, Johnson.

The invocation was given by Sister Judith Reed of St. Ann's Catholic Church.

Minutes - Meeting of December 30, 1971: On motion by Councilman Johnson, seconded by Councilman W. E. Evans, the minutes of the meeting of December 30, 1971, were approved as submitted.

Minutes - Meeting of January 3, 1972: On motion by Councilman W. E. Evans, duly seconded, the minutes of the meeting of January 3, 1972, were approved as submitted. Councilman Johnson abstained from the vote because he was not present at that meeting.


OLD BUSINESS

Ordinances - Dog Control: Councilman Johnson requested that the matter be continued, and asked the City Clerk to write the Mayor of Nutley, New Jersey, requesting a copy of that city's dog ordinance.

Ordinances - Kansas City Power & Light Franchise: Councilman Johnson opened for discussion the ordinance as submitted by the Kansas City Power & Light Company and the amendments suggested by the Ordinance Committee. On motion by Councilman W. E. Evans, seconded by Councilman Johnson, the matter was tabled for at least one more meeting.

Resolution re Kansas City, Mo. Earnings Tax: On motion by Councilman Ballard, seconded by Councilman W. E. Evans, this matter was deferred to the next meeting.

Mayor's Report: Mayor Jordan reported the following: An application is pending for an increase in the gas franchise tax. On recommendation of the Council of Mayors, Keith Hubbard and an alternate had been appointed as small cities representative for Mid America Regional Council. The 1971 copy of Information for Kansas Officials had been received and was available at City Hall. Mayor Jordan directed the attention of the Council to the Merriam newsletter posted.
on the City Hall bulletin board as an example of what one sister city was doing with respect to informing citizens.

**Mutual Aid Agreement - Fire Department:** Since the City Attorney recommended that the Mutual Aid Agreement be entered into by the cities as well as the individual fire departments to insure governmental immunity, on motion by Councilman Johnson, seconded by Councilman W. E. Evans, consideration of the agreement was tabled. Mayor Jordan asked the City Clerk to put this matter on the next agenda, and noted that Chief Toman did a tremendous job in getting the agreement prepared for this meeting.

**Ordinance No. 418 S - Relating to Acceptance of Deed from Kroh Bros., Inc. Conveying Tract "H" to the City:** Councilman Johnson moved that Ordinance No. 418 S be adopted. Councilman W. E. Evans suggested that the ordinance be amended by striking "and is to be used for Police Department purposes" from the third paragraph. Councilman Johnson then moved that Ordinance No. 418 S be adopted deleting the last line of Section 1, so that paragraph would read as follows: "The above described tract of land contains 21,802.83 square feet of area." Ordinance No. 418 S was unanimously adopted as amended.

**Ordinance re Discharge of City Officers:** On motion by Councilman Johnson, seconded by Councilman W. E. Evans, the matter was tabled.

**Dog Control Contract:** Mayor Jordan called attention to certain minor modifications made to paragraph 2 so that it would read as follows:

"That party of the second part shall conduct a one-hour patrol per week, for dogs. That said patrol shall be carried out between Monday and Friday of each week. Party of the second part agrees to render emergency services 24 hours a day, 7 days a week, when requested to do so by the police department. Such emergency service shall be limited to sick or injured animals and known bite cases. Lost, stray or abandoned dogs, and known packs of dogs will be picked up on request of the City during business hours."

There was discussion of the definition of the words "packs" and "abandoned". Councilman W. E. Evans moved that the dog control contract be accepted; seconded by Councilman Johnson. Motion carried.

**Approval of Employment of Captain Richard Blume:** Mayor Jordan stated that by a poll of the Council last Wednesday the employment of Captain Richard Blume was approved. On motion by Councilman W. E. Evans, seconded by Councilman Conklin, this action was ratified, the employment to be
retroactive to January 12. Wayne Bonebright of the Public Safety Commission presented the employee status form in Councilman Judd's absence.

Resolution No. 246 - Authorizing Application for Highway Safety Project Grant from the United States Relating to the City-wide Plan for Police Traffic Service: Mayor Jordan explained that in view of the fact that the accident rate within the City had increased 52% in the last four years, the Public Safety Commission had turned its attention to acquiring additional personnel, additional mileage allowance for police vehicles and the employment of a traffic safety engineer to design traffic controls, study the speed limits and generally plan for City traffic engineering. Mr. Bonebright stated the Public Safety Commission had conferred with Mr. Herb Johnson on the type of study which should be made, the cost, and availability of Federal funds. He stated Mr. Johnson recommended and the Public Safety Commission was in favor of having a complete, overall study made, and a proposal was being prepared. Captain Richard Blume explained the terms of the Federal Highway Safety Project Grant and the application for such funds which he had prepared. On motion by Councilman Johnson, seconded by Councilman W. E. Evans, Resolution No. 246, authorizing application for Federal funds, was unanimously adopted. A copy of the resolution is attached hereto as part of the record.

Discussion of Enforcement of Ordinances: Councilman W. E. Evans stated the Council should be concerned about the possibility of a charge of malfeasance, misfeasance, or nonfeasance being directed at the Council because of City ordinances that are not being carried out. He said there were increasing instances of signs, trailers parked, trash being put out more than 24 hours prior to pickup, illegal roofs, diseased trees, property in a state of disrepair, etc. There was discussion concerning ordinance violations and the procedures set up to cope with the problem. Councilman W. E. Evans reported a boat illegally parked at 8524 Lee Boulevard, another at 8421 Lee Boulevard, and a trailer parked in that area.

Councilman Eddy moved that the meeting adjourn. Mayor Jordan explained that Councilman Eddy came to the meeting to form a quorum and asked that he be excused if the discussion was to continue.

Since there was not a quorum, on motion by Councilman Johnson, seconded by Councilman Conklin, the meeting adjourned to Monday, February 7, 1972, 7:30 p.m.
Minutes of a special meeting of the City Council of the City of Leawood, Kansas.

A special meeting of the City Council was held at 7:30 P.M. on Monday, January 24, 1972, at the Leawood Country Club, 8901 Sagamore, with Mayor Margaret W. Jordan presiding.

The City Clerk read the call for the meeting, signed by Councilmen Conklin, Judd, and H. Evans.

Roll call was answered by Councilmen Dr. Evans, Conklin, H. Evans, Eddy, Ballard, Bruns, and Judd. The City Attorney and Treasurer were also present.

APPLICATION FOR HIGHWAY SAFETY PROJECT GRANT-RESOLUTION NO. 247: Copies of the resolution, and of the proposal from Johnson, Brickell, Mulcahy, and Associates, Inc. for scope of studies, services to be provided by the firm, estimated work schedule and cost estimate, were distributed, all concerning application to the Kansas Highway Safety Coordinating Office for a grant.

Mayor Jordan reported she had learned, since the last Council meeting, that funds were available this fiscal year if the City acted promptly. The objective of this safety program would be the development of a comprehensive city-wide plan for traffic safety improvements, including a program for implementation of control device improvements, which bear directly on reducing accidents. The studies would include speed limits, school crossings, turning bases, islands, and all recommendations for the handling of traffic. The project requires no cash-match funds from the City, only the use of City personnel, or 90 man days of fact gathering, representing $7,800. The City would have from 3/1/72 to 2/28/73 to accumulate this information. Cost for engineering services, $25,985; total project, $33,785. This project complements the grant previously applied for, and has been considered by the Public Safety Commission.

Mrs. Jordan reported she had met with the coordinating officer in Topeka, who was of the opinion the City's proposal would be seriously considered because of State Line Road, and Leawood's need for engineering services which are not available within its own government, and because the State has a surplus of funds for this type of service at the present time. The division of surplus federal funds will be made on recommendation to the federal coordinator Thursday, January 27; therefore, the City has been advised this application should be formally submitted January 25.

During discussion of the work schedule proposed, it was explained that the Police Department must have some of the information to be gathered for this project for its own new records system. In addition, this information will be required if the City receives TOPICS funds for improving intersections. The Mayor said primary focus was on State Line Road, and 89th Street. She felt it might become necessary to work out some agreement with Kansas City, Missouri about traffic at 89th & State Line. In this event, complete back-up documentation would be required, and would be available as a result of this project. Information is also needed for the Bagby School crossing, 103rd & State Line, 103rd and Lee Boulevard and, later, for 103rd and Mission. She felt the information to be gathered under this project would also be useful in connection with the comprehensive land use plan.
During the discussion the feeling was expressed that this matter was too involved, and that the Council had not had sufficient time to thoroughly consider it. There was some difference of opinion with the number of man days required by the engineering proposal, and whether City personnel was qualified to gather data which would be worthwhile. The City Attorney, asked for his opinion about the City's commitment in submitting the application, said that upon formal notification, the City "may" proceed with the project if it so wishes; the document did not say the City "shall" proceed. Councilman Ballard expressed the feeling the City should recognize the fact it has only so many resources to accomplish so many things. He felt the City would probably not be able to carry out this project. Mrs. Jordan explained the federal government realizes there is a finite value for volunteer services to the City, and that 10% of the total may be considered for this; the balance of $3,900 would be comprised of statistical information which the Police Department must gather anyway. The Street Department would then be obligated for less than one-third of the remaining total, or approximately 28 man days, which should not be beyond our capability if the project is implemented now, the least busy time of the year for the Street Department.

Councilman Bruns said that, if this is not binding and is merely an application, and if the Governing Body has time to hear a presentation by the engineering firm and can at that time make a decision as to whether or not to proceed, he would move that the resolution be adopted and the application submitted. Second, Councilman Judd. Motion carried, after further discussion by Councilman Dr. Evans. A copy of the resolution is attached hereto as a part of the record.

Councilman Eddy moved this matter be placed on the February 21 agenda, and that a representative of the engineering firm make a presentation to the Council, and that the Council be given complete copies of the grant application prior to the meeting. Second, Ballard; passed.

Councilman Judd moved for executive session; second, Ballard; passed.

Following the executive session, the Council reconvened to regular session, all Council members answering the original roll call being present.

Councilman Bruns moved to adjourn; second, Ballard; passed.
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, February 7, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen H. C. Evans, Eddy, Ballard, Bruns, Johnson, Judd. Councilman Conklin arrived as the roll call was completed.

The invocation was given by Rev. Earl Meissner, pastor of the Lutheran Church of the Resurrection, 91st and Mission.

Minutes - Meeting of January 17, 1972: On motion by Councilman Bruns, seconded by Councilman Judd, the minutes of the meeting of January 17, 1972, were approved as submitted.

Minutes - Meeting of January 24, 1972: On motion by Councilman Judd, seconded by Councilman H. C. Evans, the minutes of the meeting of January 24, 1972, were approved as submitted.

Visitors: Etta Williams, Betty and Scott Krane, Gloria and C. L. Beaty, John G. Brooks, Mr. and Mrs. C. E. Parks, Bill Smith, Stuart Johnson, Ralph Cowan, Gene Kroh, Bob Blattenberg. Members of the Press: Judy Katz and Ray Kozakiewicz.

Councilman W. E. Evans entered the meeting during recognition of visitors.

REPORTS

Treasurer: The Treasurer's report was submitted and approved on motion by Councilman Bruns, seconded by Councilman Johnson.

Municipal Judge: Judge Cope's report was submitted and approved on motion by Councilman Bruns, seconded by Councilman Johnson.

Fire Department: Chief Toman's report was submitted and approved on motion by Councilman Johnson, duly seconded. At the request of Councilman Ballard, Mayor Jordan read a commendation of the rescue squad written by Otto Stueck for prompt action during an emergency on January 7. Mayor Jordan said it was the third commendation received this month.

Police Department: Chief Kelly's report was submitted and approved on motion by Councilman Judd, seconded by Councilman Bruns.

Public Works Department: Paul Myers' report was submitted and approved on motion by Councilman Bruns, seconded by Councilman W. E. Evans. There was a discussion concerning need to replace posts at Somerset and Lee and at 95th and Lee.

COMMITTEE AND COMMISSION REPORTS
Budget & Finance: Councilman H. C. Evans reviewed proposals for audit services submitted by the following accounting firms for audit of the City books for the calendar year 1971:

Peat, Marwick, Mitchell & Co.
Arthur Andersen & Co.
Lybrand, Ross, Brothers & Montgomery
Wright, Herfordt & Sanders
Hollis, Kuckelman & Van De Veer

Upon the unanimous recommendation of the Budget & Finance Committee, Councilman H. C. Evans moved that the proposal of Hollis, Kuckelman & Van De Veer be accepted; seconded by Councilman Johnson. Following discussion, motion carried unanimously.

Building Code: Councilman Conklin referred to the report of the Building Inspector. The report was discussed. City Attorney Winn suggested that developers furnish buyers with a list of restrictions on property sold. Councilman Ballard asked whether real estate brokers are required to have a license and, if so, could they be requested to hand out copies of restrictions. The City Clerk stated provision for licensing of real estate brokers was in the ordinance but it had not been enforced. Councilman Johnson stated the ordinance should be enforced. Councilman Ballard suggested that the method of distributing copies of restrictions be studied.

Councilman Judd inquired about the parking lot situation at 83rd and State Line. Councilman Conklin stated the Plan Commission had assigned a subcommittee to study the matter and a report would be forthcoming. Motion to approve the report of building inspector carried.

Councilman Conklin moved that for purposes of microfilming:
(1) residential building plans be kept for two years and then destroyed; (2) permits and related plans for other than residential be kept indefinitely; (3) all permits and any related plans in connection with the permits, other than residential, be microfilmed; motion seconded by Councilman Bruns. Following discussion, motion carried.

Councilman H. C. Evans moved in consideration of the number of people in the audience concerning the Marsha Bagby School crossing guard, that the sequence of the agenda be changed to consider that item at this time; seconded by Councilman W. E. Evans. Motion carried.

Resolution No. 248 - Marsha Bagby School Crossing Guard:
Mayor Jordan read Resolution No. 248 prepared by Councilman Ballard providing that allocation of funds for a crossing guard on 95th Street at Marsha Bagby School be given relatively high priority and that the funds for this purpose be appropriated by reallocating certain items from the 1972 general operating fund budget and these funds assigned a line item number in the Police Department section of the
City's budget. Councilman Ballard moved for approval of the resolution; seconded by Councilman W. E. Evans. Councilman H. C. Evans stated the Budget & Finance Committee would recommend funds for the line item in the police budget be transferred from line item 110 of the Administrative budget. Following discussion, Resolution No. 248 was adopted unanimously. Copy of said resolution is attached hereto as part of the record. On motion by Councilman Eddy, seconded by Councilman Bruns, the Council authorized the reallocation of $1,500 from line item 110 of the Administrative budget to a specially created line account in the Police Department budget. Mayor Jordan stated the City of Overland Park would grant a commission as school crossing guard to Dorothy Jean Way. There was further discussion concerning the overall problem of school crossings.

Intergovernmental Cooperation & Community Affairs: Councilman W. E. Evans distributed copies of a schedule of clergymen who will give the Council invocation. Councilmen expressed their thanks to Councilman W. E. Evans for establishing the invocation procedure.

Ordinance - Kansas City Power & Light Franchise: Councilman Johnson requested that this matter be deferred to the next agenda and that representatives of Kansas City Power & Light be present at the next meeting.

Ordinance - Compensation of Certain Appointed City Officers: Councilman Johnson stated this ordinance was still in committee. City Attorney Winn recommended that the matter be tabled pending a conference between the Ordinance Committee and the City Attorney.

Ordinance - Removal of Appointed Officers: Councilman Johnson requested that this ordinance be deferred to the next agenda. Councilman Ballard suggested that Section 2 of the proposed ordinance was ambiguous.

Ordinance - Charter Ordinance - Removal of Policemen: This was deferred. Councilman Johnson requested that the City Clerk obtain from the League of Kansas Municipalities ordinances pertaining to civil service for at least the police and fire departments.

Ordinance - Dog Control: Councilman Johnson stated he now had a copy of the dog control ordinance of Nutley, New Jersey, and requested that discussion of a proposed dog control ordinance be on the next agenda.

There was a short recess to change the recording tape. All councilmen were present following the recess.

Plan Commission: This report was given with the Building Code report. Report approved on motion by Councilman Ballard.
February 7, 1972

seconded by Councilman Bruns.

Public Safety - Mutual Aid Agreement - Fire Department: Councilman Judd moved that the Fire Chief be empowered to sign the Mutual Aid Agreement on behalf of the City of Leawood; seconded by Councilman Bruns. Motion carried. Councilman Eddy moved that a copy of the motion be circulated to all the participating cities with a request for a similar motion from those cities on their action; seconded by Councilman Judd. Motion carried. City Attorney Winn suggested that when Chief Toman circulates the agreement that he deliver a copy of our request and perhaps express our reservations as to whether this brings in the cities because only by bringing in the cities does it bring in the immunity. Mayor Jordan asked the City Clerk to issue this request to be carried by Chief Toman.

Councilman Judd requested an executive session at the end of other business on the agenda.

Public Works - Streets: The report had been distributed. On motion by Councilman Bruns, seconded by Councilman H. C. Evans, the report was approved.

Public Works - Parks: Councilman Conklin announced there would be a meeting of the Parks Commission on February 15.

Sanitary Sewers & Storm Drainage: Councilman Ballard reported he and Councilman Eddy had reviewed the report of Shafer, Kline & Warren which would be available in a couple of weeks. He said the report would outline the study made by the engineers on the Dyke's Creek branch and would outline the corrections they feel are necessary to eliminate our bypass situation. He stated action had been taken to implement some of the recommendations in the report. He said the next big step would be to work out an agreement with Kansas City, Missouri, to make modifications on our line.

OLD BUSINESS

Contract with Greater Kansas City Humane Society: A report concerning the unsatisfactory situation of patrolling by the Greater Kansas City Humane Society-Wyandotte County, and an opinion by the City Attorney had been distributed. Mayor Jordan stated execution of the contract previously authorized had been delayed upon receipt of the report. Following discussion, Councilman Judd moved that execution of the contract be suspended and that the Council delay any action pending passage of the dog control ordinance; seconded by Councilman Bruns. There was discussion of interim provisions for dog control. Motion carried. Councilman Judd then moved that the Police Department be directed to take such emergency action for dog control as required by the situation, utilizing Ranch Mart Animal Clinic or other facility available at minimum cost; seconded by Councilman Bruns. Motion carried.
Councilman Conklin moved that due to the lateness of the hour, the agenda be altered to include at this time any business to be brought before the Council by visitors; seconded by Councilman Bruns. Motion carried.

Request for Permission to Keep Horses--Edward O. Bopp: The City Attorney explained that by deed restriction certain of our citizens in the older parts of the City are authorized to keep horses on tracts of a certain size. However, the City recently passed an ordinance which prohibits keeping of livestock. He stated these people have no alternative but to come to the Council for permission to keep horses. As to the Merry Lea Farms Addition, the City Council and the Plan Commission specifically approved the declaration of restrictions providing for keeping of horses on tracts of two acres or more. City Attorney Winn stated it was his opinion that as to Merry Lea Farms, by approving those deed restrictions, the City had ratified their provisions and it was not necessary to obtain Council permission to keep horses. Following discussion, Councilman Bruns moved that Mr. Bopp be granted Council permission to keep a horse on his property; seconded by Councilman Judd. Councilman Eddy moved to amend the motion to include that permission be granted in accordance with the deed restrictions permitting a horse to be kept on tracts of two acres or more. Amendment seconded by Councilman W. E. Evans; carried. Motion carried as amended. Councilman Eddy requested that the City Attorney give his opinion to the Board of Zoning Appeals that as to Merry Lea Farms, property owners do not need to come before the Council for individual permission to keep horses.

Report re Enforcement of City Ordinances: Chief Kelly stated a survey had been made of the City and a report made showing 103 violations of City ordinances pertaining to signs and detached structures. He stated the City Clerk would make a determination as to which ones were in existence before the ordinance went into effect. He added that most of the citizens were complying when informed they were violating an ordinance. There was discussion as to whether swimming pool domes constitute detached structures. Leasing signs authorized by the Board of Zoning Appeals at office building sites on State Line Road were discussed.

Presentation of Plans for Proposed Police Headquarters Building and Revised Application for GCCA: Mayor Jordan explained that the Governor's Committee had required that the application be divided into individual categories. Captain Blume outlined the present plans for the Police building to be erected on Tract "H" in the Industrial District. He stated this was an amendment of the plan submitted last June. He outlined the five stages of construction, and stated the project cost to the City of the courts complex would be $104,159.00. Captain Blume read a letter from E. L. Akerly, Director of Civil Defense for the City, urging that the Council act favorably on the proposal for obtaining federal funds to construct an emergency operating center. Administrative Assistant Charles
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Troppito presented a chart of sources of revenue. Steps to be taken to implement the plan were outlined by City Attorney Winn, including application to the Board of Tax Appeals for permission to spend this money because it is outside the budget lid.

Councilman Judd moved that the Council implement the plan submitted in the application for grant for construction of the police complex subject to approval for expenditure of excess funds by the State Board of Tax Appeals; seconded by Councilman Bruns. Following discussion, the motion carried unanimously.

NEW BUSINESS

Petition to Board of Tax Appeals: Councilman H. C. Evans moved that application be made for authority to expend funds in the amount of $116,261.50; seconded by Councilman Bruns. Motion carried unanimously.

Ordinance No. 419 S - Authorizing Application to State Board of Tax Appeals for Authority to Expand Funds to Augment Police Facilities: City Attorney Winn read Ordinance No. 419 S. Councilman Bruns moved that a second reading of the ordinance be waived; seconded by Councilman Conklin; motion carried. Upon poll of the Council, Ordinance No. 419 S was adopted unanimously. Councilmen then signed the original of the application.

Resignation of Chief of Police Martin J. Kelly - Resolution No. 249: Mayor Jordan read the resignation of Chief of Police Martin J. Kelly dated February 4, 1972, to become effective April 1, 1972. Councilman Judd stated Chief Kelly's resignation was received with sincere regret, and read a resolution proposed by the Public Safety Commission commending Chief Kelly, granting him four months' severance pay, awarding him the official certificate of appreciation and expressing regret at his resignation. Councilman Judd moved that the Council accept the resignation of Police Chief Kelly; seconded by Councilman Bruns with the comment that his vote was with deep regret. Motion carried unanimously. Councilman Judd moved that the Council adopt the resolution proposed by the Public Safety Commission; seconded by Councilman Bruns. Councilman Ballard suggested that reference to severance pay be deleted from the resolution, and be acted upon separately. Councilman Judd's motion and the second were withdrawn. Councilman Judd then moved that Resolution No. 249 be adopted deleting the reference to severance pay; seconded by Councilman W. E. Evans. Resolution No. 249 was adopted unanimously. A copy is attached hereto as part of the record. Councilman Judd moved that the Governing Body grant Chief Kelly four months severance pay in a lump sum payment in recognition of services above and beyond the call of duty; seconded by Councilman Conklin. Motion carried unanimously.
Appropriation Ordinances: Nos. 299A and 290S in the amounts of $63,050.42 and $4,264.51, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted. Following discussion of several items, the appropriation ordinances were approved unanimously.

Chief Kelly expressed his thanks to the Council, stating it had been a pleasure to serve the City of Leawood.

At the request of Councilman Judd, the Council adjourned to executive session at 12:00 a.m.

The Council returned to regular session at 12:15 a.m. All councilmen were present.

Employee Status Change: On motion by Councilman Judd, seconded by Councilman Johnson, the following promotion was approved:

Ronald A. Kossenjan, from Patrolman to Acting Corporal, with a rate increase from $736 per month to $755 per month.

On motion by Councilman Bruns, seconded by Councilman W. E. Evans, the meeting adjourned to Monday, February 21, 1972, 7:30 p.m.

Attest:

[Signature]
Mayor

[Signature]
Council Reporter

[Signature]
City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, February 21, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen W. E. Evans, Conklin, H. C. Evans, Ballard, Johnson, Judd.

The invocation was given by Rev. Andy Odom.


Minutes: On motion by Councilman Johnson, seconded by Councilman W. E. Evans, the minutes of the meeting of February 7, 1972, were approved as submitted.

Report on Redistricting: Mayor Jordan introduced Election Commissioner Willard Cook and announced polling places for the City election April 4. There was discussion concerning polling places. Mr. Cook stated the polls would be open from 7:00 a.m. to 7:00 p.m. on April 4th.

Councilman Eddy entered the meeting following the discussion of the election.

Report - Johnson County Board of Realtors, Inc.: John J. Gardner, attorney for the Johnson County Board of Realtors, spoke in opposition to enforcement of the ordinance providing for an occupation tax on realtors. He stated the realtors had appeared on the same or similar ordinance in 1968, and they felt because of the unique locality with so many contiguous cities that this ordinance should not be enforced. He stated if each city in Northeast Johnson County should impose such a tax on non-resident realtors, it would be burdensome and unjust. Mr. Gardner introduced other realtors in attendance. Councilman Ballard explained the question was not taxing to raise revenue but to use the City's authority to control the business that takes place here to be sure that in every transaction people know what the deed restrictions are. There was discussion concerning enforcement of deed restrictions. Councilmen W. E. Evans noted a house recently constructed at the corner of 87th and Lee Boulevard had a roof contrary to deed restrictions. The suggestion was made that new construction be controlled at the building permit level. Mayor Jordan requested the City Clerk to have the Building Inspector make an inspection of the premises at 87th and Lee Boulevard.
OLD BUSINESS

Traffic Survey Presentation: Mr. Johnson of Johnson, Brickell, Mulcahy & Associates, introduced his associate and explained modifications in the application for Highway Safety Project Grant and how City personnel would participate in the survey. He requested that the City provide a map indicating the pavement widths, existing rights-of-way, existing posted speed limits, and existing street lights. Councilman Johnson stated the matter must go to committee and moved that the Council continue hearing the matter after a committee has reported on it; seconded by Councilman Eddy. Motion carried.

Councilman Judd requested a copy of the application for Highway Safety Project Grant.

NEW BUSINESS

Since there were a number of people in the audience, Councilman Conklin moved that the order of the agenda be changed to consider next the request for permission to create a new sewer district; seconded by Councilman Johnson. Motion carried.

Resolution No. 250 - Consenting to Creation of Tomahawk Creek Sewer Sub-district of Johnson County: John J. Gardner presented a petition for creation of Tomahawk Sewer District signed by almost all of the owners of property in the area. Councilman Ballard moved that Resolution No. 250 creating Tomahawk Creek Sewer Sub-district be approved; seconded by Councilman Johnson. Resolution No. 250 was adopted unanimously. A copy is attached hereto as part of the record.

Commendation - Fire Department: Mayor Jordan read a letter of commendation of the Fire Department for their efforts in connection with a fire at the home of Mr. and Mrs. Harry Viot on January 27.

Report on Governor's Committee on Criminal Administration Courts Grant: Mayor Jordan pointed to and reviewed the preliminary plans which were the basis for the City's application for funding for the combined law enforcement building and courts grant. Captain Blume reviewed the present status of the application, stating that the application had been submitted to and approved by a subcommittee of the Governor's Committee. He said it would be presented to the Governor's Committee on March 8. Captain Blume indicated the portions of the proposed building for which funds were being requested.

Resolution No. 251 - Death of Former Mayor, J. Hubbard Minor: Mayor Jordan read the proposed resolution. Upon motion by Councilman Judd, seconded unanimously, the following resolution was adopted:

RESOLUTION NO. 251

"WHEREAS the City notes with regret the death of J. Hubbard Minor at the age of seventy-nine years; and

"WHEREAS Mr. Minor was a long-time resident and staunch supporter of the City of Leawood, serving as Leawood's
February 21, 1972

"mayor from 1951 to 1953; and was affiliated with the
Leawood Homes association from its beginning, serving
on its Board of Directors and as its Executive Secretary;
and

"WHEREAS, in the death of J. Hubbard Minor the City of
Leawood has suffered a great loss;

"NOW, THEREFORE, BE IT RESOLVED by the Governing Body
of the City of Leawood that we extend to the widow of
Mr. Minor our most sincere sympathy; and

"BE IT FURTHER RESOLVED that the City Clerk be directed
to send a copy of this resolution to his widow, Mrs.
J. Hubbard Minor, 8525 Lee Boulevard, Leawood, Kansas."

Discussion of Proposed Resolution for April Levy Election:
Mayor Jordan explained the need to increase expenditures for
operating expenses for the budget year 1973 for operation of
the courts portion of the new building and the entire present
building under the Administrative budget and operation of the
new building and staffing of the traffic squad and accident
prevention unit under the Police budget. The resolution
presented proposed that a general city election be held on
April 4, 1972, to vote on the proposition that revenues
anticipated in excess of the City's budget-spending power
be used to fund the increase. Mayor Jordan went on to state
attempts were being made to negotiate for the purchase of
land for a second fire station. There was discussion of a
proposal to expend the Fire Equipment Fund during 1972
(accumulated to approximately $48,000) for fire equipment,
making that amount available for the general operating fund
in 1973. Details of the Administrative and Police budgets
were discussed. Councilman Johnson moved that application
be made to the State Board of Tax Appeals to get the monies
needed for the Administrative and Police Departments and for
land for the Fire Department; seconded by Councilman W. E.
Evans. There was discussion of whether it was advisable to
give the people an opportunity to express themselves in an
election, the alternative of going to the Board of Tax
Appeals, and the effect of each. Discussion continued
concerning how the proposed increase would be spent, whether
or not an increase was needed, and whether the Council had
sufficient information to act at this time. Councilman Eddy
moved the question; seconded by Councilman W. E. Evans.
Motion carried. Councilman Johnson's motion failed by vote
of 5 to 2. Councilman Eddy moved that the subject of a levy
election be tabled until such time as Council members are
given complete and full information in writing as to how much
money was needed, when it was needed, and an outline of the
alternatives involved; seconded by Councilman W. E. Evans.
Following discussion, motion carried. Councilman Eddy
requested that the Public Safety Commission, at its earliest,
convenience, report to the Council with a recommendation on
the requirement of an additional fire station in the south
part of the City. Councilman H. C. Evans stated the figures
requested in Councilman Eddy's motion could be estimated and provided if all departments of the City could look at their capital requirements for the next few years; expenditures could then be projected and perhaps an agreement reached on priorities.

Resolution No. 252 - Approving Establishment of a Civil Defense Agency for the City of Leawood: Mayor Jordan explained this was a technical requirement which would enable the City to make application for an emergency operating center, make available certain surplus commodities for equipping the center, and give authority to apply through the Civil Defense Director for participation in the construction of the emergency operating center. On motion by Councilman Johnson, seconded by Councilman Judd, Resolution No. 252 was adopted. A copy is attached hereto as part of the record.

Discussion of Resolution for Architectural Services: Mayor Jordan stated apparently there had not been a contract for services in the City's previous dealings with Mr. Granstedt and plans were on file for which he had not been paid. She said to aver similar circumstances this resolution was presented. Mayor Jordan said the City Architect was retained on his normal fee to prepare sufficient drawings of the police building to make the applications required for the matching funds; in order to proceed with working drawings, the Council should make some decision as to the selection of an architect and consideration for a contract for his services. There was discussion of the need to have someone in charge of the construction but that the City Architect was needed more in the role of inspector. Councilman W.E. Evans moved that the Council be appointed as a committee of the whole to investigate the appointment of an architect for future planning for this project; seconded by Councilman Johnson. There was discussion of whether it would be desirable at this point to select an architect, procedure of selection, amount of fee and billing procedure. Councilman Eddy moved to amend Councilman Evans' motion by substituting "Councilmen W. E. Evans, Judd, and Ballard be appointed as a committee" in lieu of "the Council be appointed as a committee of the whole"; duly seconded. Councilman Conklin suggested the committee could narrow the selection down to two or three and bring it to the Council for final selection. Councilman Eddy stated in omitting Councilman Conklin's name from the committee he anticipated his cooperation as an architect. Amendment carried, Councilman H. C. Evans voting nay. Motion as amended carried.

Proposed Dog Ordinance: Councilman Johnson moved to table to allow further consideration by the Committee; seconded by Councilman H. C. Evans. Motion carried.

CATV Franchise: Murray Nolte appeared in behalf of the proposed franchise of TeleCable. He outlined developments which had occurred since their representative appeared before
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the Council; that is, that an FCC edict had changed certain franchising arrangements of cities limiting franchise fees and limiting the signals that may be carried by a cable into the city. He added that systems in operation with over 50 subscribers on March 31 will be able to operate under the current rules. After March 31, any system beginning in the city would not be able to carry the signals from Topeka and St. Joseph. Mr. Nolte recommended action prior to March 31 if at all possible. He said his company would be able to make sufficient installations to "grandfather" the system by March 31 if action were taken by the Council on March 6.

#3153 Question re Severance Pay: Dale Unkefer asked for clarification of the Council's action in giving Chief Kelly four months' severance pay. Mayor Jordan stated this would be the subject of a motion of the Council.

On motion by Councilman Judd, duly seconded, the Council adjourned to executive session at 10:45 p.m., following a short recess.

The Council returned to regular session at 11:20 p.m. Councilmen W. E. Evans, Conklin, H. C. Evans, Eddy, Ballard, Johnson and Judd were present.

Employee Status Changes - Fire Department: On motion by Councilman Judd, seconded by Councilman W. E. Evans, the following employment was approved:

Conley P. Cornell, Jr. as Probationary Firefighter at the rate of $495 per month, on the "C" shift.

#3175 On motion by Councilman Judd, seconded by Councilman W. E. Evans, the following employment was approved:

Stephen R. Wilson as Probationary Firefighter at the rate of $495 per month, on the "A" shift.

#3182 Formal Resignation of Martin J. Kelly: Councilman Judd moved acceptance of the formal resignation of Martin J. Kelly, Chief of Police, effective March 31, 1972; seconded by Councilman Johnson. Motion carried.

#3191 Resignation of Paul J. Myers: Councilman Ballard moved that the Council accept the resignation of Paul J. Myers effective March 3, 1972, and approve the payment of three weeks' vacation pay; seconded by Councilman Johnson. Motion carried.

On motion by Councilman Judd, seconded by Councilman Judd, the meeting adjourned to Monday, March 6, 1972, 7:30 p.m.

[Signatures]

Council Reporter

Attest:

City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, March 6, 1972, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilman W. E. Evans, Conklin, H. C. Evans, Eddy, Ballard, Johnson, Judd.

The invocation was given by Rabbi Paul H. Levenson.

The meeting was convened at the City Hall, 9615 Lee Boulevard. In view of the crowd assembled, Mayor Jordan suggested that the Council adjourn to larger quarters. On motion by Councilman Johnson, seconded by Councilman Conklin, the meeting adjourned to Ranch Mart Auditorium, 3736 West 95th Street. The Council reconvened at 7:55 p.m.

Modification of Agenda: Councilman Johnson moved that he be permitted to read a letter and that the dog ordinance then be considered; seconded by Councilman Ballard. Motion carried.

Resignation of Councilman Edwin E. Bruns: Councilman Johnson read a letter from Councilman Edwin E. Bruns submitting his resignation as Councilman, Ward 4, and all related activities, and withdrawing his name as a candidate in the forthcoming election. Councilman Johnson moved that the resignation not be accepted; seconded by Councilman W. E. Evans. Motion carried. Councilman Johnson then moved that members of the Governing Body meet with Mr. Bruns to discuss the content of his letter; seconded by Councilman Judd. Motion carried.

Councilman W. E. Evans moved that the order of the agenda be followed.

Minutes: On motion by Councilman Judd, duly seconded, the minutes of the meeting of February 21, 1972, were approved as submitted.

Visitors: Mrs. Don Harrison, F. V. Taylor, Clark S. Ullom, Jack Gale, C. W. Schaulis, Mrs. A. A. Chartrand, Mrs. Louis Hollman, J. W. Barry, Bob Cloughley, Mrs. James T. Kehoe, Don Miller, Mrs. Samuel Brodkin, Mrs. W. C. Haas, B. L. Webster, Mr. and Mrs. Sam Trepner, Robert J. DuBois, Dr. and Mrs. Harry L. Lydick and Mark, Edward W. Abend, Virginia Hassenflu, John D. Marsh, Mrs. Edward W. Abend, Stuart C. Johnson, Mrs. J. E. Middleton, P. N. Cannon, E. L. Winthrop, Diane Stubenauch, Beatrice Bauer, Mrs. J. A. Mozur, Terri Roberts, Mrs. James E. Miller, Lee and Lynn Brekke, Nancy and Mike Stone, John Kealing, John Rooney, Sheila Steinauer, Walter Aalbregtse, Robert Zahner, Irene and Paul Klein, John Spear, Bridget O'Brien, H. Patrick and Mariane McCowen, Dr. and Mrs. Firmin Snodell, Mr. and Mrs. H. C. Heyde, Jane C. Kealing, Mrs. Hugh Bower, Mrs. C. W. Keller and Bill, Walter, Loretta and Judy Jungk, Norma Brooks, Betty Krane,

#88 Commendation - Patrolman Steven G. Shults: Mayor Jordan read a letter of commendation of Patrolman Shults which led to his successful nomination from Johnson County to enter the competition as outstanding young officer of the year for the State of Kansas. Mayor Jordan presented Patrolman Shults to the Council and displayed the award he had received as a nominee from Johnson County.

REPORTS

#115 Treasurer: Mr. Hansel's report was submitted. The amount of general liability insurance allocated to the Street Department was discussed and the matter referred to the Budget & Finance Committee. The report was approved on motion by Councilman Johnson, seconded by Councilman W. E. Evans.

#163 Municipal Judge: Judge Cope's report was submitted, and approved on motion by Councilman Judd, seconded by Councilman H. C. Evans.

#167 Fire Department: Chief Toman's report was submitted, and approved on motion by Councilman Judd, seconded by Councilman Johnson. Mayor Jordan announced that Roger Dart took emergency care training at Kansas University Medical Center and was one of three officers tied for first place in the class.

#174 Police Department: The report was submitted, and approved on motion by Councilman Judd, seconded by Councilman Johnson.

#176 Public Works: The report was submitted, and approved on motion by Councilman Ballard, seconded by Councilman Eddy. Mayor Jordan noted that Jerry Stipancich and Dick Blakey of the Street Department had completed a certification for the determination of Dutch elm disease, and congratulated the Department upon making this training available to the employees.

COMMITTEE AND COMMISSION REPORTS

#183 Administrative: Mayor Jordan stated in view of increasing staff demands at City Hall, the Administrative Committee was currently studying a table of organization with a view of making the city government more effective and more responsive.
to the needs of a city of this size. Mayor Jordan read the powers and duties of the Mayor from State Statute.

Budget & Finance: Councilman H. C. Evans reported the Budget & Finance Committee was conducting a revenue study to project the cash position at the end of the year in preparation for next year's budget planning. He added the Budget & Finance Committee would be requesting from each of the departments suggested plans for next year particularly in areas that would affect significant increases in operating levels or capital expenditures.

Building Code: Councilman Conklin referred to the report of the Building Inspector. The report was approved on motion by Councilman Ballard, seconded by Councilman Judd.

Intergovt. Coop. & Comm. Affairs: No report. Mayor Jordan referred to the Committee for recommendation at the next meeting a request from the Board of Realtors of Johnson and Wyandotte Counties for participation during National Realtors Week.

Ordinance - Dog Control: Councilman Johnson introduced a proposed dog control ordinance and read some of its provisions. He introduced Committee member Andrew Lyons. Councilman Judd objected to the proposed ordinance, stating he felt it was unworkable and impossible to police. Councilman W. E. Evans displayed pictures of a child disfigured by a dog, and spoke in favor of the proposed ordinance as protection against injury and destruction of property caused by dogs. Councilman Judd stated the cost to enforce the present ordinance would be approximately $4,600 per year, and it was estimated the enforcement of the proposed ordinance would cost in the neighborhood of $13,000 if it were necessary to engage a humane officer. Councilman Judd read a note from a member of the Board of Zoning Appeals objecting that Leawood would become a city of fences under the proposed leash ordinance. Councilman Evans questioned the City's priorities. Discussion was then opened to members of the audience. Clark Ullom questioned whether sufficient investigation had been conducted to establish the need for such an ordinance and suggested that the question be submitted to a referendum. Helmut Vogel presented a petition signed by over 125 homeowners who opposed the proposed ordinance. Four boys who obtained the signatures were introduced. Councilman Ballard explained that Council action on the proposed ordinance would be subject to referendum. A show of hands called for by Mayor Jordan resulted in 28 voting for stricter enforcement, 39 satisfied with the present dog control law, and 4 voting for neither. Discussion from the floor continued with 17 members of the public entering in. Matters discussed included beauty of openness as opposed to fences, recourse to property owners for damage, enforcement of licensing requirement, revenue, the budget situation, and leash laws in other areas. A point was raised about rights of an owner of a dog on its own property protecting that property. Mayor Jordan stated an interpretation of the point raised would be made available.
Councilman Eddy suggested that copies of the proposed ordinance be made available at City Hall. Mayor Jordan stated requirements of the agenda did not permit extending the discussion, and suggested that those who had not been able to be heard reduce their remarks to writing and send them to City Hall for circulation to the Council.

There was a short recess to clear the room.

The meeting reconvened at 10:05 p.m. with the same councilmen present.

Ordinance - Kansas City Power & Light Franchise (First Reading): Councilman Johnson stated after conversation and correspondence with the Power & Light Company, objections of the Ordinance Committee had been satisfied except the length of the contract. He stated the Committee and Kansas City Power & Light representatives agreed to change the term of the contract to five years. There was discussion of the method of billing with the suggestion that the same provision be made as applies to street lighting. The City Clerk was instructed to advise the Power & Light Company of these changes in advance of the vote to be taken at the next Council meeting.

Ordinance No. 421 G - Relating to Boundaries of Ward 4 and Repeal of Sections: Councilman Johnson introduced the ordinance and moved for declaration of emergency; seconded by Councilman Conklin. Motion carried. Councilman Johnson then moved that Ordinance No. 421 G be adopted. Ordinance adopted unanimously.

Ordinance No. 422 S - Relating to the Annexation of Additional Territory Adjacent to the City of Leawood: Councilman Johnson explained that this was a small strip of land to the west of the cemetery at Ranch Mart which had not been included in the legal description when surrounding territory was annexed. Councilman Johnson moved that an emergency be declared; seconded by Councilman Conklin. Motion carried. On motion by Councilman Johnson, Ordinance No. 422 S was unanimously adopted.

Plan Commission: Councilman Conklin stated the report of a special subcommittee of the Plan Commission instructed to look into supposed discrepancies in the Eugene Brown Building at 83rd and State Line had been submitted. He said it included provision for six foot evergreen screen planting. Mr. Conklin said the committee could find no evidence by listening to the tape of the explicit instruction that from the corner of 83rd and State Line there was supposed to be a drop of 14 feet to the top of the parking lot. He said there was ample room for a sidewalk. There was discussion of citizen complaints concerning the sidewalk, screening and trash blowing. Councilman Ballard suggested that the City Clerk write a letter to the Eugene Brown Company requesting that trash containers be moved to the other side of the building. City Attorney Winn will render an opinion.
concerning what would be involved in creating a benefit district to build a sidewalk. The possibility of asking Eugene Brown to build a sidewalk was discussed. Councilman Conklin stated it would have to be on the right-of-way as the screen planting was directed to be placed at the property line. On motion by Councilman Eddy, seconded by Councilman Ballard, the report was approved.

Public Safety: Councilman Judd requested an executive session at the termination of the regular agenda. He reported that the City's request to the Board of Tax Appeals had been approved. Councilman Judd also reported three residents had requested that street lights not be installed, that Captain Blume had ascertained that these lights were not mandatory from a public safety standpoint, and that Kansas City Power & Light Company had been advised not to proceed with those installations.

Public Works - Streets: Councilman Ballard reported he was pleased with the work of Jerry Stipancich who has been acting as Street Superintendent. His status form will be considered at the next Public Works Committee meeting. Councilman Ballard said an ad for a Director of Public Works was published in the Kansas Journal.

Public Works - Sanitary Sewers & Storm Drainage: Councilman Ballard reported the Shafer, Kline & Warren report on the Dyke's Creek Branch was completed and delivered to City Hall. He said the primary consideration will be the discussions with Kansas City, Missouri, concerning larger lines. The Committee will be trying to work out some of the complex details in the near future. Mayor Jordan commended Councilmen Ballard and Eddy for the work they had done toward solving the sewer problems. Copies of the report are to be distributed to councilmen. There was discussion of the status of Jerry Stipancich. On motion by Councilman Conklin, seconded by Councilman Johnson, the report was approved.

Ordinance No. 420 S - Granting Non-exclusive Cable Television Franchise: Councilman H. C. Evans reported the CATV Committee was ready to present an ordinance for discussion and consideration. A copy of the Prairie Village ordinance was before councilmen. Councilman H. C. Evans stated this meeting was the last opportunity to grant a franchise and grandfather the system to receive signals of Topeka and St. Joseph. He presented proposed changes to the Prairie Village ordinance. He stated when the committee last met it had voted to recommend that a non-exclusive franchise be granted to TeleCable of Overland Park. He stated, however, the Council might wish to discuss the matter and possibly add a second franchisee. He said TeleCable and Telecommunications were willing to accept the terms of the ordinance presented. City Attorney Winn reviewed a written opinion submitted on cities' power to regulate cable television. He said the Prairie Village ordinance was well drawn, comprehensive, and in his opinion Leawood could follow it with no problems. Murray Nolte of
TeleCable was present to answer questions. There was no representative of Telecommunications present. There was
discussion of construction procedures. Councilman H. C.
Evans moved for declaration of emergency; seconded by
Councilman W. E. Evans. Motion carried. Councilman H. C.
Evans then moved for adoption of Ordinance No. 420 S,
granting a non-exclusive franchise to TeleCable of
Overland Park, Inc. Councilman W. E. Evans requested a
short recess to talk with members of the CATV Committee.
** see foot note
The Council convened following the recess at 11:39 p.m.
The same councilmen were present.

Councilman W. E. Evans moved to amend the motion to state
that the City grant an identical franchise to Telecommunica-
tions; seconded by Councilman Johnson. There was discussion
that in the event two franchises were granted Telecommunica-
tions could not grandfather the system and TeleCable would
bear the burden of grandfathering the system. Capabilities
of both companies were considered.

The motion to amend failed. Ordinance No. 420 S was adopted
unanimously.

Mayor's Report - Mid-America Regional Council Conference:
Councilman Eddy moved to forego the Mayor's report; seconded
by Councilman Johnson. Motion carried.

NEW BUSINESS

Request for Permission to Sell Honey - Kansas City Association
for Retarded Children: On motion by Councilman Ballard,
seconded by Councilman W. E. Evans, permission to sell honey
was granted to Kansas City Association for Retarded Children.
Mr. William A. Larson of the Association presented Mayor
Jordan a "honey" pin.

Request for Permission to Sell Tickets for Shawnee Mission
East Production: On motion by Councilman Eddy, seconded by
Councilman W. E. Evans, the request as stated in the appli-
cation was granted.

Ratification of Committee Appointments: On motion by
Councilman Ballard, seconded by Councilman W. E. Evans,
the appointments to the Budget Lid Study Committee and
the Police/Courts Building Committee were ratified.

Appropriation Ordinances: Nos. 300A and 291S in the amounts
of $146,192.14 (including purchase of $85,000.00 Certificates
of Deposit) and $249,558.51 (including purchase of $200,000.00
Certificates of Deposit), providing for payment of certain
claims against the City and the Leawood Sewer System respec-
tively, were submitted. There was discussion concerning
purchase of auto parts at five different places. Councilman
W. E. Evans asked for an explanation of several items.
Councilman Ballard moved the question; seconded by Councilman
** "Mr. Nolt stated there would be no damage to back yards, that access would
be basically from the ends of the street and the men would work on foot in
between the access points." added in accordance with minutes of 3/20/72
1370
March 6, 1972

H. C. Evans. Motion carried, Councilman W. E. Evans opposed. Councilman W. E. Evans left the meeting. By roll call vote, the appropriation ordinances were approved unanimously.

The Council adjourned to executive session at 12:20 a.m.

The Council returned to regular session at 12:26 a.m. Councilmen Conklin, H. C. Evans, Eddy, Ballard, Johnson and Judd were present.

Employee Status Changes: On motion by Councilman Judd, seconded by Councilman Johnson, the Council accepted the termination of David K. Gillespie as Probationary Patrolman.

Councilman Judd moved that upon the return of former Patrolman Cox, he be authorized for reinstatement as Patrolman by telephone approval of Council members; seconded by Councilman Johnson. Motion carried.

On motion by Councilman Ballard, seconded by Councilman Judd, the following change of status was approved:

Jack Moore, from an hourly worker to Assistant Sewer Superintendent at $650.00 per month.

Councilman Eddy requested that motions for adjournment contain the time of adjournment.

At 12:29 a.m., on motion by Councilman Eddy, duly seconded, the meeting adjourned to Monday, March 20, 1972, 7:30 p.m.

Attest:

Council Reporter

Mayor

City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, March 20, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Conklin, Eddy, Ballard, Johnson and Judd.

The invocation was given by Father Burak of Cure of Ars Catholic Church.

Minutes: Councilman Eddy requested that the minutes of March 6th be amended by adding the following sentence to the first paragraph on page 1370: "Mr. Nolte stated there would be no damage to backyards, that access would be basically from the ends of the street and the men would work on foot in between the access points." There was discussion concerning whether Ordinance No. 420 S, granting a non-exclusive cable television franchise, was published correctly. The suggestion was made that the Council discuss at the proper time the idea of having a standing committee to look after this franchise and possibly other franchises.

Councilmen W. E. Evans and Bruns entered the meeting at 7:35 p.m.

On motion by Councilman Judd, duly seconded, the minutes of the meeting of March 6, 1972, were approved as amended.


Stuart Johnson asked for an elaboration by Councilman Bruns of statements made concerning "commercial interests" in his resignation read at the last Council meeting. Councilman Bruns stated he would not like to see a big industrial complex in the annexed area in the southern part of the City, but rather more residential developments. Mr. Cannon stated his philosophy coincided with that expressed by Councilman Bruns and stated he hoped Mr. Bruns would stay on the Council.

Bill Fisher stated the matter of a television franchise had been turned down by a previous Leawood City Council, and referred to the research done by that Council.

I. Bostwick urged that the speed limit be returned to 35 miles per hour on Lee Boulevard north from 83rd Street to a point 900 feet from the pushbutton crossing. Mayor Jordan referred this matter to the Public Safety Commission for re-examination and recommendation to the Ordinance Committee.
Councilman Judd moved for revision of the agenda, taking the last three items under New Business in inverse order for consideration at this time; seconded by Councilman Bruns. Motion carried.

Request for Permission to Solicit Funds - Kansas Division, American Cancer Society: On motion by Councilman Johnson, seconded by Councilman Bruns, the request was approved.

Proclamation - American Cancer Society: Mayor Jordan read the proposed proclamation and, upon motion by Councilman Bruns, seconded by Councilman Judd, the month of April, 1972, was proclaimed CANCER CONTROL MONTH.

Resolution No. 253 - Request for Planning Grant 1B: Mr. Ed Akerly, Civil Defense Director, stated information necessary for the application for matching funds for the architectural portion of an Emergency Operating Center at the police-courts building was before the Council. Mayor Jordan explained that the City's portion of matching funds would come from the amount approved by the Board of Tax Appeals for construction of police facilities. There was discussion of the organization chart and the function of an emergency operating center. Mr. Akerly explained the emergency operating center would merely be the control center, not a shelter area. Councilman W. E. Evans asked for a copy of the established disaster plan, and suggested that Mr. Akerly consider a local area where victims may be taken care of as traffic gets jammed during a disaster and it becomes impossible to get people to a hospital. On motion by Councilman Bruns, seconded by Councilman Judd, the report and Resolution No. 253 were approved. Mayor Jordan commended Mr. Akerly for an excellent job. A copy is attached.

Ordinance No. 423 S - Kansas City Power & Light Traffic Control Systems Contract (Second Reading): Upon motion by Councilman Johnson, Ordinance No. 423 S, providing for electric traffic control systems and contracting with Kansas City Power & Light Company, was unanimously adopted.

Reconsideration of Resignation of Councilman Bruns: Councilman Johnson stated the matter should not be discussed further until the Governing Body had met with Councilman Bruns as voted at the last meeting. Mayor Jordan read a letter from Councilman Bruns stating that, "In accordance with your wishes expressed at our meeting of Saturday, March 11, I will remain as Street Commissioner and serve the balance of my term as City Councilman." Following discussion, Councilman Ballard moved that the time for a meeting with Mr. Bruns be set during an executive session at the end of the agenda; seconded by Councilman Bruns. Motion carried.

Report - Alternatives for Animal Control: A presentation by the Wolfgang Academy for animal control was before councilmen. Mayor Jordan stated at the meeting of the Council of Mayors on March 14, the presentation was made to provide a
humane officer, impoundment facilities, patrol and pickup on a 24-hour-a-day basis; our City's acceptance or rejection of the contract would have a great effect on whether or not it would be possible for them to add the facilities necessary to carry forth this program. Captain Blume reported Mr. Smith had advised that he had contracted with Mission to provide the service. Captain Blume stated Mr. Smith's proposal was the only one he could find that had a chance of solving the problem. Councilman Judd stated the Public Safety Commission felt the Wolfgang Academy provided the greatest potential for giving regular coverage, and that possibly some of the funds which Public Safety had already withdrawn to establish the crossing guard could be used to provide coverage under our present ordinance. He said the Public Safety Commission was of the opinion that the proposed new dog ordinance was too restrictive for immediate passage. Councilman Judd moved that funds be transferred to utilize the Wolfgang Academy and implement the ordinance already on the books; seconded by Councilman Ballard. A discussion followed concerning the source of funds, patrolling under the current ordinance, and the need to gather statistics. Councilman W. E. Evans moved to table; seconded by Councilman Johnson. Councilman W. E. Evans stated that the Kennel Club was in favor of the ordinance proposed by Mr. Johnson and would like to talk with the Council. Motion to table carried, Councilman Judd opposed.

CATV Franchise Ordinance: A motion to adopt the ordinance was withdrawn until the legal publication could be checked.

Public Safety Report re Fire Station No. 2, per Request of Councilman Eddy: Councilman Judd requested that the matter be discussed in executive session at the end of the agenda.

Recommendation re Request from Board of Realtors: Councilman W. E. Evans reported that he was planning to set up a display at a joint meeting of the Johnson County Board of Realtors and the Wyandotte County Board of Realtors concerning future growth of the City. Councilman W. E. Evans moved that the Council approve the action to have a booth there; seconded by Councilman Eddy. Motion carried. The suggestion was made that a representative of the City be present at the booth.

Mayor's Report - Emergency Medical Service Seminar: Mayor Jordan requested that Chief Toman report on an Emergency Medical Service Seminar he attended and comment on the degree to which Leawood conforms and what would be required to implement a full emergency medical service. Chief Toman said the meeting dealt with communications, operations, organization and financing of a paramedic program and emergency medical services for the Kansas City metropolitan area. He explained the program and concluded that, hospitals being as close as they are and as much success as our rescue squad has had with cardio pulmonary resuscitation, that a paramedic expense to the City would not be justified. Chief
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Toman said he could see the need for a paramedic team on a county-wide basis, keeping in operation the rescue units that the cities have now.

During the discussion, Councilman W. E. Evans left the council chamber to answer a call.

Mayor's Report: Mayor Jordan referred to a notice of intent from the Environmental Protection Agency giving notice of preparation of an Environmental Impact Statement encompassing Indian Creek Main Sewer District No. 1. Councilman Judd suggested that an effort be made to notify the people who have been directly concerned about that area that the environmental hearing is going to be held. Councilman Ballard requested that the Environmental Protection Agency be asked to send a representative to the next Council meeting. Mayor Jordan requested that members of the press give publicity to the fact that this presentation will be made at the next Council meeting.

Mayor's Report: A letter was distributed concerning a presentation by the Red Bridge Area Committee for Children's Mercy Hospital requesting support for a Music Man benefit performance. Also distributed were copies of formal notification from the Governor's Committee on Criminal Administration that the grant to the Leawood municipal court complex had been approved.

Councilman W. E. Evans returned to the meeting.

NEW BUSINESS

Discussion of Items of Capital Improvement for Priority Assignment: Councilman Judd reported for the Public Safety Commission that a first priority would be the acquisition of additional parcels of land under the existing option for the police-courts building, and asked that the Council approve a resolution authorizing purchase of Parts II and III of Tract "H".

Resolution No. 254 - Authorizing Purchase of Parts II and III of Tract "H": Councilman Bruns moved that Resolution No. 254 be adopted authorizing the purchase of Parts II and III of Tract "H" for construction of a police-courts building; seconded by Councilman Judd. Resolution No. 254 was unanimously adopted. A copy is attached to these minutes.

Discussion of Capital Improvements (continued): Councilman Judd stated the other capital improvement considered by the Public Safety Commission was Fire Station No. 2, to be discussed in executive session. The Public Works Commission requested that their report be delayed until after their next meeting. Councilman Ballard said he was not aware of anything needed in the Public Works Department that would fall under the category of capital improvements. Mayor Jordan reported the Administrative Committee had discussed
improvements that are to be undertaken in City Hall when the Police Department is moved, consisting of creating office space downstairs, clearing the Council chambers of clerical staff, installation of wiring, painting of ceilings (now complete), and installation of air conditioning (now under way).

ATA and ATE Team Presentation: Mayor Jordan stated a report concerning metropolitan transit service had been presented to Mid America Regional Council and it had been proposed that a study be conducted to see how the losses could be prorated among cities requesting continuation of bus service. She stated May 1 was the deadline in Johnson County for an indication of support or opposition to funding of ATA services. A Mid America Regional Council meeting had been called for March 22 to consider the matter. Mayor Jordan introduced Mr. Leo Cusick, manager of the ATE management team currently under contract to ATA, who was present, along with some of his staff and ATA representatives, to answer questions on this issue.

There was a short recess to change the recording tape.

Tape No. 16
Side 1

Councilman Bruns moved for a change in the agenda to reconsider the CATV franchise ordinance; seconded by Councilman Johnson. Motion carried.

Ordinance No. 420 S - Granting Non-exclusive CATV Franchise (Second Reading): Publication of the ordinance on March 15 was found to be correct. Councilman Johnson moved that the Council accept the second reading of the CATV franchise ordinance as published; seconded by Councilman Bruns. Ordinance adopted unanimously.

ATA and ATE Presentation (continued): Mr. Cusick stated Midwest Research Institute had been authorized to make a bus transportation study and devise a formula for subsidizing bus service. Under the formula arrived at, each community would be charged the cost of operation of the bus system in that community less revenue collected. He stated the estimated total annual loss to Leawood would be $2,364.00, based upon total mileage of 13.8 miles per day. Mr. Cusick described the ATE contract with ATA to provide management of the Kansas City Area Transit Authority. He stated he was asking the City of Leawood to commit itself to continuing bus service under the Kansas City A.T.A., an autonomous body created by the 89th Congress, approved by the state legislatures of Missouri and Kansas, and that he would like the Mayor to have some kind of ability at the meeting on Wednesday at least indicating that Leawood was willing to have bus service. There was discussion of size of buses used, the contribution of other cities, and the number of riders compared with the total cost to the City. A motion by Councilman Eddy authorizing the Mayor to attend the meeting
and to state that the City of Leawood was not in favor of providing any subsidy to the ATA was withdrawn after an amendment by Councilman Bruns failed for lack of a second. Councilman Bruns then moved that the Mayor be authorized to attend the meeting on the 22nd but that no funds be authorized to promulgate the ATA within the City of Leawood until further study by the Governing Body of the financial figures and the route covered; seconded by Councilman Judd. Motion carried. Mr. Cusick was asked to make available Volumes 1 and 2 of the report and a summary of slides evaluating the proportion being borne by Kansas City, Missouri.

Resolution No. 255 - Application for Rescue Unit: Copies of the proposed resolution had been distributed. Plans to retire the old rescue unit for service later in proposed Fire Station No. 2 were discussed. Councilman Judd moved for adoption of Resolution No. 255 authorizing application for an improvement to community ambulance service under Highway Safety Project Grant; seconded by Councilman W. E. Evans. Resolution adopted. A copy is attached hereto as part of the record.

Report on Status of Police Building Fund: Councilman Judd reviewed a statement dated March 9 concerning the funds presently available and possibly available in the future for the police facility. Copies of the statement are to be distributed.

1972-73 Budget Preparation, and Revenue Forecast: Mr. Hansel reported the Budget & Finance Committee and the new Levy Election Committee had been preparing a preliminary forecast of what revenues may be for 1973. He said the forecast chart may be ready for distribution before the next Council meeting. Mr. Hansel stated total revenue for 1973 was projected at $787,000, including items of income not subject to the tax lid such as Social Security, KPRS, and the Park Fund; income for 1973 subject to the lid was projected at $701,470; the spending lid for 1973 will be roughly $598,000; so there will be about $103,000 available in 1973 which cannot be spent except by approval of the voters. Each department head was asked to submit by early April a preliminary budget for 1973, setting forth services they feel should be rendered and approximate cost; in addition, the Council will consider the matter of capital expenditures. Mr. Hansel stated the program was to present the levy to the voters in June. The salary lid was discussed. Mayor Jordan said the Administrative Committee had requested the City Attorney to formulate an application for an exception to the lid on salaries.

Week of Concern for Prisoners of War: Mayor Jordan stated she had been asked to call attention to the fact that President Nixon had declared the week of March 26 to April 3, National Week of Concern for Prisoners of War, and that Fred Sutter, son of a kindergarten teacher at the Brookwood and Linwood Schools was missing in action. Councilman Bruns
moved that the Council recognize that a Leawood citizen was missing in action, dead, or prisoner of war, and to recognize that Leawood had a stake in the President's National Week of Concern; seconded unanimously. Motion carried.

On motion by Councilman Judd, seconded by Councilman Bruns, the Council adjourned to executive session at 10:40 p.m.

The Council returned to regular session at 11:28 p.m. Councilmen W. E. Evans, Conklin, Eddy, Ballard, Bruns, Johnson and Judd were present.

Appraisal of Land for Fire Station No. 2: Councilman Judd moved that the Council authorize one appraisal of the land at the northeast corner of 127th and Mission Road for the purpose of determining value of said property for proposed Fire Station No. 2; seconded by Councilman Bruns. The suggestion was made that Art Jacobson be contacted to make the appraisal. Motion carried.

Employee Status Changes: On motion by Councilman Judd, seconded by Councilman W. E. Evans, the following promotion was approved:

Richard Blume, from Police Captain to Acting Chief of Police, at $950 per month, effective April 1, 1972.

On motion by Councilman Judd, seconded by Councilman Bruns, increase in base pay was approved for the following:

Patrolmen Royce L. Bounds and James S. Cox, to the ordinance minimum of $633 per month, effective March 15, 1972.

On motion by Councilman Ballard, seconded by Councilman Johnson, the following employment was approved:

B. E. Hartman, laborer, Street Department, at the rate of $3.42 per hour.

At 11:32 p.m., on motion by Councilman Judd, seconded by Councilman Conklin, the meeting adjourned to Monday, April 3, 1972, 7:30 p.m.
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, April 3, 1972, in the City Hall, 9615 Lee Boulevard.

On motion by Councilman Johnson, seconded by Councilman Bruns, President of the Council Ballard called the meeting to order. Roll call was answered by Councilmen W. E. Evans, Conklin, H. C. Evans, Eddy, Ballard, Bruns, Johnson and Judd.

The invocation was given by Rev. Guy D. Casey, Leawood United Methodist Church.

Minutes: On motion by Councilman Bruns, seconded by Councilman Judd, minutes of the meeting of March 20, 1972, were approved as submitted.


Melvin Schlesinger, president of the Heart of America Kennel Club, stated he had submitted a form of modified dog control ordinance making the owner of the animal responsible for its actions. He explained the ordinance and the dog problem in general. Following the presentation, Councilman Judd requested that Mr. Schlesinger be furnished copies of the City's present ordinance and the proposed ordinance so that he might make suggestions relative to them.

Mayor Jordan arrived at 7:37 p.m., as Mr. Schlesinger began to speak, and took the chair at 7:49 p.m. She explained that she had been involved in welcoming representatives of the Republic of Greece.

Stuart Johnson stated he had brought up the matter of a noise ordinance five months ago, submitting forms of two such ordinances, and felt he should be entitled to an answer. Councilman Judd reviewed steps taken on the matter and invited Mr. Johnson to attend a meeting of the Public Safety Commission on April 12th. Mayor Jordan explained that the enforcement standards of the State of Kansas were not the same as the states from which the ordinance forms came, and added that this pointed to the need for some administrative assistants at City Hall.

Mrs. Charles Perkins spoke in support of adoption of a leash law.

Recognition of Chief Martin J. Kelly: Mayor Jordan introduced Mrs. Mary Kelly, wife of Chief Kelly. Lieutenant Sellers, on
behalf of all the members of the Police Department, presented to Chief Kelly a plaque in appreciation for loyal, dedicated and honorable service. Chief Kelly expressed his appreciation for the support of the officers in the department, the Councilmen, the citizens, and his own family. He commended his successor, Richard Blume, and thanked the Press for the fair deal they had given him and the department. On behalf of the Governing Body, Mayor Jordan presented to Chief Kelly a resolution passed by the Council on February 7, 1972. Chief Kelly announced that the plaque had been hand lettered by Lieutenant Sellers and the resolution had been hand lettered by Mayor Jordan's sister.

REPORTS

#2775 Treasurer: Mr. Hansel explained the new form of the report and asked that councilmen study the form and make suggestions. He reviewed the report. Councilman Johnson suggested that the percentage of budget expended be shown. The report was approved on motion by Councilman Judd, seconded by Councilman Ballard.

#2935 Municipal Judge: Judge Cope's report, showing a docket of 236 cases for the month of March, was submitted, and approved on motion by Councilman Ballard, seconded by Councilman Bruns.

#2945 Fire Department: Chief Toman's report was submitted, and approved on motion by Councilman Judd, seconded by Councilman Johnson.

#2948 Police Department: The report was approved as submitted on motion by Councilman Judd, seconded by Councilman W. E. Evans.

#2950 Public Works: The report was approved as submitted on motion by Councilman Johnson, seconded by Councilman Conklin.

COMMITTEE AND COMMISSION REPORTS

#2958 Budget & Finance: Councilman H. C. Evans reported the audit of the City's books had been completed.

#2965 Building Code: Councilman Conklin referred to the report of the Building Inspector. On motion by Councilman Conklin, seconded by Councilman Bruns, the report was approved.

#2983 Intergovt. Coop. & Comm. Affairs: Councilman W. E. Evans reported the committee had met and discussed the informational brochure. He asked each councilman to submit a topic to be discussed in the newsletter. City Attorney Winn referred to a publication by the League of Women Voters as a source of ideas. Councilman Evans requested copies of previous newsletters.

#3006 Ordinance: No report.

Plan Commission: Plan Commission Chairman Eugene Alt was in attendance. Councilman Conklin reported the Plan Commission
had been preparing budgets and ten-year projected plans.

Public Safety: Minutes of the last Commission meeting were distributed to the Council. Councilman Judd reported Chief Toman had taken steps toward installation of a siren in the Leawood South area. Councilman Judd stated the Commission was considering the matter of noise relative to minibikes being operated on private property and the possibility of working out something for them to be used at the park, and asked for suggestions.

Discussion of Animal Control - Wolfgang Academy: Information had been distributed relative to the proposal of David Smith, Wolfgang Academy, for dog control within the City utilizing the present ordinance. Councilman Judd asked for opinions relative to the proposal. Mayor Jordan emphasized that animal complaints were a serious problem. She said the Wolfgang proposal for patrol and pickup was adjusted to deal with these complaints, and that it could be adjusted to any ordinance. There was discussion of the amount budgeted for dog control. Councilman W. E. Evans suggested more study to get the proposed ordinance worked out properly and an enforcement package to go along with it. Mayor Jordan suggested that if the Council did not want to commit itself to a contract, some interim measure be authorized. Councilman Johnson moved that the Mayor appoint a dog ordinance subcommittee composed of four councilmen, with Councilman Judd of the Public Safety Commission as one of the four; seconded by Councilman W. E. Evans. Motion carried. Councilman Bruns moved that the proposal of Wolfgang Academy for dog control be accepted for thirty days, pending the outcome of the subcommittee report; seconded by Councilman Judd. There was discussion of the advisability of having a trial period and the possibility of obtaining the service on a per-call basis. Councilman Judd moved to amend the motion to adopt Method No. 2 outlined by Wolfgang Academy for a thirty-day period, cost to the City not to exceed $100.00. Councilman Johnson objected to voting on the motion until it had been confirmed with Wolfgang Academy that those terms would be acceptable. The matter was tabled until Chief Blume could contact Mr. Smith.

There was a short recess to reverse the recording tape.

Councilman Johnson left the meeting during the recess. Councilmen W. E. Evans, Conklin, H. C. Evans, Eddy, Ballard, Bruns and Judd were present following the recess.

Public Works - Streets: On motion by Councilman Bruns, seconded by Councilman W. E. Evans, the report was approved as submitted.

Special Report from CATV Committee: Councilman H. C. Evans reported TeleCable of Overland Park had made 54 hookups by
March 31 and met all the qualifications for grandfathering the system. Mayor Jordan stated she had received many congratulations for the way the Committee had handled its assignment. On motion by Councilman Bruns, seconded by Councilman Judd, the report was approved.

Public Works - Parks: Councilman Conklin reported the committee had been working on projected plans and budget.

Public Works - Sanitary Sewers & Storm Drainage: No report.

Councilman Judd moved that the agenda be altered to consider the Old Business prior to the Mayor's Report; seconded by Councilman W. E. Evans. Motion carried.

OLD BUSINESS

Sewage Disposal Plant - Indian Creek Main Sewer District No. 1: A letter from the Environmental Protection Agency declining the request to have a representative appear at this meeting and a copy of the application by Johnson County Sewer District No. 1 for site improvements at the Indian Creek Main Sewer District No. 1, had been distributed. George E. Walls and Joseph W. Fitzpatrick, representing the South Leawood Improvement Association, were present. Mayor Jordan read a letter received by Mr. Walls from Mrs. O. H. Kirk, Jr., Assistant to Senator Pearson, advising that the grant offer included a relocation of a section of the Indian Creek channel, a new access drive to the plant, storm sewer vents and landscaping; that this project was the first phase of a plan to expand the present 7 million gallons per day capacity of the Indian Creek plant to an additional capacity of 42 million gallons over an extended period of time; that the next step, to be completed and in operation by 1976, was a 4 million gallon capacity increase; alternate proposals would be a gravity tunnel or a large interceptor; that comments from the City of Leawood could be submitted to EPA and would be considered for inclusion in the EPA statement. George Walls expressed opposition to expansion of the facility, pointed out details of the letter from Mrs. Kirk, reviewed facts concerning an expansion of the plant made in 1967; explained that the area had gone through three expansions, and that residents were faced with a horrible situation. Mayor Jordan stated Myron Nelson had been invited to be present and that copies of the grant application had been requested. Councilman Ballard emphasized that the City's next step was to participate to a great extent in the preparation of the environmental impact statement. Joseph Fitzpatrick, registered professional sanitary engineer, recommended that the Council take action to (1) contact the State Pollution Control Commission and oppose any further expansion of the Indian Creek sewage treatment plant, ask that the plant be phased out of operation, and (2) take a request to the State Air Pollution Control Commission for an investigation and control of the odor problem there. Mr. Fitzpatrick offered his services to the City on a non-fee
April 3, 1972

basis for a reasonable amount of time to help outline the
information needed and to help make the right State contacts.
Mayor Jordan expressed appreciation for the offer and
assigned to the Sewer Commission the responsibility for
reporting to the Council the current status of plans for
development of the Indian Creek sewer basin, commending
Mr. Fitzpatrick's offer to the Commission. Councilman
Bruns moved that the Sewer Commission be given complete
authority to request the Air Pollution Control Commission
to study the area and to make all necessary investigation
of the avenues for relief from the effect of the present
operation and the expansion of the Indian Creek sewage
facility; seconded by Councilman W. E. Evans. Motion
carried. At the suggestion of Councilman Judd, Mayor
Jordan requested the City Attorney to render an opinion
as to the necessity for the Johnson County Sewer District
to obtain a construction permit in the event the facility is
expanded.

Councilman Bruns moved that the agenda be changed to consider
the subject of capital improvements at this time; seconded
by Councilman Judd. Motion carried.

Report from Budget & Finance Committee on Capital Improvements
For Determination of Priorities: Councilman H. C. Evans
referred to a projection of City revenue for 1972 and 1973,
and a memorandum of recommendations from various departments
involving expenditures in excess of 105% of the budget for
the current year. He reviewed the income projections for
1972 and 1973. The revenue statement reflected that carry-
over income of about $100,000 was expected in 1973, and
that an additional $49,000 would be available if the Special
Fire Equipment Fund is expended during 1972. Items suggested
by department heads totalled $184,000. Councilman H. C.
Evans explained that a budget lid election could be authorized
by (1) circulating petitions to get the required number of
signatures (which would need to be done by Friday); or (2)
the Council voting to have the election (May 8 would be the
deadline in this case). There was discussion of the two
alternatives. Councilman H. C. Evans reviewed the items
from the memorandum and the items were discussed. The
method of handling contracts and management of construction
of the police-court facility were discussed.

Mayor Jordan said she was proposing that when the constitu-
tion of the new Council is determined an organizational
meeting be held with newly elected members, if any, invited
to be present and comment.

A poll of the Council on the question of whether or not
petitions should be circulated to authorize a budget lid
election resulted in six negative votes (Councilman Eddy
did not vote). Councilman Ballard suggested the Levy
Election Committee arrive at a list of items recommended
by department heads totalling $100,000. Councilman W. E.
Evans moved that the present Council and any new members

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that are added meet and discuss the matter of determining priorities; seconded by Councilman Conklin. Motion carried. Councilman Judd moved that the meeting be held Tuesday, April 11, at 7:30 p.m.; seconded by Councilman Bruns. Motion carried.

Provision for Animal Control - Wolfgang Academy: Mayor Jordan reported Mr. Smith of Wolfgang Academy had agreed to provide Alternative No. 2 of their proposal for one month. Councilman Judd moved that the Council accept the offer of Wolfgang Academy to provide animal pickup at the rate of $100.00 per month plus incidental fees for board of animals which are picked up, for a period of thirty days commencing April 4; seconded by Councilman W. E. Evans. Motion carried.

Abatement of Nuisance - Dead Trees: There was discussion of renewed complaints concerning a group of dead trees and the problem of determining on whose property they are located. Councilman Bruns moved the Governing Body endorse the letter dated June 1, 1971, addressed to the City Clerk from City Attorney Winn, and take all necessary action outlined therein; any further action necessary to be referred to the Public Works Commission for recommendation to the Governing Body; seconded by Councilman Conklin. Motion carried.

At 11:00 p.m., Councilman Bruns asked to be excused from the meeting to take care of business matters.

On motion by Councilman Conklin, seconded by Councilman Ballard, the Mayor's Report was deferred until the meeting on April 11. Motion carried.

Proclamation - Kansas City Ballet Week: On motion by Councilman W. E. Evans, duly seconded, the week of April 9 to 15 was proclaimed KANSAS CITY BALLET WEEK.

Proclamation - Arbor Day: On motion by Councilman W. E. Evans, seconded by Councilman Ballard, April 10 was proclaimed ARBOR DAY.

Request for Permission to Conduct Survey - Kansas State University Foods and Nutrition Department: The request for permission for a survey to be conducted by Mrs. Harriet O'Dwyer during April and May to obtain information concerning social factors influencing food habits and eating behavior was approved on motion by Councilman H. C. Evans, seconded by Councilman Conklin (Councilman Eddy opposed).

Appropriation Ordinances: Nos. 301A and 2928 in the amounts of $163,216.51 (including $125,000.00 certificates of deposit) and $3,255.26, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved, Councilman W. E. Evans abstaining. Councilman Ballard requested that Check No. 5970 in the amount of $523.00 be transferred to the Park Department.
Councilman W. E. Evans moved that Committee and Commission chairmen certify approval of that portion of the appropriation ordinances pertaining to their department. Motion failed for want of a second.

Employee Status Forms: On motion by Councilman Ballard, seconded by Councilman W. E. Evans, termination of employment of Larry Davis from the Street Department was approved.

On motion by Councilman Ballard, seconded by Councilman Conklin, the following promotion was approved:

Richard Hayes, to Foreman, Park Department, at the rate of $640.00 per month, effective April 1, 1972.

On motion by Councilman Ballard, duly seconded, the following promotion was approved:

Richard Blakey, to Foreman, Street Department, at the rate of $645.00 per month, effective April 1, 1972.

Mayor Jordan presented the status form, and on motion by Councilman W. E. Evans, seconded by Councilman Conklin, the following 5.5% increase in pay, granted remainder of employees of the City, was approved:

June Lile, as Council Stenographer, from $2.50 per hour to $2.64 per hour; as Board of Zoning Appeals Secretary, from $2.25 per hour to $2.37 per hour.

Resolution No. 256 - to Permit the City Architect to Supply the Necessary Architectural Services to Construct a City Police-Courts Complex Under a Contract for Profit Basis: Councilman Judd presented the resolution. Following discussion, Resolution No. 256 was amended to read as follows:

RESOLUTION NO. 256

"WHEREAS it is necessary for the City of Leawood, Kansas to expand existing Police and Court facilities; and

"WHEREAS the City can lower the construction costs of these facilities by retaining the City Architect to provide architectural services;

"NOW, THEREFORE, BE IT RESOLVED that by the authority granted the Governing Body of the City of Leawood, Kansas under Chapter I, Section 505, Paragraph (d.) of the Code of the City of Leawood, Kansas, the Governing Body hereby removes all prohibitions placed upon the City Architect as stated in Chapter I, Section 505, Paragraphs (a.), (b.), (c.) and (d.) solely for the construction of the Police-Courts Complex, appoints the City Architect as project Architect."

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On motion by Councilman Judd, seconded by Councilman H. C. Evans, Resolution No. 256 was unanimously adopted.

Resolution No. 257 - Retaining Services of John Granstedt as Architect for Police Headquarters and Courts Complex:
On motion by Councilman Judd, seconded by Councilman Conklin, Resolution No. 257 was unanimously adopted, as follows:

RESOLUTION NO. 257

"WHEREAS the City of Leawood, Kansas is preparing for the construction of a police headquarters and courts complex,

"BE IT RESOLVED that the City of Leawood, Kansas retain the services of John Granstedt as architect for such police headquarters and courts complex, and

"BE IT FURTHER RESOLVED that these services be provided at six per cent of construction costs as a fee for the preparation of preliminary plans, site plans and working drawings plus one per cent for supervision."

Application for Approval of Increase in Pay for City Employees:
City Attorney Winn suggested approval might be obtained for an increase in pay for some City employees, up to an aggregate of seven per cent, by writing a letter of request and explanation that present salaries are not competitive to the Regional Office of Internal Revenue Service. Councilman Ballard moved that the City Attorney write the letter; seconded by Councilman H. C. Evans. Motion carried.

At 11:29 p.m., on motion by Councilman Eddy, seconded by Councilman Judd, the meeting adjourned to Monday, April 17, 1972, 7:30 p.m.

[Signatures]

June Lile
Council Reporter

Attest:

[Signature]
City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, April 17, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen W. E. Evans, Conklin, H. C. Evans, Ballard, Bruns, Johnson, Judd.

The invocation was given by Councilman W. E. Evans.

Minutes: On motion by Councilman Judd, seconded by Councilman Bruns, the minutes of the meeting of April 3, 1972, were approved as submitted.


Member of the Press: Bob Savino.

OLD BUSINESS

Request for Exception under Phase 2, Wage and Price Control: City Attorney Winn advised that a request for exception under Phase 2 to raise aggregate salaries an additional 1.5% over the 5.5% authorized under initial rulings had been forwarded to the Internal Revenue Service accompanied by data comparing Leawood's salary schedules with those of cities with whom we compete for personnel. There was discussion of the comparison of salary schedules. Councilman Johnson stated he believed that the maximums established by ordinance constituted an established pay practice and that the established maximum should be requested for any employee not now at a maximum. Councilman Johnson moved that the City Attorney research the matter; seconded by Councilman Bruns. Motion carried.

Application for Civil Defense Emergency Operating Center: Mayor Jordan announced that the fallout shelter analysis and floor plan for the emergency operating center proposed for the basement of the police-courts building had been distributed and that the City was prepared to submit Planning Request Section 2B to Civil Defense authorities. City Architect John Granstedt stated the change in foundation specifications for the building would not appreciably increase the cost.

MAYOR'S REPORT

Appraisal of Land for Fire Station No. 2: Mayor Jordan reported Mr. Jacobson had not been able to prepare a thorough appraisal at this time but had compiled some figures and stated that he felt the top price for one acre of land at 127th and Mission Road would be $7,500, and including the cost of condemnation, the price should not exceed $10,000. There was discussion concerning whether an offer should be
April 17, 1972

authorized. Councilman Ballard stated he had made a motion at a previous meeting that an appraisal on that property be obtained. Councilman Johnson moved that a formal appraisal on the property by a person certified to make appraisals be obtained by the next meeting; seconded by Councilman Bruns. Motion carried. Mayor Jordan appointed Councilman Johnson to obtain the appraisal. Councilman Johnson instructed the City Clerk to get the appraisal by the next meeting.

Request from Kansas City Area Transportation Authority:
Mayor Jordan read a letter from the Kansas City Area Transportation Authority requesting a decision and reply by April 19 regarding participation in supporting transit service in Leawood. Councilman Judd moved that the City Council advise the A.T.A. that Leawood does not intend to participate in levying additional taxes for bus service; seconded by Councilman Bruns. Councilman Judd added that his motion did not negate further negotiations. Following discussion, motion carried. Councilman Judd then moved that the Mayor be instructed to continue to participate in MARC discussions relative to A.T.A.; seconded by Councilman Bruns. Motion carried. Mayor Jordan instructed the City Clerk to have copies of the foregoing motions forwarded to the A.T.A. and the MARC offices.

NEW BUSINESS

There was a short recess to get a blackboard. The Council reconvened at 8:55 p.m. The same councilmen were present.

Declaration of Priorities: Councilman H. C. Evans reported results of the audit indicated that $19,222 should be added to the forecast of income above the budget lid for 1971, making a total of $118,440; upon expenditure of $12,256 from the Fire Equipment Fund that amount would be allowable for expenditure, so that $107,100 was the forecast of the Budget & Finance Committee as to surplus revenue in 1972 over and above the budget lid. Councilman H. C. Evans reviewed the list submitted by commission chairmen of possible expenditures of the type over and above what might be budgeted under the lid, totaling $184,500. There was discussion concerning a budget lid election and the amount for which voter approval should be sought. Items on the list of possible expenditures were discussed in detail. A motion was made that a budget lid election be held in June. City Attorney Winn suggested that such action should be in the form of a resolution.

There was a short recess to get the resolution. Following the recess, the same councilmen were present.

Resolution No. 258 - Notice of Election to Increase City Budget: City Attorney Winn read the text of the resolution. On motion by Councilman W. E. Evans, seconded by Councilman Judd, Resolution No. 258, authorizing an election to increase the City budget was adopted unanimously. A copy is attached hereto as part of the record. Councilman Judd
moved that a formal request be submitted to County Election Commissioner Willard Cook that the question of the City budget lid election be placed first on the ballot; seconded by Councilman Judd. Motion carried.

Ordinance for Reorganization of the Council (First Reading): A draft of ordinance for reorganization of the Council had been distributed. Councilman Johnson objected to deletion of an ordinance committee, and moved that provision be made for an ordinance committee; motion failed for lack of a second. Councilman Johnson stated a councilman should chair the committee responsible for ordinance preparation. Councilman W. E. Evans proposed the following change in the draft submitted: "Ordinances are to be written by or under the City Attorney, and the Ordinance Committee chaired by, and ordinances presented by, the President of the Council. Councilman Ballard questioned the provisions of 1-413, Duties of Sewer Commissioner. He was asked to redraft 1-413 for incorporation and distribution before the next meeting. Councilman Bruns moved that the ordinance be approved for first reading, except 1-413, Duties of Sewer Commissioner; if that section is properly worded at the next meeting that it be passed upon declaration of emergency at that time; seconded by Councilman Judd. Motion carried.

Special Committee to Study the Expansion of the Indian Creek Sewer Disposal Plant: A memorandum had been distributed. The special committee was appointed, as follows:

Chairman: Dr. W. E. Evans
Members: H. C. Evans
Bill Eddy
Ex Officio member: Joseph Fitzpatrick.

City Attorney Winn reported he had completed research requested and would be happy to meet with the committee.

Resolution for Declaration of Holidays: Mayor Jordan requested that a resolution be adopted at the organizational meeting on May 1 designating holidays during which City Hall will be closed. A list of holidays passed by the Board of County Commissioners will be circulated for comments and amendments at the next meeting.

Motion re Funds for City Hall Rewiring: Mayor Jordan explained that $2,000 for rewiring of City Hall would not be available out of the General Operating Fund and would have to be supplemented by withdrawal from the City Hall Building Fund. Councilman Bruns moved that $2,000 be paid from the General Operating Fund for rewiring of City Hall to the extent that monies are available, and that the balance be paid from the City Hall Building Fund; seconded by Councilman H. C. Evans. Motion carried, Councilman Johnson opposed.

Representative to Johnson County Park and Recreation Board Meeting: On motion by Councilman Johnson, seconded by
Councilman Bruns, Councilman Conklin, Park Commissioner, was designated as the representative of the City of Leawood to attend the meeting of the Johnson County Park and Recreation Board meeting on April 19.

On motion by Councilman Judd, seconded by Councilman Bruns, the Council adjourned to executive session.

The Council returned to regular session at 10:50 p.m. Councilmen W. E. Evans, Conklin, H. C. Evans, Ballard, Bruns, Johnson and Judd were present.

Ordinance No. 424 S - Providing for Establishment of Wage and Salary Schedules per Code 1-1001 for Budget Year 1972 (Amended): Councilman Ballard moved for declaration of emergency for adoption of the wage and salary ordinance; seconded by Councilman W. E. Evans. Motion carried. On motion by Councilman Ballard, Ordinance No. 424 S providing for establishment of wage and salary schedules (amended) was adopted unanimously.

Employee Status Changes: On motion by Councilman Ballard, seconded by Councilman Judd, the following pay increase was approved:

Jinny Oberlander, City Clerk, merit increase of $50.00 per month.

On motion by Councilman Judd, seconded by Councilman Johnson, the following pay increases, effective May 1, 1972, were approved; merit increases subject to approval of the Wage and Salary Board:

Richard Blume, promotion from Acting Chief to Chief of Police, at $1,100 per month;
Veldon Prince, Patrolman First Class, merit increase to $710 per month;
Steven Shults, Patrolman First Class, merit increase to $710 per month;
Brian Lane, Patrolman First Class, merit increase to $710 per month;
Robert Wells, Patrol Sergeant, merit increase to $765 per month;
Robert J. Haskin, promotion to Firefighter First Class, rate $548.60 per month;
Dennis A. Thomason, Firefighter First Class, merit increase to $630 per month;
Milton L. Sidebottom, Firefighter First Class, merit increase to $630 per month;
Lee Allen Bledsoe, Firefighter First Class, merit increase to $600 per month;

David W. Rapue, Fire Inspector and Firefighter First Class, merit increase to $675 per month;

Jerry L. Strack, Fire Captain, merit increase to $740 per month;

Gary M. Scheer, Fire Captain, merit increase to $770 per month;

Abney J. Benoit, Fire Captain, merit increase to $770 per month;

Jourdan A. Toman, additional pay of $135.00 per month for additional duties as Chief of Bureau of Fire Inspection;

Dorothy Holtsclaw, promotion to Financial Clerk, at $535 per month.

Status Form - Director of Public Works: Councilman Ballard reported he had a verbal commitment from Donald Yelton, presently City Engineer and Director of Public Works for the City of Atchison, that he will accept our offer of $1,150 per month effective June 1, 1972. Councilman Ballard moved approval of the following employment:

Donald Yelton, Director of Public Works, at $1,150 per month, effective June 1, 1972; salary to be allocated $172.50 from Parks budget, $488.75 from Administrative budget, and $488.75 from Sewer budget;

seconded by Councilman Johnson. Motion carried.

At 11:00 p.m., on motion by Councilman Bruns, seconded by Councilman Judd, the meeting adjourned to Monday, May 1, 1972, 7:30 p.m.
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, May 1, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Johnson, Conklin, H. C. Evans, Eddy, Ballard, Bruns, W. E. Evans, and Judd.

The invocation was given by Rev. John Heslip, Leawood United Presbyterian Church.

Visitors: Dan Appenzeller, Stanley Golden, John J. Bandank, Pat Stoneforth, Mrs. John Burke, Mr. and Mrs. Louis H. Geis, Mr. and Mrs. Jack R. Risser, Mrs. James Muehlberger, J. M. Fellenstein, Dr. C. C. Schooler, C. W. Wells, Mrs. V. M. Dostal, Rev. John W. Heslip, Mrs. Harold Hale, Harold Hale, Mr. and Mrs. Carl Westring, Stuart S. Johnson, Raymer D. Hodson, Jane Leishman, Clark S. Ullom, Mrs. S. A. Creson, Mr. and Mrs. H. M. Babcock, Jeanette Harriman, Mr. and Mrs. Albert C. Porter, Jr., Mr. and Mrs. Frank Vandegrift, Jr. Member of the Press: Bob Savino.

Minutes: On motion by Councilman H. C. Evans, seconded by Councilman Bruns, page 1388 of the minutes of the meeting of April 17, 1972, Declaration of Priorities, was amended by striking the part of the first sentence following the semicolon, so that it would read: "Councilman H. C. Evans reported results of the audit indicated that $19,222 should be added to the forecast of income above the budget lid for 1971, making a total of $118,440." On motion by Councilman Ballard, duly seconded, "in the amount of $140,000" was added to the fifth sentence of that same paragraph, so that it would read: "A motion was made that a budget lid election be held in June in the amount of $140,000." On motion by Councilman Bruns, seconded by Councilman W. E. Evans, the minutes of the meeting of April 17, 1972, were approved as amended.

Appropriation Ordinances: Nos. 302A and 293S in the amounts of $58,113.98 and $22,404.32, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved, Councilman W. E. Evans abstaining.

REPORTS

Treasurer: Mr. Hansel's report was submitted and approved on motion by Councilman Bruns, seconded by Councilman H. C. Evans.

Municipal Judge: Judge Cope's report was submitted and approved on motion by Councilman Conklin, seconded by Councilman Judd.

Fire Department: Chief Toman's report was submitted and approved on motion by Councilman Bruns, seconded by Councilman H. C. Evans.
Police Department: Chief Blume's report was submitted and approved on motion by Councilman Judd, seconded by Councilman W. E. Evans. Councilman Judd read a letter addressed to Master John Harvell, 10421 Sagamore Road, by Chief Blume commending his honesty and integrity in bringing to the Police Department a large sum of money which he had found and awarding a Leawood Police Department Good Citizenship Award, an innovation of Chief Blume.

Public Works Department: Mr. Stipancich's report was submitted and approved on motion by Councilman Ballard, seconded by Councilman Bruns.

COMMITTEE AND COMMISSION REPORTS

Budget & Finance: Councilman H. C. Evans reported that the final published audit had been received.

Building Code: No report. Mayor Jordan commented the Building Inspector's report reflected that building permits for the month were at an all-time high.

Intergovt. Coop. & Comm. Affairs: No report. Mayor Jordan referred to the committee a letter suggesting that some of the community Independence Day activities be integrated with an air show to be held at the State Line Airport.

Ordinance No. 425 G - Relating to Reorganization of the City Administration and Repeal of Sections: Councilman Johnson suggested a revision of paragraph 1-301 City Ordinances. The section was discussed, including the fact that provision for an ordinance committee had been included. Councilman Judd suggested that Section 1-301 read: "Ordinances shall be prepared by the Ordinance Committee under the guidance of the City Attorney to embody the legislative acts of the city upon recommendation of the appropriate committee or any member of the governing body in the following matters:". It was agreed that "The President of the Council shall serve as Chairman of the Ordinance Committee" should be included. Mayor Johnson said Duties of Public Works Commissioner and Duties of Sanitary Sewer Commissioner had been reworded, and Duties of Public Works Director had been spelled out upon creation of the position. Councilman Johnson moved for declaration of emergency for adoption of the ordinance; seconded by Councilman Conklin. Motion carried. Upon motion by Councilman Johnson, Ordinance No. 425 G was adopted unanimously as amended.

Mayor Jordan explained to the audience that the reorganization was necessary to incorporate paid professionals as the City grows in size, now the 26th largest city in the State of Kansas.

Plan Commission: Councilman Conklin announced that a public hearing was held at the last Plan Commission meeting, and that the action requested was tabled for further study so
May 1, 1972

there was no reason to bring it before the Council at this time.

Public Safety: No formal report. Councilman Judd stated a meeting had been held with the Public Safety Commission of Prairie Village relative to standardizing the speed limits on Mission Road and the possibility of a crossing guard at Cure of Ars.

Public Works: Councilman Ballard reported acceptance of the position of Director of Public Works on June 1, 1972, had been received from Donald Yelton. Mr. Yelton's qualifications were reviewed by Councilman Ballard.

Public Works - Parks: Councilman Conklin pointed out that the Street Department had been doing some work in the parks.

Public Works - Sanitary Sewers & Storm Drainage: Councilman Ballard reported a letter had been drafted to the Director of Pollution Control of Kansas City, Missouri, proposing that he answer questions in regard to our sewer system and expansion of it. He reported the Shafer, Kline & Warren report would be distributed with the letter.

Councilman Bruns moved for a change in the agenda to discuss Tomahawk Reservoir immediately after the new Council is seated.

OLD BUSINESS

Report re Meeting with Johnson County Park & Recreation Board: Councilman Conklin reported he had attended as an observer the hearing at which the Park Board's proposed bond issue was discussed. He said opposition to the proposal was voiced by two taxpayers' associations and others in attendance.

Request for Permission to Solicit and to Distribute Literature - Greater Kansas City Hunger Hike-Walk for Development: The petition had been distributed. At the request of Councilman Bruns, Mayor Jordan explained the program being funded by the Kansas City Hunger Hike-Walk. She said the application did not contemplate any door-to-door solicitation and the parade route would not come within Leawood. There was discussion concerning need for more detailed information. Councilman H. C. Evans moved that the application be accepted subject to the changes that: (1) hours be restricted to 9:00 a.m. to 9:00 p.m. and (2) no door-to-door solicitation be allowed; seconded by Councilman Bruns. Motion carried. The City Clerk was instructed to notify the organization. There was discussion that this left the Chief of Police in a difficult position, not knowing exactly what they were going to do. In case there was any question, Mayor Jordan stated she was representing the group as a member of the advisory board. Mr. Hansel offered to sponsor Mayor Jordan's walking at $1.00 per mile. Councilman Ballard moved that approval of the request be amended to allow Chief Blume to limit it in any way he sees fit; seconded by Councilman Judd. Motion carried.
A PROCLAMATION

WHEREAS, The age old condition of human want still remains to be overcome, though the frontiers of science and technology have been extended beyond man's highest dreams, and

WHEREAS, The American Freedom From Hunger Foundation, working through the Kansas City Walk for Development is sponsoring May 7th through May 13th as "Hunger Week", and

WHEREAS, these organizations are sponsoring Hunger Hike Day on May 13th, and

WHEREAS, the need for citizens to be made aware of these areas of distress seems of great importance,

NOW, THEREFORE, I, Margaret W. Jordan, Mayor of the City of Leawood, Kansas, do hereby proclaim the week of May 7th through May 13th as "Hunger Week" and further proclaim May 13th as Hunger Hike Day.

Attest:

May 1, 1972
Proclamation - Walk for Development: Upon motion by Councilman Ballard, duly seconded, the week of May 7th through May 13th was proclaimed as HUNGER WEEK and May 13th was proclaimed as Hunger Hike Day.

Southwestern Bell Telephone Application to Establish New Rates: Mayor Jordan explained that there was before the State Corporation Commission a request from Southwestern Bell for permission to establish new rates, tolls and charges applicable to telecommunication services furnished within the State of Kansas. She read notice of a hearing on the application to be held Monday, May 22, at which interested parties may appear to offer evidence or testimony. Councilman Eddy asked whether Southwestern Bell Telephone Company as it is comprised in the State of Kansas was included in the low interest rate loan on a rather speculative venture to the City of Kansas City, Missouri. Mayor Jordan suggested inquiry into this and any other questions submitted would be made and a report given at the next Council meeting. It was agreed that a representative of Southwestern Bell be requested to appear at the next Council meeting to answer questions. Councilman Johnson stated he would be glad to attend the meeting in Topeka.

Presentation of Certificates of Appreciation and Key to City: Mayor Jordan presented a key to the City to Councilman Clifford P. Johnson in recognition of outstanding contribution of service to the community as a member of the City Council 1962 to 1972, with special commendation for his efforts in the capacity of President of the Council, Director of Public Safety, Chairman of the Wage and Salary Committee, Public Works Commission, Building Code Committee, Ordinance Committee, Administrative Committee, Budget & Finance Committee, Intergovt. Coop. & Comm. Affairs Committee. Councilman Johnson said the past ten years had been an eye-opening event for him and most rewarding.

Certificates of Appreciation for outstanding contribution of service to the community were awarded, as follows:

Homer C. Evans, Chairman of the Budget & Finance Committee and member of the Administrative Committee.

Donald S. Ballard, during the period 1970 to 1972, President of the Council, Chairman of the Public Works Commission, Sanitary Sewers & Storm Drainage Committee and member of the Administrative Committee.

Raymer Hodson, during the period 1970 to 1971, City Treasurer, member of the Administrative Committee, the Budget & Finance Committee and Wage & Salary Committee.

V. M. Dostal, during the period 1959 to 1971, Mayor, President of the Council, Councilman, Chairman of the Plan Commission, member of the Administrative Committee and Intergovt. Coop. & Comm. Affairs Committee. Mrs. Dostal accepted the certificate.
Certificates of Appreciation (cont.)

Clark Ullom, during the period 1969 to 1971, Municipal Judge, and member of the City Council from 1959 to 1960.

Louis Geis, during the period 1968 to 1971, City Architect Pro Tem and member of the Board of Zoning Appeals.

Edwin E. Bruns, during the period 1968 to 1972, President of the Council, Street Commissioner, Chairman of the Park Commission, Public Works Commission, Street & Sidewalk Committee, and member of the Administrative Committee.

Mayor Jordan expressed her thanks to the Council for the efforts they had expended on behalf of the City in the last year and stated the momentous strides would not have been possible without their dedication. At her suggestion, the Council, Treasurer and City Attorney were given a standing vote of thanks.

Swearing in of Newly Elected City Officials: The retiring Council vacated their seats and Mayor Jordan administered the Oath of Office to the following: Walter Aalbregtse, Councilman, Ward 2; Donald S. Ballard, Councilman, Ward 1; Edwin E. Bruns, Councilman, Ward 4; Homer C. Evans, Councilman, Ward 3.

Roll call of the new Council was answered by Councilmen Aalbregtse, Conklin, H. C. Evans, Eddy, Ballard, Bruns, W. E. Evans, Judd.

Councilmen Judd and Bruns expressed appreciation to Cliff Johnson and he was given a standing ovation. Mayor Jordan added Mr. Johnson was still very much a part of City government through his committee affiliations.

Councilman Bruns moved that the agenda be changed to consider the matter of Tomahawk Reservoir at this time; seconded by Councilman Judd. Motion carried.

Mayor Jordan stated that because the Plan Commission had not brought a recommendation to the Council, the matter of zoning of the property on State Line at the entrance to Leawood South would not be discussed at this meeting and asked that those interested leave their names and addresses so they might be notified when the matter comes up on the agenda.

Resolution No. 260 - To Hold a Public Hearing in June, 1972, on Desirability of Tomahawk Reservoir: Councilman Ballard moved for adoption of the following resolution:

RESOLUTION NO. 260

WHEREAS the majority, 7, of the present members
May 1, 1972

"of the Council have not previously in council session voted either for or against the proposed construction of Tomahawk Reservoir, and

"WHEREAS the Council feels it is necessary to establish a forum whereby all current positive and negative factors relating to the construction of the reservoir can be brought to the attention of the Council,

"WHEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood will hold a public hearing during the month of June, 1972, for the purpose of allowing all parties for or against the reservoir to present the current details relating to their respective positions concerning the desirability of the proposed Tomahawk Reservoir.

Motion seconded by Councilman Conklin. A date, time and place for the hearing were discussed. Copies of a MARC study had been distributed with Mayor Jordan's request for permission to accompany a MARC lobbying group to Washington on May 8 and 9 for a hearing on allocation of $40,000 for restudy of the cost-benefit ratio of Tomahawk Reservoir. Mayor Jordan stated any action in delaying a hearing beyond May 8 and 9 would effectively deny support of the City of Leawood to the Tomahawk Reservoir project for this year; that the Corps of Engineers would make personnel available at any public meeting set up this week. Mayor Jordan stated that while she personally was strongly in favor of Tomahawk Reservoir she had never deviated from the commitment that as Mayor of this City she was bound by the expression of the city government as far as public utterances were concerned. She said, however, she felt strongly that a decision on the matter at the Federal level must be forced so that City expansion can be planned either including the reservoir or excluding it permanently. There was discussion of the need for more information before taking a stand. Councilman Bruns called for the question. Resolution No. 260 was adopted.

Councilman Bruns moved that Mayor Jordan accompany the MARC lobbying group to Washington if she personally desired to do so, however, the trip to be at no expense to the City; he stated this motion was not to be construed as Council endorsement or rejection of the Tomahawk Reservoir proposal; seconded by Councilman Judd. Motion carried. Mayor Jordan stated she would decline as the expense was more than she could bear at this time.

James Fellenstein asked who was requesting a rehearing. Mayor Jordan explained that because of the overwhelming support for the Tomahawk Reservoir in the area, the Corps of Engineers had agreed to update a 1966 study of the cost-benefit ratio; the request was to authorize the amount of $40,000 to determine in the year 1973 whether or not this reservoir should proceed or should the matter be permanently shelved. Councilman Bruns read from the record of a meeting.
May 1, 1972

#260

in 1970 at Leawood South Country Club that Paul Barber, Corps of Engineers, had stated that the overall Blue River Basin flood control plan would be feasible without Tomahawk Creek reservoir. There was further discussion concerning the hearing on restudy and whether the Council had sufficient information to make a decision. Councilman Ballard moved that the Council continue on the agenda; seconded by Councilman W. E. Evans. Motion carried, Councilman Conklin opposed.

#332

Election of President of the Council: Councilman H. C. Evans nominated Councilman Ballard to continue as President of the Council; seconded by Councilman Judd. Councilman W. E. Evans moved that nominations cease and the secretary be requested to cast a unanimous ballot. Motion carried.

#337

Resolution No. 259 - Designation of Official City Newspaper: Councilman Bruns read a letter from Rose Publications stating their publication, The Johnson County Scout, published twice weekly, met all requirements for publication of legal notices. Councilman W. E. Evans moved adoption of Resolution No. 259 designating The Johnson County Scout as the official city newspaper; seconded by Councilman Aalbregtse. Resolution adopted. A copy is attached hereto as part of the record.

#368

Designation of Depositories for City Funds: On motion by Councilman Ballard, seconded by Councilman H. C. Evans, Southgate State Bank was designated to continue as depository for the General Operating Fund. On motion by Councilman Ballard, seconded by Councilman H. C. Evans, Kansas National Bank was designated to continue as depository for the Special Funds. On motion by Councilman Ballard, seconded by Councilman Bruns, Johnson County National Bank was designated to continue as depository for Sanitary Sewer System Funds.

#385

Appointments of City Officials as Required by Statute and City Ordinance: City officials were appointed as follows:

- City Architect - John Granstedt - on motion by Councilman Bruns, seconded by Councilman Judd.
- City Attorney - Larry Winn III - on motion by Councilman W. E. Evans, seconded by Councilman Judd.
- City Clerk - Jinny Oberlander - on motion by Councilman Bruns, seconded by Councilman Judd.
- City Treasurer - Charles Hansel - on motion by Councilman Judd, seconded by Councilman H. C. Evans.
- Fire Chief - Jourdan A. Toman - on motion by Councilman Judd, seconded by Councilman Aalbregtse.
- Police Chief - City Marshal - Richard W. Blume - on motion by Councilman Judd, seconded by Councilman Aalbregtse.
Mayor Jordan administered the Oath of Office to the following:
John Granstedt, City Architect; Larry Winn III, City Attorney; 
Jinny Oberlander, City Clerk; Charles Hansel, City Treasurer; 
Jourdan A. Toman, Fire Chief; Richard W. Blume, Police Chief-
City Marshal.

Authorization of Signatures for Warrants for City Obligations:
On motion by Councilman Bruns, seconded by Councilman H. C. 
Evans, the signatures of the Mayor, Treasurer, City Clerk and 
President of the Council were authorized for payment of funds 
from the General Operating, Special and Sewer Funds, as 
required by the statutes of the State of Kansas.

Appointments to Committees and Commissions: On motion by 
Councilman Bruns, seconded by Councilman Judd, the following 
appointments were approved:

Board of Zoning Appeals: Charles Withaus 1975
               Cliff Parks 1975

On motion by Councilman H. C. Evans, seconded by Councilman 
Bruns, the following appointments were approved:

Budget & Finance: Louis C. Weith 1975

Intergovt. Coop. & Comm. Affairs:
Walter Aalbregtse 1975
(Chairman)

Ordinance Committee: Edward L. Winthrop 1974
                J. Nelson Happy 1973
                Dr. Dick Underwood 1975

Park Commission: Pearl Scott 1975
                James Barrick 1975
                Joe Neuner 1974

Legislative Committee: Dr. W. E. Evans (Chairman)

Plan Commission: Jim Dierks, Jr. 1975
                Herb Block 1975
                Kirk O'Dell 1975
                (to replace Overland Park resident)

Public Safety: Ed Bruns, Fire Commissioner 1975
               Bill Judd, Police Commissioner 1974 
               (Chairman)
               Ed Akerly, Civil Defense

Public Works Commissioner: Don Ballard

Sewer Commissioner: Bill Eddy

On motion by Councilman W. E. Evans, seconded by Councilman 
Judd, the following appointment was approved:
May 1, 1972

Johnson County Human Relations Commission: Charlotte M. Raisback 1975

Resolution No. 261 - Designating Holidays for City Hall:
A proposed resolution had been distributed. Councilman Bruns moved that Washington's Birthday and Veterans Day be added to the list of holidays for 1972-1973; seconded by Councilman W. E. Evans. Motion carried. Councilman Conklin suggested the date of Good Friday, 1973, be substituted for Good Friday, 1972, and moved that the resolution be adopted; seconded by Councilman W. E. Evans. Resolution No. 261 was adopted unanimously. A copy is attached hereto as part of the record.

Certificate of Appreciation from Shawnee Mission School District: Mayor Jordan read the certificate of appreciation to the City from the Board of Education of the Shawnee Mission School District for extraordinary services rendered to the schools and to the community. Mayor Jordan explained that the City had strongly supported by participation various forms of endeavor directed toward interesting young people in voting and participating in City government.

Proclamation - Public Works Day: On motion by Councilman Judd, seconded by Councilman Eddy, May 14 through May 20, 1972, was proclaimed as NATIONAL PUBLIC WORKS WEEK.

Proclamation - Respect for Law Week: On motion by Councilman W. E. Evans, seconded by Councilman Conklin, the week of May 1 through May 7, 1972, was proclaimed as RESPECT FOR LAW WEEK. Mayor Jordan said the efforts of the Council during the past year in upgrading the Police Department in the matter of salaries and equipment, grappling with finding new housing and supporting the Police Department was most noteworthy and should be commended particularly on this day.

Dog Contract: Mayor Jordan explained that since the Committee on Dog Control met too late to include their recommendation in the Council folders for this week, a motion be made to extend the present service. On motion by Councilman W. E. Evans, seconded by Councilman Judd, the Chief of Police was empowered to negotiate for an extension of the present service until the next Council meeting when the report will be available and definite action on this matter can be taken.

At the suggestion of Mayor Jordan, on motion by Councilman Bruns, the Council adjourned to executive session to consider the employment of an architect for the new police-courts building, the acquisition of land for Fire Station No. 2, and certain status forms concerning new employees of the City.

The Council returned to regular session at 11:30 p.m. All Councilmen were present.

Contract for Architect: A form of contract with John Granstedt for architectural services in connection with the police-courts building had been prepared by the City Attorney and Councilman
PROCLAMATION

"RESPECT FOR LAW WEEK"

WHEREAS, crime and its effect upon the lives and property of our citizens continues undiminished, despite efforts by government, citizens' organizations and many individuals, and

WHEREAS, the problems of crime touch and affect all segments of our society undermining and eroding the moral and economic strengths of our communities and their citizens, and

WHEREAS, there is still a reluctance on the part of many citizens to involve themselves in actions to insure the protection, rights and well-being of their fellow citizens, and

WHEREAS, Optimist clubs and their members continue to sponsor and support programs aimed at combating crime and disrespect for law through year-round efforts; now therefore be it

RESOLVED, that I, Margaret Jordan, Mayor of Leawood, proclaim the week of May 1 - 7, 1972, as RESPECT FOR LAW WEEK, and ask all citizens of Leawood, Kansas to join with the Optimists in carrying the message of respect for law to other citizens, and by example; exercise responsible citizenship.

Done at the City of Leawood this 1st day of May in the year of our Lord nineteen hundred and seventy-two.

Signed: Margaret Jordan
Mayor
May 1, 1972

Conklin. There was discussion of procedure with multiple contractors and with one general contractor, and the advantages of each alternative. Mayor Jordan said the application for grants envisioned use of several subcontractors.

At 11:55 p.m. Councilman Bruns asked to be excused from the meeting as he had an early morning breakfast meeting.

Mayor Jordan explained that the City's match for the funds of GCCA consisted of land, services of the architect, and services of a supervisor. Councilman Judd reported the Building Committee had not been able to come to agreement on a recommendation concerning whether the building should be constructed under several contracts or one general contract. There was discussion of the architect's role under multiple contracts and one general contract. A motion by Councilman Eddy for approval of a contract with John Granstedt written for a bid letting to a prime contractor failed for want of a second. Councilman Conklin moved that the Council enter into an architectural contract at the previously stated rate of 7% total with John F. Granstedt for the architectural work on the new police station and courts complex; seconded by Councilman Judd. Motion carried.

A motion by Councilman Eddy that initially bids for the new courts complex be taken by a prime contractor failed for want of a second. A motion by Councilman W. E. Evans that the Building Committee caucus for five minutes failed for want of a second. Councilman Ballard moved that the Council approve the concept of either a general contractor or multiple subcontractors as the Building Committee can decide; seconded by Councilman W. E. Evans. Following discussion, motion failed by vote of 3 to 4.

Councilman Eddy moved that the police-courts complex be let to bids by a prime contractor; seconded by Councilman H. C. Evans. Motion carried, Councilman Conklin opposed.

Option to Buy Land for Fire Station No. 2: Councilman W. E. Evans moved that the Mayor be empowered to have a luncheon or dinner meeting for the purpose of presenting owners of the property at 127th and Mission Road with a formal offer of 35 per square foot, option to be dependent upon the outcome of the budget lid election, the cost of the meal to be paid out of the General Operating Fund; seconded by Councilman Eddy. Motion carried.

Employee Status Form: Mayor Jordan presented the status form of her friend, Susan Kay Hoerner. On motion by Councilman W. E. Evans, seconded by Councilman Judd, the following employment was approved:

Susan Kay Hoerner, part-time Clerk Typist, at the rate of $2.25 per hour, 8:30 a.m. to 4:30 p.m. three days per week.
At 12:35 a.m., on motion by Councilmen Judd, duly seconded, the meeting adjourned to Monday, May 15, 1972, 7:30 p.m.

June Lile
Council Reporter

Attest:

Margaret Jordan
Mayor

City Clerk

1402
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, May 15, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Eddy, Aalbregtse, W. E. Evans, H. C. Evans, Judd.

The invocation was given by Father Earl Meissner, Lutheran Church of the Resurrection.

Visitors: Mrs. John Burke, Mrs. Betty Vaal, Katrina Swanson, Jeanette Harriman, Mrs. V. M. Dostal, Mrs. Esther Woodward, Mr. and Mrs. Frank T. Sperry, Mr. and Mrs. M. A. Schmidt, Stanley R. Grant, William J. Hadel, Paul H. Levy, Stuart C. Johnson, Phill Garrett, Members of the Press: Ray Kozakewicz and Bob Savino.

Minutes: Councilman Eddy requested that the minutes of the meeting of May 1, 1972, be amended by adding "as reported by the local media" in the eleventh line of the second paragraph on page 1395. On motion by Councilman W. E. Evans, seconded by Councilman Eddy, the minutes of the meeting of May 1, 1972, were approved as amended.

Councilman Judd moved that the representative from Southwestern Bell be heard at this time regarding application for rate increase; seconded by Councilman W. E. Evans. Motion carried.

Presentation of Phill Garrett re Southwestern Bell Application for Rate Increase: Phill Garrett explained that the proposed increase would be the first general rate increase throughout the State of Kansas since 1964 and was necessitated by growth within Kansas and by inflation. He answered questions by councilmen regarding finances of the company. Mr. Garrett stated the increase would affect both local and long distance rates. He stated if the company had loaned money to the City of Kansas City, Missouri, it was the first such loan he had heard of in twenty-five years he had been with the company, and he said he had done a lot of questioning to find out about it. He added Southwestern Bell had joined with other companies and given short term, low interest rate loans to small businesses. He said if a loan were made in Missouri, the company in Kansas would have nothing to do with it. Mr. Garrett said the increase requested would average about 12%.

Councilman Judd moved a revision in the agenda to consider at this time the presentation regarding a municipal swimming pool; seconded by Councilman Aalbregtse. Motion carried.

Presentation re Municipal Swimming Pool: Mrs. M. A. Schmidt, 8024 Ensley, made a presentation re the lack of a municipally
owned swimming pool in the City of Leawood. She explained that if residents wanted their families to be able to swim during the summer months they must either join a country club or seek facilities outside the City. She stated the Leawood Park would be a likely location, pointed out that other cities in the area support municipal pools, and referred to the availability of Federal funds for such a project. Mayor Jordan explained that the Park Commissioner was not present and that the Park Commission was considering a two million dollar, twenty-year park expansion plan. She added that only six acres of the site at 105th and Lee Boulevard was owned by the City; that a bond issue would be required for the municipally funded portion of the Federal match for construction of a pool, and that a recreation commission would need to be created to take in revenues for operation of the pool and expend them for maintenance without flowing through the City budget. Mayor Jordan stated the City was not allowed to spend under the state law of Kansas all of the revenues presently generated. She stated Mrs. Schmidt's remarks would be transmitted to the Park Commissioner for consideration at the next Park Commission meeting. Katrina Swanson, 8029 Ensley Lane, asked the date of the next Park Commission meeting.

Councilman Judd requested a revision in the agenda to consider the request for distribution of an advertising circular. Motion failed for want of a second.

Dog Control - Contract with Wolfgang Academy: Councilman Judd stated the temporary arrangement for animal control with Wolfgang Academy had resulted in very good service, but Chief Blume felt Wolfgang would no longer be willing to continue on the temporary basis. Councilman Judd moved that the Council approve a formal contract with Wolfgang Academy for patrolling the City for the remainder of the calendar year for $2,660.00; seconded by Councilman Aalbregtse. During discussion, Chief Blume stated there had been no complaints about how animals were cared for at the facility. Councilman Judd said the period of detention had been extended from five to ten days. City Attorney Winn stated the Academy would provide humane officer service plus twenty-four hour emergency service. There was discussion that $3,000 had been recommended to be taken out of the Council Salaries account for dog control. Motion carried unanimously.

Progress Report of Budget Lid Election Committee: Councilman H. C. Evans reported that members of the team, consisting of the Mayor, Fire Chief, Police Chief and Councilman H. C. Evans, formed to appear before groups within the City to acquaint them with the budget lid election to be held June 6, had appeared before four groups; that a newsletter had been drafted by Bill Johnson, member of the Park Commission, informing residents of the City of the election issues, and two news conferences had been held. Mayor Jordan stated the format of the newsletter must be approved by the Council. Councilman Eddy suggested a note about the City's rescue
service be included. It was agreed the newsletter should include the telephone number of City Hall and the Mayor, and the names, telephone numbers and wards of all councilmen. Councilman W. E. Evans suggested that the idea that "no such second election is anticipated" be inserted in line 2, page 4, of the draft. Mayor Jordan suggested that polling places and factual information concerning the election be added. Councilman Eddy moved approval of the newsletter in substance; seconded by Councilman W. E. Evans. Motion carried.

Report re Cable TV: Councilman H. C. Evans reported TeleCable of Overland Park had obtained contracts for pole rights with Kansas City Power & Light and the Telephone Company. He stated all cable would be strung before any hookups are made to individual homes which would probably take about six months.

NEW BUSINESS

Preliminary Report re Personnel Policies: Mayor Jordan announced the report would be delayed until July since Mr. Blattenberg had been called out of town.

Appointment to the Plan Commission - Gerald Foster: Mayor Jordan reviewed the qualifications of Mr. Gerald Foster to serve in place of Ben Rockey who had asked to be replaced as out-of-city member of the Plan Commission. On motion by Councilman W. E. Evans, seconded by Councilmen Judd, the appointment of Gerald Foster to the Plan Commission was approved. The City Clerk was directed to notify Mr. Foster of his confirmation and of the next meeting of the Plan Commission.

Resolution No. 262 - Acceptance of Plat of Leawood East: Charles Troppito, Administrative Assistant, presented the plat of Leawood East. He stated the required committee approvals were noted on the official copies of the plat. Mr. Troppito stated all requirements had been met, it conformed to ordinance, and the Plan Commission recommended that the Council approve the plat. Bill Hadel of Kroh-Moffitt Development Co. was present. On motion by Councilman Eddy, seconded by Councilman Judd, Resolution No. 262, accepting the plat of Leawood East, was adopted. A copy is attached.

Public Safety Commission - Speed Limits and Crossing Guard for Cure of Ars School: Councilman Judd reported the Public Safety Commission had met with the Public Safety Commission of Prairie Village relative to speed limits and the possibility of a crossing guard at Cure of Ars School. He referred to discrepancies in speed limits between Leawood and neighboring cities in school zones. He stated it was the consensus of the Public Safety Commission that an effort should be made to standardize speed limits at the schools at 25 miles per hour; that a reduction of the speed limit to 25 miles per hour on Lee Boulevard at 83rd Street was not needed, that a reduction to 25 miles per hour at approximately 8015 to 8019 would give adequate time for cars to slow for the
May 15, 1972

Crossing light at Somerset. There was discussion that Leawood's speed limit in school areas was standard at 20 miles per hour. Councilman Judd stated Prairie Village officials presented statistics concerning the traffic situation past Cure of Ars School and were rather adamant in their position that a speed limit of 35 miles per hour did not create any additional hazard to children crossing the street. Councilman Judd read a letter from Jack W. Lowry, president of the Kenilworth Homes Association, requesting that the blinker light north of the Ranch Mart Shopping Center be enlarged, a sign installed below it reading "School Signal Ahead - 20 miles per hour when light is flashing," a school crossing guard be considered to be paid for jointly by Leawood and Prairie Village, that the City of Prairie Village reduce the speed limit to 20 miles per hour for southbound cars, and a yellow blinker light be installed on the west side of the street north of the school crossing. Copies of the Prairie Village traffic statistics were distributed. Councilman W. E. Evans moved that the expense of a crossing guard at Cure of Ars School be shared jointly with Prairie Village; seconded by Councilman Eddy. There was discussion concerning from what line item of the budget the funds should be taken. Councilman W. E. Evans suggested the funds be taken from the amount designated for salaries of the mayor and councilmen. At the suggestion of City Treasurer Hansel, Mayor Jordan requested that a separate motion for funding be entertained at a future date. Motion carried, Councilmen H. C. Evans and Aalbregtse voting nay.

Councilman W. E. Evans moved that the school crossing speed limit of 20 miles per hour be maintained as is and the speed limit around the curve on Lee Boulevard be reduced at 600 feet prior to the signal. Mayor Jordan stated that could be done on an emergency proclamation by the Police Chief; that the Ordinance Committee was at the present time undergoing a study of the adoption of 1971 traffic ordinances for Kansas cities. Councilman Judd moved that approval of the crossing guard at Cure of Ars state that the City of Prairie Village be advised that Leawood will be willing to share the cost of a crossing guard with dual certification from both cities; seconded by Councilman Eddy. Motion carried. Councilman H. C. Evans moved that the funds for the crossing guard be made available with no control over the selection and training of the guard; seconded by Councilman W. E. Evans. Motion carried. Councilman H. C. Evans requested that the Budget & Finance Committee recommendation for funding of the crossing guard and notification of Prairie Village be deferred for study.

Proclamation re Prisoners of War: Mayor Jordan stated this proclamation was presented at the request of the Council of Mayors. She explained that since the City of Leawood had no prisoner of war nor men missing in action the proclamation was made in the name of Ronald L. Mastin, the nearest resident who was a prisoner of war. On motion by Councilman Aalbregtse,
seconded by Councilman Judd, the adoption of Ronald L. Mastin was proclaimed and residents and businesses of the City were urged to use all means at their disposal to secure information regarding his well-being and to assist his family.

Proposed Letter re Permissiveness in Society: Councilman W. E. Evans proposed that due to the attempted assassination of Governor Wallace, the Council go on record making recommendations regarding permissiveness through letters to Governor Docking, Mayor Wheeler, Senator Pearson, Representative Winn, Justice Burger of the Supreme Court, and possibly the President of the United States. He cited recent occurrences at the state university and at the City Hall of Kansas City, Missouri. The suggestion was discussed. Motion that a letter be drafted within 48 hours by the City Attorney or by the City Clerk failed for want of a second. Councilman W. E. Evans then offered to draft such a letter and telephone Council members for their approval. There was discussion that such a letter should be discussed during the course of regular Council business. Councilman W. E. Evans suggested that a special Council meeting be held to discuss the letter. Mayor Jordan reviewed the procedure for calling a special Council meeting.

Exhibit for the City at Realtors Meeting, May 26: Councilman W. E. Evans stated plans were not definite.

Report on July 4th Activities at State Line Airport: Councilman W. E. Evans stated no action had been taken as yet.

Councilman H. C. Evans moved that the request of Stanley R. Grant Advertising be included in the agenda; seconded by Councilman Aalbregtse. Motion carried.

Request for Permission to Distribute Advertising Flyer - Stanley R. Grant Advertising: Mayor Jordan explained the request was for distribution of a small tabloid from a well-known grocery chain to approximately 3,000 homes in Leawood from 103rd Street to 80th Street, State Line to Mission Road, the tabloid to be placed in the door of homes by employees of the advertising company. City Attorney Winn stated it appeared that the company was in compliance with city ordinance regarding distribution of advertising matter. The matter was discussed, including the possibility of requiring affirmative action by residents to get the flyer rather than affirmative action to have it discontinued, and regulating the distribution so it would not constitute a nuisance. Councilman H. C. Evans moved that the Council regard the distribution of a tabloid of that nature as a nuisance and, therefore, deny the request to distribute; seconded by Councilman W. E. Evans. At the suggestion of City Attorney Winn, the matter was tabled for further study.

On motion by Councilman Judd, duly seconded, the Council adjourned to executive session at 9:30 p.m. to consider employee status forms.
May 15, 1972

The Council returned to regular session at 9:40 p.m. Councilmen Eddy, Aalbregtse, W. E. Evans, H. C. Evans and Judd were present.

On motion by Councilman Judd, seconded by Councilman W. E. Evans, the following promotion was approved:

Harry R. Becker, from Acting Police Lieutenant-Patrol Commander-Operations Officer at $840 per month to permanent rank of Lieutenant-Patrol Commander-Operations Officer at $900 per month.

On motion by Councilman Judd, seconded by Councilman W. E. Evans, the following promotion was approved:

Al R. Sellers, from Acting Police Lieutenant-Administrative Officer at $840 per month to permanent rank of Lieutenant-Administrative Officer at $900 per month.

On motion by Councilman Judd, seconded by Councilman W. E. Evans, the following pay increase was approved:

Conley P. Cornell, Jr., Probationary Firefighter, pay increase from $495 per month to $510 per month, effective May 1, 1972.

On motion by Councilman Judd, seconded by Councilman W. E. Evans, the following pay increase was approved:

Stephen R. Wilson, Probationary Firefighter, pay increase from $495 per month to $510 per month, effective May 1, 1972.

Resignation of David W. Rapue: Councilman Judd moved that the Council accept the resignation of David W. Rapue from the Fire Department, effective May 15, 1972, and that the City Clerk be instructed to write a letter expressing the regret of this administration in his resignation; seconded by Councilman W. E. Evans. Motion carried.

Building Committee - Architect's Contract: Mayor Jordan explained there was a blank in the architect's contract for the police-courts complex for services rendered by John Granstedt from 1966 to 1971 in preparing two plans for City Hall expansion actually completed by the architect before the plans for the separated building; the amount would constitute an initial reimbursement under the present contract but was not included in the 7%. There was discussion as to whether this should be a separate contract. Mayor Jordan stated Mr. Granstedt had agreed to accept $3,700 in settlement of his statement for services totalling $7,753. A motion by Councilman H. C. Evans, seconded by Councilman W. E. Evans, that the blank in the contract be filled in for $3,700 was withdrawn following discussion.
City Attorney Winn explained the initial payment provision of the contract. The Council discussed getting a bill from Mr. Granstedt for $3,700. It was agreed reference to the $3,700 should be deleted from the contract. There was no further action to be taken since the Council had previously approved the balance of the contract. Councilman W. E. Evans moved that John Granstedt be paid $3,700 in full payment for all past services to the City relating to City Hall expansion, and that a separate letter of release be obtained; seconded by Councilman Aalborgtse. Motion carried. Mayor Jordan reviewed provisions of the contract concerning the schedule of payments to the architect.

New Letterhead Design: Mayor Jordan presented for inspection three rough designs for new letterhead for the City prepared by a resident, Frank Robinson. Mayor Jordan explained that since the City was going to detached buildings and was in the process of ordering new stationery, this might be the time to consider a new identifying logo. Councilmen examined the designs presented. Mayor Jordan appointed a committee consisting of Councilmen H. C. Evans and Conklin to explore presentation of a new logo for the City.

At 10:00 p.m., on motion by Councilman Judd, seconded by Councilman Aalborgtse, the meeting adjourned to Monday, June 5, 1972, 7:30 p.m.
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, June 5, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Aalbregtse, Conklin, H. C. Evans, Ballard, W. E. Evans, Judd.

The invocation was given by Councilman W. E. Evans.

Minutes: On motion by Councilman Judd, seconded by Councilman W. E. Evans, the minutes of the meeting of May 15, 1972, were approved as submitted.


REPORTS

Treasurer: Mr. Hansel's report was submitted and approved on motion by Councilman H. C. Evans, seconded by Councilman W. E. Evans. Mayor Jordan reviewed the CAPERS rates for the past few years and stated notification had been received that the total employer contribution for the calendar year 1973 would be 6.4% of the member's gross compensation. She added that this fund was outside the budget lid.

Municipal Judge: Judge Cope's report was submitted and approved on motion by Councilman Judd, seconded by Councilman W. E. Evans. Mayor Jordan observed that total fines for the month were $1,756.00, slightly in excess of the amount forecast for the budget.

Fire Department: Chief Toman stated total loss for the year to date in the amount of $30,200 should be added to the report submitted. The report was approved on motion by Councilman Judd, seconded by Councilman Aalbregtse.

Police Department: Chief Blume's report was submitted and approved on motion by Councilman Judd, seconded by Councilman W. E. Evans.

Public Works Department: Councilman Ballard introduced Don Yelton, the new Director of Public Works. On motion by Councilman Ballard, seconded by Councilman W. E. Evans, Mr. Stipancich's report was approved. It was agreed that in view of the structure of the present ordinance, Mr. Yelton would submit the Public Works Department report, Councilman Ballard would give the Public Works Commission report, and Councilman Eddy would give the Sanitary Sewer report. On motion by Councilman Ballard, seconded by Councilman Aalbregtse, the report of the Building Inspector was approved. Councilman Ballard observed that with a small increase in building activity, the City would be very close to the range, in terms of cost, of a full time Building Inspector.
COMMITTEE AND COMMISSION REPORTS

June 5, 1972

Budget & Finance: Councilman H. C. Evans summarized efforts related to the budget lid election. He said thanks were owed to a broad number of people for their efforts. Mayor Jordan added her thanks to Councilman H. C. Evans for his capable leadership.


Ordinance: No report.

Parks: No report. There was discussion as to whether the City would be responsible for the total cost of the election on June 6th since other issues had been dropped.

Plan Commission: Councilman Conklin reported that new members had been seated and the Commission was working on procurement of City maps.

Public Safety - Resolution No. 263 - Approving Request for Funding for Additional Communication Equipment for Police Department: Councilman Judd stated an application for grant through the Governor's Committee on Criminal Administration for a 75/25 per cent grant on additional communications system equipment had been distributed. He stated since the application had been prepared Chief Blume had been advised that additional information was required; however, the Commission deemed it advisable to pass a resolution in support of application for communication equipment for the Police Department relatively close to what was specified in the request distributed. Chief Blume said since the full committee of the GCCA would meet only once during the summer, the application must be submitted immediately in order to have a definite answer by fall. He said a frequency must be obtained and the application redone in cooperation with the survey team of a communications company. Chief Blume said the purpose of the application was to give the City its own communication network and this was required because of the traffic on the present county-wide frequency which makes it impossible to carry on administrative matters. Chief Blume stated the equipment would be in operation 16 hours a day with the present staff. There was discussion concerning personnel to man the equipment. Mayor Jordan explained that the main problem was not emergency service, but administrative police business. Chief Blume said the system could be expanded into a City communications network. There was discussion of the central dispatching office for fire departments in Northeast Johnson County for which the City pays a percentage of the total cost. Chief Toman said the service of the central fire dispatching office would not be discontinued. Councilman Judd moved that the following resolution be adopted:

RESOLUTION NO. 263

"Whereas, the need exists for additional communication equipment for the Police Department, and
June 5, 1972

"Whereas, such equipment can be obtained through application to the Governor's Committee on Criminal Administration on a 75/25 basis;

"Therefore, be it resolved that this Council approve such request for funding by the Governor's Committee on Criminal Administration."

Seconded by Councilman Conklin. Resolution No. 263 was unanimously adopted.

Public Works - Sanitary Sewer: Councilman Ballard stated he felt encouraged by the response of the Director of Pollution Control of Kansas City, Missouri, to Leawood's letter requesting an audience in regard to increased capacity on the Dyke's Creek Branch, although there still appears to be quite a delay before the line will be available. Councilman Judd said he appreciated the new speed limit signs on Lee Boulevard. Councilman Ballard suggested that when the speed limit on Lee Boulevard is made official that it be reduced from 51st Street north to allow cars to slow before they get into the curve where the school crossing is located.

Councilman Judd moved for an addition to the agenda concerning the contract with John Granstedt and a progress report on the working drawings and specifications for the police-court building.

Approval of Expenditure for Probes and Borings at Site of Police Complex: Mayor Jordan reported that initial borings taken at the site of the police-court complex had proved satisfactory and the architect was recommending a program of core borings and probes to determine subsoil conditions. She requested a motion for the expenditure which would be outside the contract for construction since it would be information to be furnished by the City to prospective bidders. Councilman Judd moved approval of up to $300 to be expended for taking two probes and two borings for the distant corners of the police complex; seconded by Councilman Conklin. Motion carried. John Granstedt discussed the borings.

Architect's Contract: Mr. Granstedt stated the contract had not been signed because there was some question relative to Government involvement in the civil defense area which was in excess of the $220,000. Clarification of provisions of the contract was discussed. City Attorney Winn suggested adding the phrase "subject to the provisions of the first part". Mr. Granstedt's attorney and the City Attorney had agreed that the specification that one council cannot bind another should be stricken. Mr. Granstedt said his office had done the elevations and calculations but had not hired the mechanical, plumbing or electrical people. The contract was then signed. John Granstedt presented the working drawings and explained them to the Council.
Mr. Granstedt continued his explanation of the working drawings. Mayor Jordan asked for an estimate on when the contract could be let for bids and what the construction period would be. Mr. Granstedt said he would try to meet the schedule set up but it depended upon the length of time required by the electrical and mechanical people. Mayor Jordan requested that Mr. Granstedt advise if it appeared the contract letting would go beyond July 1st. There was further discussion of the schedule. Mr. Granstedt said he would try for contract award August 1st. The contract period was discussed. Councilman H. C. Evans suggested that these matters should be taken up with the Building Committee, not the entire Council.

OLD BUSINESS

#125 Traffic Survey: Mayor Jordan said the updated and modified survey of services to be furnished under a traffic survey program had been distributed. She said the consultant must furnish proof of time spent on the contract and the Government would reimburse him only for the amount of time spent; by Federal regulation, the number of man days of consultant’s time must be matched by the number of man days of local effort. Mr. Yelton commented on the work schedule outline, stating the bulk of the work would be during the slack season for the Public Works Department. Mayor Jordan said acceptance of the grant was predicated upon the budget lid election passing and the traffic squad being funded for sufficient personnel to perform the work in the Police Department. Chief Blume said he felt the work allocated to the Police Department was operationally feasible. Mayor Jordan said approval of the application was a preliminary step to be taken by the Council to enable the agreement to be examined by the consultants. She said recommendations from such traffic studies include speed limits, striping of streets, provision for turn lanes, timing of traffic signals, and priority on street construction. Councilman Ballard objected to the expenditure of funds and the expenditure of time of City personnel on the traffic survey. Mayor Jordan said it had been literally impossible for the Public Safety Commission to come to any basically sound resolution of policy concerning traffic control; that it was time for the City to take some definitive action and make a program of solutions. Councilman W. E. Evans stated he did not think $25,000 of public funds should be spent for the study. Councilman Ballard said for the cost incurred in keeping people on the payroll to do this sort of thing, we could hire a traffic engineer to give a recommendation on ten or more of our problem areas. Councilman Ballard moved that the Council not approve the study; seconded by Councilman W. E. Evans. The vote on the motion was tied at 3 to 3. Mayor Jordan cast the deciding vote against the motion, and stated by that action the traffic study was approved.

Recommendations of Special Dog Committee - Ordinance No. 426 G - Concerning Dog Control: Councilman W. E. Evans reported the
Dog Committee had gone over the existing dog control ordinance and had distributed changes the Committee would recommend to the Council. Councilman W. E. Evans moved that the changes in the ordinance as distributed be incorporated in the present ordinance; seconded by Councilman Judd. Following discussion, the motion and second were withdrawn. Councilman W. E. Evans then moved that an emergency be declared for the purpose of passing the dog ordinance so it could be correlated with the overall dog control picture; seconded by Councilman Judd. Motion carried. Councilman W. E. Evans then moved that the present ordinance be amended as per the distributed comments, including under Section 2-212, Section 7b of the Nutley, N.J. ordinance. Ordinance No. 426 G was adopted unanimously.

Councilman Aalbregtse suggested that an ad be placed in The Leawood Sun briefly outlining the dog control ordinance to make people aware of its provisions. Mayor Jordan suggested that the official newspaper include a special headline at advertising rates to call attention to the fact that this is the new dog control ordinance. She directed the Clerk to request information concerning such publication.

Report on Exhibit for City at Realtors Meeting, May 26th:
Councilman W. E. Evans reported that at a national realtors meeting in Kansas City, Kansas, on May 26th, Leawood's exhibit included two models, an imaginative contemporary design by Steve Mark, senior at Shawnee Mission West High School, and an innovative traditional model created by G. Allen Smith, also a senior at Shawnee Mission West. There was also a 1939 aerial photograph of the City of Leawood. Councilman W. E. Evans stated Kroh Bros. and Kroh-Moffitt had been most helpful. Councilman Judd moved that letters of thanks be sent to the young men, Kroh Bros. and Kroh-Moffitt; seconded by Councilman W. E. Evans. Motion carried. Mayor Jordan thanked Councilman Evans for carrying out this assignment essentially single-handedly as far as the Governing Body was concerned.

Appointment of Don Yelton as City Engineer and Chief Building Official: On motion by Councilman W. E. Evans, seconded by Councilman Judd, Public Works Director Don Yelton was appointed City Engineer. On motion by Councilman Aalbregtse, seconded by Councilman Judd, Mr. Yelton was appointed as Chief Building Official for the City.

Appointment of Humane Officer: Mayor Jordan explained that it was necessary that a limited commission as City Humane Officer be issued to the owner of Wolfgang Academy. On motion by Councilman W. E. Evans, seconded by Councilman Judd, David Smith, owner of Wolfgang Academy, was commissioned as City Humane Officer, with the provision that future deputies are to be commissioned as they are proposed by him. Motion carried.

Request for Permission to Sell Candy - Youth Incentive, Inc.: Mayor Jordan stated the City Attorney had advised that the application did not meet City requirements in that the names of sellers had not been furnished and the period of four months
was over-long; that the application should be returned with his written objections. No Council action was required at this time.

Authorization for Bridge Inspection: Don Yelton stated this was probably prematurely on the agenda but he had on his desk a letter from the State Highway Department stating that the City must have an inspection and inventory of bridges completed by July 1, 1972, to qualify under a Federal grant. Mr. Yelton suggested that Council action await research and report by him at the next meeting.

Appropriation Ordinances: Nos. 303A and 2948 in the amounts of $38,015.42 and $130,534.99 (including $130,000.00 certificates of deposit), providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted. Councilman Judd requested an explanation of several items in the ordinance. Mr. Yelton was asked to check Item 6194 in the amount of $649.25 and Item 6196 in the amount of $196.00. City Clerk Jinny Oberlander stated the item of $4,500 for legal fees defending a lawsuit brought against the City was a duplicate of a payment on the last appropriation ordinance. Treasurer Hansel requested that the $4,500 be withheld as a duplication. On motion by Councilman Ballard, the appropriation ordinances were approved, subject to removal of the $4,500 item. Councilman W. E. Evans abstained from the vote.

Employee Status Forms: Councilman Ballard presented status forms for hiring two part-time laborers in the Park Department. On motion by Councilman Ballard, seconded by Councilman W. E. Evans, employment of the following part-time employees was approved:

- Steve Bergendoff, Park Department laborer, at $2.50 per hour;
- John Rector, Park Department laborer, at $2.50 per hour.

Mayor's Remarks re Unauthorized Statements: Mayor Jordan stated she was deeply concerned about individual councilmen making unauthorized statements when they are representatives of the City in an official capacity, and cited three instances of recent occurrences. She said there should be a clear delineation whether opinions are personal or reflect the sentiment of the City.

At 10:40 p.m., on motion by Councilman Aalbregtse, seconded by Councilman Ballard, the meeting adjourned to Monday, June 19, 1972, 7:30 p.m.
Immediately following adjournment and while the same members were present, Councilman Ballard stated there were five councilmen who objected to the traffic survey, requested that it be put on the agenda of the next meeting, and requested that no action be taken in regard to the traffic survey as a result of tonight's meeting since the motion that failed was a motion not to authorize; there was never a motion to authorize.

June File
Council Reporter

City Clerk
Mr. Barber's status report be outside the time limit stated; seconded by Councilman Judd. Mayor Jordan read the provisions of Resolution No. 250 regarding a hearing on Tomahawk Reservoir. Motion carried.

Mr. Barber said the latest formalized study regarding the project was the one submitted to the Congress for authorization. He brought a brochure which described the general plan that was originally proposed by the Corps of Engineers to Congress, plus a sheet showing updating of costs and benefits on the project as of July 1, 1971. The following is a summary of Mr. Barber's report: Following the 1961 flood Congressional committees passed resolutions requesting that the Corps study the basin to determine flood control and any allied needs. As a result of that resolution and the study which ensued, a proposal was presented in February, 1968, proposing four lakes in the upper part of the basin, three lakes to be in Johnson County, and channel improvement in the lower part of the basin. Endorsements and opposition to the plan was cited in the review report to Congress. The plan was authorized. The Corps proposed that immediately following authorization, in view of pending development in the area, funds be provided for the studies necessary to outline the exact limits of rights-of-way necessary for boundaries of the project and for land acquisition. These funds have not been provided. The interest rate for formulation purposes was 3⅛% for Federal purposes at the time the report was prepared; the interest rate applicable to this project last year was 5-3/8%. He said flood control and water quality are Federally financed items; that any cost allocated to water supply must be repaid to the Federal Government. It can be repaid over a period of up to fifty years at the Federal Treasury rate in existence at the time the water is first available. The Federal Treasury rate is different from the Federal rate established for evaluation purposes. The present Treasury rate would be a little over 3½%. The same is true of recreation. Congress is willing that the Federal Government share half the cost of installing or providing the initial recreation facilities. The operation and maintenance would be by the local sponsor of the recreation, and any repayment by the sponsor would be at the Federal Treasury rate. One of the criteria is that benefits must exceed cost, in this case the benefits-cost ratio is 1.03 to 1. There were no funds included in the President's budget request for fiscal 1973 for restudy or a start on planning in connection with Tomahawk, but the Corps is under a directive from Congress under the authorization wording to basically restudy Tomahawk and determine the best plan in this area. The Corps had indicated to Congress capability to do restudy work on the project in fiscal 1973. He said if the Corps were funded for a restudy of cost-benefits on Tomahawk he would anticipate that within a year after funding they would have an answer. He said because of the controversy and the questions that arose around Tomahawk, three alternatives were written into the report but it was determined that the best course of action was to stay with the original proposal. Just looking at the flood control aspect, the degree of
protection that would be provided by Tomahawk to supplement the other projects in the system was great enough that its deletion reduced the degree of protection quite a bit downstream. The system was determined economically feasible without Tomahawk but Tomahawk was considered to be vital to the system. Mr. Barber said the channel system as designed, plus the four lakes upstream, would provide approximately 130 year protection from major damage; without Tomahawk, 85 year protection. He said most Federal agencies have adopted a 100 year level of flooding as a criterion for Federal financing. He explained that a minimum or "dead" pool was programmed into all four of the lakes. Mr. Barber drew an illustration and explained the levels of the pools to provide space for flood pool operation, recreational uses, water quality and water supply. Ten feet downward fluctuation was determined to be the maximum that could be stood and still have a viable, useful project. The Corps will make an environmental impact statement on all projects during the detail planning and design phase. The Environmental Protection Agency has a review time on the statement. The final statement includes all the comments of EPA and interested agencies.

Proponent Dr. Calvin Gross, representing the Johnson County Water Resources Board, said the benefits of Tomahawk consist of improvement in the ecology and the environment, water quality in the streams, additional water supply during peak demands, recreational values, the desirability of adding green belts around the City, the adequacy of flood control and the prevention of sewage backup. He said it was a genuine bargain for the taxpayers; that Leawood would not be cut in half, the major roads into the area would remain intact; that land values would be enhanced, not eroded; that the site itself is essentially a flood plain; there will not be mud flats because the banks will be too steep; that it is vital for flood control of the Blue River Basin; he said the economic reasoning used by the local school board was fallacious because it assumed that by getting the tax base of proposed development in that area the Board would make money on taxes, he said houses produce more children than they do tax revenue. Dr. Gross said the project had been supported by seven of eight affected cities and their associated chambers of commerce, by the Johnson County Board of Commissioners, by the Johnson County Water Resources Board, by the twelve major cities and counties of the Kansas City metropolitan area, by business and labor and by a host of civic groups; that there was a preponderance of support even in Leawood; that the major opponents seem to be primarily land developers, people who live there, and other people who are interested primarily in short-term economic values; that supporters are people who are interested in using the land intelligently and wisely, interested in the welfare of the whole community, who want to enjoy the land, the water and the greenery, and who want to pass it on to their children as an outstanding example of enlightened and beneficial planning. He urged enthusiastic endorsement of Tomahawk Reservoir, and at the very least, endorsement of the idea of a renewed and more accurate cost-benefit study.
June 19, 1972

Proponent Lu Fisk, League of Women Voters of Johnson County, stated at the end of a study by the League, their conclusion read, "We support water management policies which will insure efficient operation and long-range plans for adequate, quality water supply. Therefore, we would like to express our strong support of the Blue River Basin."

Proponent Richard Davis stated he was project engineer for Burns & McDonnell and was familiar with the need for water. He said the water district was very much concerned about supplying the best water possible at the lowest possible cost; that Tomahawk Reservoir was very important as far as water supply for the district was concerned. He said the economics were good, there were many other advantages, and urged support of the reservoir.

Opponent V. M. Dostal stated he lived on the northern border of Leawood, did not represent any property interests, that he served Leawood as Mayor, Plan Commission member and Councilman, and his only interest in this matter was defeat of Tomahawk Reservoir because he felt it was detrimental to the City in that roads would be terminated and the possibility that there would be 250,000 more vehicles in the area would create a traffic problem; it would be difficult getting to various areas both for police and fire protection. He said downstream people can solve 50% of their difficulties by downstream improvement.

Opponent J. L. March, superintendent of the Stanley-Stilwell School District, said the Board of Education of Southeast Johnson County Unified School District had voted unanimously to oppose proposed Tomahawk Reservoir; that the Board was of the opinion that taking the 2,520 acres selected for the reservoir would result in a potential loss to the school district of $90,000,000 in assessed valuation of possible residential development. He said under the present tax lid the school district would be in serious financial condition if the proposed land were taken off the tax rolls. He pleaded for understanding of the position of the people living in the area especially when it has been mentioned that the project is feasible without Tomahawk. He said he felt it would not benefit the school district, Leawood or Johnson County.

Opponent Hal Weber, official of the Leawood South Homes Association, said there were 165 homes out there, 600 people, and about 20 homes under construction. On June 9, 1970, December 24, 1970, and May 18, 1971, the Leawood South Homes Association had unanimously opposed the program, and on April 30, 1972, a telegram was sent strenuously objecting to the use of City funds to provide for Mayor Jordan's presence on the MARC project to lobby for restudy funds for the Tomahawk Reservoir. He said Corps figures for benefits derived from recreational use of the reservoir were intolerable since no consideration had been given for the loss of recreational use in the area to be flooded.
including the Leawood South Country Club and Golf Course. He said Tomahawk Reservoir at full pool level would be 1,220 acres; at low water, it would be 640 acres; that the 580 acres would be mud flats. He said 14 homes, 60 lots, a sewage plant, underground services and streets would be affected. He concluded by saying the Leawood South Home- owners are unanimously against Tomahawk Reservoir and urge that it be deleted from the Blue River Basin plan.

Opponent J. S. Skaptason displayed a map showing areas under development and sewer districts. He said he had phoned the secretary of the House Subcommittee on Appropriations today and was informed there was no money for study of Tomahawk included in that committee's findings.

Opponent V. M. Dostal stated the benefit-cost ratio figures of the Corps did not include $5,000,000 which would be required for rerouting sewers and other projects; he said the benefit-cost ratio was utterly hopeless.

There was a five-minute period of questions from the audience. Questions concerned planning for the "green belt" without the reservoir, control of the "green belt" with the reservoir, responsibility for operation and maintenance of the recreational features, who would receive benefit of the flood control, responsibility for police protection and roads, and how long the matter would go unresolved.

Councilman Bruns said he was concerned about police and fire protection and access roads; recreation aspects were a very gray area, flood control for Johnson County was minor or nonexistent, and it placed a burden on the City of Leawood. He moved adoption of the following resolution:

RESOLUTION NO. 264

"BE IT HEREBY RESOLVED that this Council reaffirm the action of previous councils and go on record as being strongly opposed to the construction of the Tomahawk Reservoir because the Blue River Basin Improvement Plan is admittedly viable without it, because its construction is grossly economically infeasible and because its construction would be highly detrimental to the best interests of the City of Leawood.

"BE IT FURTHER RESOLVED that this Council request the immediate deletion of the Tomahawk Reservoir from the Blue River Basin Improvement Plan so that the orderly development of the southern portion of the City of Leawood can proceed in accordance with the wishes of the Council as expressed in the action recently taken by the Council in approving sewer districts located in the proposed reservoir area.

"BE IT FURTHER RESOLVED that copies of this resolution be sent to Senator James Pearson, Senator Bob Dole,
"Congressman Larry Winn, to all other appropriate Federal officials, to the Johnson County Commissioners and to Mr. Paul Barber of the Corps of Engineers, calling particular attention to the exhibit presented to the Senate and House Appropriations Subcommittees on Public Works on May 8, 1972 by proponents of Tomahawk Reservoir bearing title 'An Evaluation of the Blue River Basin Project', prepared by the Mid-America Regional Council (MARC) and bearing the endorsement 'City of Leawood-Margaret Jordan, Mayor' was a personal endorsement of private citizen, Mrs. Margaret Jordan, and not authorized as an official act on behalf of the City of Leawood."

Motion seconded by Councilman Judd. Councilman Ballard asked for an explanation from Mayor Jordan regarding the endorsement of the report prepared by MARC, particularly in view of comments relative to unauthorized statements at a previous council meeting. Mayor Jordan said she had never had any communication from MARC requesting the use of her name as an endorsement. Resolution No. 264 was adopted, Councilman Aalbregtse opposed.

There was a brief recess to clear the Council chamber. The Council reconvened at 9:50 p.m. following the recess. The same Councilmen were present.

Budget Report: Councilman H. C. Evans presented a chart showing the amount of the 1972 budget lid, $569,985, and $562,215 as the amount of expenditures last projected by the four departments, to which should be added expense of dog control, expense of the recent election and the amount for appraisal of land for the fire station. He requested on behalf of the Budget & Finance Committee that as of July 1 each department prepare projected expenditures to the end of the year; he urged councilmen to consider the source of funds before casting a yes vote for any project involving the expenditure of money; and he said until the July projections are received, the Budget & Finance Committee was reluctant to make a recommendation for the funding of the crossing guard at Cure of Ars. Councilman H. C. Evans reported 1973 budget requests exceeded projected receipts by approximately $64,000. An estimate of cost on the police complex had been distributed at the Council table; Mayor Jordan noted that the increase in cost by use of a general contractor was $32,156 over the cost of separate subcontracts. Councilman H. C. Evans stated any money required for construction of the police complex over and above that which was available from the various funds must come out of the budget. He said he hoped the Council could consider the final budget at the next Council meeting.

Traffic Survey: Councilman Judd reported the Public Safety Commission had discussed the matter of the proposed traffic survey with Mayor Jordan and Mr. Ralph Carroll of the Prairie Village Department of Public Works. He said Mr. Carroll
indicated that in connection with a similar traffic study under way in Prairie Village, Johnson, Brickell, Mulcahy & Associates had come up with some spot suggestions and, so far, the results of the traffic survey acted merely as justification for changes Mr. Carroll had already suggested. Mayor Jordan stated Mr. Carroll said Prairie Village had never done its own traffic engineering, that it had been done by Johnson, Brickell, Mulcahy; that the deadline for the engineers' report was September 1; that one of the advantages as a result of the traffic survey was that it led to an updating of the street inventory; that a traffic counting device showing fluctuations by the hour was a help in routing school children, determining no left turns for specific hours, and other ways of speeding up traffic and allowing for an increase in the capacity of intersections without a large expenditure of money; that a study in the area of school crossings had been completed; that other things being done are recommendations on general speed limits, timing of lights, particularly hazardous intersections, and future improvements. She said she had interviewed the Prairie Village Chief of Police and City Clerk as to the hazards involved as far as use of city time or what was required, and she received no negative statements. Councilman Judd said it was his personal feeling that the cost factor involved in the traffic survey in relation to the time factor was so great for the net result that he could not justify the expenditure of funds and City man-hours. There was discussion as to whether the expenditure of funds and man-hours was justified. Councilman Judd moved that the presently pending application for grant to fund the proposed traffic safety engineering survey by Johnson, Brickell, Mulcahy & Associates be withdrawn. Councilman Eddy moved to amend the motion to include that the Council go on record as disapproving the proposed traffic survey by Johnson, Brickell, Mulcahy & Associates; seconded by Councilman Ballard. Amendment carried. Motion as amended carried. Mayor Jordan instructed the City Clerk to request withdrawal of the submission for the traffic survey.

Discussion re Committee Approvals and Procedure - Car Wash at 95th and Mission Road: Councilman Judd requested information relative to a car wash installation at the Standard Oil station at 95th and Mission Road, stating the traffic hazard aspect had not been submitted to the Public Safety Commission since plans were revamped. There was discussion concerning car wash installations as related to zoning regulations. There was discussion of the traffic hazard and sewer connections relative to a proposed car wash at 103rd and State Line, and the problem of overlapping considerations by various bodies within the City concerning granting of permits. Mayor Jordan stated she had requested Mr. Yelton to represent the City at the Board of Zoning Appeals hearing regarding the proposed installation at 103rd and State Line. Charles Troppito reported a building permit had been issued for the construction at 95th and Mission Road. The matter was tabled with the request that Mr. Troppito give a step-by-
step report on approvals concerning the car wash at 95th and Mission Road at the next Council meeting.

NEW BUSINESS

Appointment of Auditor: Councilman H. C. Evans presented a proposed contract between the City and the public accounting firm of Hollis, Kuckelman & Van De Veer of Olathe in the amount of $1,750, and reported that the Budget & Finance Committee recommended approval. Councilman H. C. Evans moved that the contract be approved; seconded by Councilman Judd. Motion carried.

Consideration of Option for Purchase of Land for Fire Station No. 2: Councilman Bruns requested that the reversionary clause of the proposed option include provision that the purchase price without interest be refunded to the City. The matter was discussed. Councilman Bruns moved that City Attorney Winn negotiate with Central on paragraph 2 of the option for (1) return of City funds in the event the property was not used for City purposes, and (2) a termination date on the reversionary clause, and bring it back to the Public Safety Commission and the Council; duly seconded. Motion carried. Mayor Jordan asked whether the modified contract should be referred to the Public Safety Commission before it is offered as a counter proposal to Kroh-Moffitt. Councilman Judd stated he felt it would be expeditious to have it referred to the Council as a whole at the July meeting.

Opinion of City Attorney - Procedure for Approval of Planned Development of Land not Requiring Replattling or Rezoning: City Attorney Winn requested that this matter be tabled.

On motion by Councilman Bruns, seconded by Councilman Conklin, the Council adjourned to executive session at 11:00 p.m. for the purpose of considering certain status forms and the July calendar.

The Council returned to regular session at 11:20 p.m. Councilmen Aalbregtse, Conklin, H. C. Evans, Eddy, Ballard, Bruns and Judd were present.

Report of Chief Blume re Traffic Squad: Police Chief Blume reported he felt he could fund the traffic squad out of the Police Department's present budget without additional financial help. He stated time was of the essence in view of the present personnel shortage. He suggested that one of the four cars presently leased be used as a traffic squad car and that the Chief be put on a car allowance and the car he is presently using be returned to the departmental inventory. Chief Blume stated he had been informed by the Director of the State Highway Department that funding for the traffic squad had been written in the program. Police budget figures were discussed. Chief Blume stated he had been working with the figure of $187,005, not including dog control. There was discussion of the projections of other departments. Since
updated projection figures were to be available by the next
Council meeting, action on Chief Blume's request was deferred.

Employee Status Forms: On motion by Councilman Judd, duly
seconded, the following status changes and increases in pay
were approved:

Dennis A. Thomason, from Firefighter First Class to Fire
Inspector and Firefighter First Class, rate increase from $630 to $650 per
month;

Milton L. Sidebottom, from Firefighter First Class to
Fire Inspector and Firefighter First
Class, rate increase from $630 to
$650 per month.

At 11:30 p.m., on motion by Councilman Bruns, duly seconded,
the meeting adjourned to Monday, July 3, 1972, 7:30 p.m.
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was scheduled to be held at 7:30 p.m. on Monday, July 3, 1972.

Councilman Edwin E. Bruns was the only member of the Council present. Also present were Father George Burak; Administrative Assistant, Charles Troppito; and the Council Reporter, June Lile.

Due to lack of a quorum, Councilman Bruns declared by wishes of the Council that the regular meeting be adjourned to Monday, July 10, 1972, at 7:30 p.m.

Margaret J. J. O'Toole

June Lile
Council Reporter

Attest:

City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, July 10, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Aalbregtse, Conklin, Eddy, Ballard, W. E. Evans.

The invocation was given by Councilman W. E. Evans.

Minutes - Meeting of June 19, 1972: On motion by Councilman W. E. Evans, seconded by Councilman Aalbregtse, the minutes of the meeting of June 19, 1972, were approved as submitted.

Minutes - Meeting of July 3, 1972: On motion by Councilman Aalbregtse, seconded by Councilman W. E. Evans, the minutes of the meeting of July 3, 1972, were approved as submitted.

Visitors: E. J. Holland, Jr., A. L. Porter, Jeanette Harriman, Pat Stanforth, Mrs. E. Vaal, Pauline Gurera, Mrs. Vera Babcock, Mrs. James Meehan, Grant Bennett, Frank Vandegrift, Jr., W. A. Granquist, W. B. Royse, Mr. and Mrs. Carl O. Westring, Mr. and Mrs. C. W. Wells, Mr. and Mrs. S. A. Creson, Sidney Lordahl, Mr. and Mrs. Glenn Hutchison, Mrs. James Muehlberger, R. E. Jakobe. Member of the Press: Bob Savino.

Councilman Conklin moved that the agenda be altered in order to consider the Plan Commission recommendation concerning the Limited Office zoning application; seconded by Councilman W. E. Evans. Motion carried.

Plan Commission Recommendation re Limited Office Zoning Application - Dr. Schopper Property: Councilman Conklin read from the Plan Commission Chairman's letter conveying the Plan Commission recommendation. The letter stated that the Plan Commission found that Dr. Schopper's application for Limited Office zoning of a five-acre parcel at 127th and State Line Road was at variance with the comprehensive land use plan of the City of Leawood; thus, the change in zoning could adversely affect the property immediately adjacent to the property proposed for Limited Office zoning and may be detrimental to the public welfare and interest of the community; therefore, the Plan Commission recommended that the Council deny Dr. Schopper's application for Limited Office zoning at 127th and State Line. Councilman Conklin indicated the location of the property on a map. Several persons were in the audience regarding the matter. Mayor Jordan announced that there was no requirement under City ordinances that the Council be a forum for opponents or proponents in a zoning matter, and asked for an expression from the Council as to their wishes in opening the forum to the public. Councilman Eddy moved that the audience be
given some reasonable time, such as a total of ten minutes, to present their views; seconded by Councilman Conklin. Motion carried, Councilman W. E. Evans opposed.

Jeanette Harriman said a petition had been presented containing signatures of residents of the northern part of Leawood, previous to that a petition had been submitted from Leawood South, with a total of approximately 260 signatures in opposition to the zoning.

E. J. Holland, Jr. stated he was present at the request of a City Councilman of Kansas City, Missouri. He said this was a unique situation of concern to people on both sides of the state line; that the concept of spot zoning was not the ultimate in good planning, and that an attempt should be made to arrive at a common unified plan for the area. He urged that the matter be returned to the Plan Commission for careful study and development of a master plan for the entire area to avoid piecemeal disintegration of what is probably the nicest residential neighborhood in the entire Kansas City area.

Councilman Conklin moved that the City Council adopt the Plan Commission's recommendation to deny zoning of the Limited Office district at 127th and State Line; seconded by Councilman W. E. Evans. Motion carried.

Councilman Eddy moved that the agenda be altered to consider the items under New Business at this time; seconded by Councilman W. E. Evans. Motion carried.

Request for Permission to Solicit - St. Jude Research Hospital: City Attorney Winn stated he found the application to be in conformance with City ordinance. While Councilman W. E. Evans examined the brochure, the Council proceeded to the next matter.

Proclamation - National Safe Boating Week: On motion by Councilman Aalbregtse, seconded by Councilman Eddy, the week beginning July 2, 1972, was proclaimed SAFE BOATING WEEK. Mr. Sidney Lordahl was present on behalf of the Safe Boating Committee of the Coast Guard Auxiliary.

Request for Permission to Solicit - St. Jude Research Hospital: On motion by Councilman Conklin, seconded by Councilman Eddy, the request for permission to solicit was approved.

REPORTS

Treasurer: Mr. Hansel reported expenditures of all departments through June were slightly under the projection for six months, and noted the beginning of purchases for equipping the new police station. Councilman Eddy referred to a letter dated July 7, 1972, indicating the depository's securities did not meet the requirements of KSA 9-1402. Mr. Hansel stated shortly after receiving the audit report the City
Clerk had been notified that the bank had pledged sufficient securities. The City Clerk was requested to convey the notice to the County Attorney and to the Department of Post Audit. On motion by Councilman Eddy, seconded by Councilman Conklin, the Treasurer's report was approved.

#2900 Municipal Judge: Judge Cope's report was submitted and approved on motion by Councilman W. E. Evans, seconded by Councilman Aalbregtse.

#2905 Fire Department: Chief Toman's report was submitted and approved on motion by Councilman W. E. Evans, seconded by Councilman Aalbregtse.

#2911 Police Department: Chief Blume's report was submitted and approved on motion by Councilman Conklin, seconded by Councilman W. E. Evans. Chief Blume pointed out that average contacts with the public had been something like 250 per month; last month there were 583 contacts.

#2927 Public Works Department: Mayor Jordan noted that the report was in the new form devised by the Public Works Director and reflected department activity on a day-by-day basis with a description of the work done. Donald Yelton stated the report did not reflect the administrative changes that have been instituted including new purchasing procedure, weekly plan sheets for man-hour activity, work on pay scale and job classification, and work on contract for street resurfacing. Treasurer Hansel commended Mr. Yelton for the complete runout of the forecast of street department expenditures for the remainder of the year. The report was approved on motion by Councilman Ballard, seconded by Councilman Conklin.

#2962 Building Inspector: Mayor Jordan commented the report showed a marked increase in building activity and ordinance enforcement. Councilman W. E. Evans stated the Building Inspector was doing a beautiful job. The report was approved on motion by Councilman W. E. Evans, seconded by Councilman Aalbregtse.

COMMITTEE AND COMMISSION REPORTS

#2987 Budget & Finance: Deferred to consideration of the budget under Old Business.

#2992 Intergovt. Coop. & Comm. Affairs: Councilman Aalbregtse reported the City and individual citizens had been asked to participate in U. N. Day, October 24, 1972, the theme stressing communications. He requested that a proclamation be prepared, and asked for suggestions for participation, including civic organizations, scouts, schools, church organizations, etc. It was suggested Councilman Aalbregtse contact these groups. The proclamation is to be on the agenda of the mid-September meeting.

#3025 Ordinance - Speed Limit on 89th Street: Chief Blume explained that the primary change was that the speed limit on 89th Street
east of Lee Boulevard had been posted at 20 miles per hour for some time to safeguard pedestrians walking to the Club, but it had not been changed in law. The status of the speed limit on Lee Boulevard north of 83rd Street was discussed, as well as speed limits in other locations. Action on the ordinance was deferred pending recommendation from the Public Safety Commission on the entire matter relating to traffic ordinances.

Ordinance - Acceptance of Deed to Land (89th Street): Charles Troppito displayed a map showing the property in question; he said it had been granted to the City by Kroh Bros. in 1970, but had never been accepted by the City. There was discussion that if the property is accepted a cul-de-sac or turn-around should be shown. Agreements by Kroh Bros. concerning the area were reviewed. Councilman Ballard moved that the City's right-of-way for 89th Street on the east side of the foot bridge be vacated except for a minimum of ten feet east of the east bank which shall not be dedicated as a right-of-way; seconded by Councilman W. E. Evans. Motion carried.

There was a short recess to change the recording tape.

Tape No. 18
Side 1

Ordinance re Acceptance of Deed to Land (89th Street) (cont.): Mayor Jordan stated on the basis of the recommendation just made Mr. Troppito would be requested to work with Kroh Bros. on arriving at a determination on 89th Street that would guarantee that it does not become a through right-of-way and would enable the City to hold title to the east approach to the foot bridge fronting on 89th Street. The ordinance was delayed pending further action.

Parks Commission: Councilman Conklin reported the Parks Commission had voted to be receptive to creating a recreation commission which could generate revenue for programs such as a municipal swimming pool. He said at the present time funds for the Parks Commission are outside the budget lid but this may not be forever. City Attorney Winn stated the basic and more viable commission for running our parks would be a recreation commission which can do licensing, take fees, generate revenues, etc. outside the budget lid. There was discussion concerning the requirements for creation of a recreation commission, the City Attorney stating the impetus would come from five per cent of the registered voters petitioning the City for creation of the commission, and that it would be supported by an annual levy not to exceed one mill. There was further discussion of the need for such a commission and its role within City structure. The time schedule to get the question on the ballot in November was discussed; the petition must be presented and Council resolution passed by September 11. Councilman W. E. Evans moved that Councilman Conklin be instructed to take back to the Parks Commission the Council's approval of their thinking.
and ask them to proceed; seconded by Councilman Aalbrogtse. Motion carried.

Public Safety: No report.

Public Works: Councilman Ballard said it was a real pleasure to have Donald Yelton available to run the department and that the City would get a lot more for the dollars invested in the area of public works. Mayor Jordan said Councilman Ballard and his committee deserve a vote of thanks from the City at large for their selection and implementation of the position.

Committee for Police Courts Building: Councilman Conklin reported he had an informal meeting with John Granstedt; that a problem that caused some delay had been straightened out; that he had reviewed Mr. Granstedt's drawings and would say they were fifty per cent complete; that mechanical and electrical engineers were now unleashed. Councilman Conklin said he tried to impress upon John Granstedt that we are a month behind schedule and the City had deadlines for Federal funds. Councilman Conklin said a weekly review with Mr. Granstedt had been instituted. It was suggested a committee report be given at every Council meeting. Mayor Jordan said the planning authorization for the civil defense portion had been approved.

MAYOR'S REPORT

National Municipal League - 1972 All-America Cities Competition: Mayor Jordan reported the City had a communication from the National Municipal League concerning the 1972 All-America Cities Competition in which an official entry blank is filled out giving information on what has been done in community development. It was agreed that the matter should be referred to the Intergovernmental Cooperation & Community Affairs Committee for study and recommendation at the next Council meeting.

Accolades to the Council: Mayor Jordan stated without the service, devotion, interest and activity undertaken by this Council over the last year, it would be completely impossible to hang up the record this governing body had in completely re-funding the City's operation without increasing taxes; to have made good progress in professional staff and instituting the ability for the City to grow in the future; to have undertaken the problems of physical facilities, land use planning, and come up with realistic solutions. She thanked Councilman Ballard for his tremendous work in the area of the rehabilitation of the sewers; Councilman Eddy for his restructuring and help in bringing the Public Works Department up to the present standard; Councilman Conklin for vitalizing the Plan Commission and bringing a truly imaginative approach to the Parks Commission; Councilman W. E. Evans for his outspoken criticism that brings all of us to our toes and for providing us with a guidance and a conscience in City affairs that has been commendable; Councilman Judd for his achievement in the building of the police-courts complex and the work that the Public
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Safety Commission had done in completely restructuring the facilities and the administrative structure of the Police Department; Councilman Bruns for bringing to the Council table his wealth of experience and aid in making a beginning for Fire Station No. 2; Councilman H. C. Evans for presenting the most realistic budget Leawood had had since its inception; Councilman Aalbregtse for demonstrating, in his few months on the Council, a willingness to cooperate and to undertake the problems that go with being informed at the Council table.

Johnson County Council of Mayors Meetings: Mayor Jordan reported at the Johnson County Council of Mayors meeting on June 29 to discuss the overall problem of ATA funding, the determination was made that support of transportation should be on a county-wide basis. She said for the first time the Kansas City Council met with heads of the governing bodies of Johnson County and real progress was made in the discussion. Mayor Jordan said she had requested Judge Cope to be present at the Council of Mayors meeting on July 11 as one of the items for discussion would be the funding of indigents' lawyers.

ATA: There was discussion of ATA funding, including zone fares. Mayor Jordan said she had been representing the City in the discussions re ATA under instructions of the Council that the subsidy was not supported but avenues to maintain public transportation were to be pursued.

Official Greetings to Cities in The Netherlands through Joanie Baeke: On motion by Councilman W. E. Evans, seconded by Councilman Aalbregtse, official greetings were authorized to be sent from the City of Leawood to ranking officials of cities in The Netherlands through exchange student Joanie Baeke.

Governor's Drug Abuse Education Conference: A communication from the Governor's Office inviting representatives of the community to attend the third annual Drug Abuse Education Conference to be held October 2-4 in Kansas City, Kansas, on an individual city basis or as a county team, was referred to Councilman Aalbregtse for recommendation.

OLD BUSINESS

Option for Purchase of Land for Fire Station No. 2: Deferred to the next meeting since the option was not prepared in time for this meeting. Councilman W. E. Evans stated an owner in the area of 127th and Mission Road had indicated he was receptive to donating as much as five acres to the City for the fire station; he will investigate and report at the next Council meeting.

1973 Budget: Mr. Hansel referred to the line-up for the 1973 Budget as submitted to the Council in Councilman H. C. Evans' letter. Mr. Hansel emphasized the comment that nothing had
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Mr. Hansel explained that the City had authority to spend $738,000; that budget requests from the various departments totalled $747,000; that the estimate of funds that will be available was $691,226; so budget requests had to be reduced $56,000; that this had been done in accordance with H. C. Evans' letter. Mr. Hansel stated fire insurance on the new police building should be added to the budget; that the City had information that The Travelers was anticipating a substantial increase in premium for hospitalization insurance estimated to cost the City an additional $2,000 or $3,000; and that Social Security tax may be increased. Councilman W. E. Evans was asked to investigate with the insurance agent the possible increase in premium for hospitalization insurance. The City Clerk was asked to try to get a quotation on fire insurance on the new building.

Because of an error in calculation and other adjustments, Mr. Hansel said a further reduction of $3,263 must be made. There was discussion of the budget in general, time schedule, and possible items to be cut or adjusted. Councilman Ballard moved that the $3,263 shortage be worked out among the four department heads, that the detective and the city administrator be rearranged to fund nine months on each item, that the crossing guard be shown in the Police Department budget fully funded, taking that money out of the overtime allowance; that the Item 100-1A, Secretary to the Mayor, be eliminated and included in Item 100-1, City Clerk and assistants; and that a quotation for fire insurance on the new police-courts building be added. Following discussion, Councilman Ballard amended the motion to provide that $1,020 of the $3,263 be taken out of the Plan Commission budget and the four department heads come up with the remaining $2,243; motion as amended seconded by Councilman Conklin. Amended motion carried.

Discussion of Proposed Resolution re Justice: Text of a proposed resolution authorizing a letter to be sent to 36 officials and editors on behalf of the Governing Body regarding laws applying equally to every citizen and concluding that it would appear that there are some who would use the laws of our government to overthrow that same government whose protection they seek. Councilman W. E. Evans moved that the resolution be adopted. Following discussion, motion failed for want of a second.

Resolution No. 265 - 95th Street Improvement: Councilman Ballard reported he and Don Yelton had met with the County Engineer and the consultants preparing the plans for 95th Street improvement. Councilman Ballard said before the County can proceed further with their engineering work they need a reading as to whether or not the Council would approve a variance in compromise plans for widening the roadway from four 11-foot lanes with two 8-inch curbs to four 11-foot lanes plus two 2-foot curbs which was necessary for Federal funding. He explained that the compromise plans were based on the
roadway center line being three feet north of the right-of-way center line, but to avoid having to buy additional right-of-way, the roadway center line was being shifted back south in the vicinity of the Post Office. Councilman Ballard moved adoption of Resolution No. 265; seconded by Councilman Aalbregtse. There was discussion of the cost and financing of the project. There was discussion as to whether the people most concerned were represented at this meeting since Councilman Judd was not present. Councilman Ballard stated Councilman Judd was more concerned about the public hearing. Councilman W. E. Evans moved to table, objecting that the people really involved in this are not represented. Motion failed for want of a second. Resolution No. 265 was adopted, Councilman W. E. Evans voting nay. Copy of the resolution is attached hereto and made a part of the record.

Appropriation Ordinances: Nos. 304A and 2953 in the amounts of $37,965.50 and $44,827.08, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved following discussion of several items.

Employee Status Form: On motion by Councilman Ballard, seconded by Councilman Conklin, the following increase in pay was approved:

Charles Troppito, Jr., Administrative Assistant, increase in rate from $650 to $685 per month, effective June 1, 1972.

At 11:00 p.m., on motion by Councilman W. E. Evans, duly seconded, the meeting adjourned to Monday, July 17, 1972, 8:00 p.m.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 6:00 p.m. on Monday, July 17, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Aalbregtse, H. C. Evans, Eddy, Ballard, Bruns.

Councilman Bruns requested a change in the agenda to consider four employee status reports at the end of the meeting.

The invocation was given by Mayor Margaret W. Jordan.

Minutes: On motion by Councilman Aalbregtse, seconded by Councilman Ballard, the minutes of the meeting of July 10, 1972, were approved as submitted.


Stuart Johnson inquired as to the status of the noise ordinance. Mayor Jordan said it was in the hands of the Public Safety Commission and explained that its chairman, Councilman Judd, was on vacation.

Councilman Conklin entered the meeting during the discussion.

Stuart Johnson expressed his disfavor with having a typed statement prepared in advance of a public hearing as in the case of the hearing on Tomahawk Reservoir. The matter was discussed.

OLD BUSINESS

1973 Budget: Copies of the 1973 budget as proposed for publication had been distributed. Mr. Hansel reviewed the budget and stated the mill levy in 1973 would be the same as last year for the General Operating Fund and the Parks Commission, but because of an increase in Social Security and CAPERS the levy for those funds would go up slightly. Following discussion of several items of the budget and possible reallocation within it, Councilman Ballard suggested that the Council not try to work out the details but limit its discussion to the part that had to be published. Following further discussion, the 1973 budget was approved on motion by Councilman Bruns, seconded by Councilman Conklin. Councilman H. C. Evans commented that the budget accomplished the things outlined to the voters at the time of the budget lid election. Mayor Jordan congratulated the Budget & Finance Committee and noted that ratables had increased almost 8%.

The time schedule for publication and hearing on the budget was discussed. Councilman Eddy moved that the public hearing
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be held on Monday, July 31, 1972, at 7:30 p.m.; seconded by Councilman Bruns. Motion carried. Councilman H. C. Evans moved that notice of the public hearing be published in the Johnson County Scout on July 21, 1972; seconded by Councilman Bruns. Motion carried.

Option for Purchase of Land for Fire Station No. 2: Copies of the option had been distributed. City Attorney Winn had examined the option and submitted written approval. Councilman Bruns moved for approval of the option contract for purchase of land for Fire Station No. 2; seconded by Councilman Ballard. Motion carried. Mayor Jordan stated exercise of the option would be after the first of the year and funds would be drawn from the 1973 budget.

NEW BUSINESS

Request for Permission to Distribute Advertising: Copies of the request had been distributed. Councilman H. C. Evans moved that the request be denied, since the Governing Body of the City of Leawood regards this kind of advertising activity as a nuisance; seconded by Councilman Eddy. Motion carried. The City Clerk was requested to notify the applicant.

Report of Building Committee: Councilman Conklin reported the soil testing report received indicated that the soil at the site was not of minimal bearing capacity; that the extra steel and concrete required would add $1,500 to $2,000 to the building cost. He said Mr. Granstedt still planned to get the drawings ready to put out for bids around August 15. Councilman Conklin stated Part 4 of the plot, worth $11,449.66, needed to be purchased for access to the building. He displayed and discussed the plot plan. Councilman Conklin moved that necessary and available funds in the amount of $11,449.66 be taken to purchase Part 4 of the police station plot; seconded by Councilman Eddy. Motion carried. The City Clerk was requested to have the City Attorney prepare the necessary documents and forward for execution.

Kansas City Testing Laboratory Address: Councilman Eddy requested that the City Clerk notify Kansas City Testing Laboratory that at least while they are working for the City of Leawood they show Leawood as their address on the cover page of their brochure.

Report on Status of ATA: Mayor Jordan reported negotiation had resulted in the County Commissioners being asked to approach the Johnson County legislators and the County Counselor to get an opinion of what possibility exists for funding the ATA subsidy in the amount of $108,000 in 1973 (including $36,000 for July 1 to December 31, 1972, and $72,000 for the year 1973). She said it was agreed that any support in the line of a benefit district or a levy that would be put in the legislature would be presented to the councils for formal motion. There was discussion concerning press reports that a commitment of funds had
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been made. Mayor Jordan said the agreement was that the July 1st deadline for suspension of service to Johnson County would be relaxed to January 1, 1973, upon the pledge that those present at the meeting would work toward a resolution of the problem; that it was understood on all sides that no one at the meeting had power to make a pledge of funds. Councilman Ballard said he thought the record should be made clear that the commitment was to work toward getting the funds and not a commitment that the funds would be there come January 1, 1973. Mayor Jordan urged when the proposal is worked out that every member of the Council become informed of exactly what is transacted as it had tremendous implications.

Report on Status of Traffic Squad: Chief Blume reported that he had been notified that the City's grant for a traffic squad was formally approved and funded; that the program would cost $7,162.18 for the remainder of 1972, and that his second quarter run-out of police line accounts indicated an estimated overage of $8,161.13. He requested permission to proceed with implementation of the project, involving engagement of two officers, purchase of necessary equipment and placing the Chief of Police on a vehicle allowance of $140.00 per month. Councilman Bruns read a memo from the Chief re the request for approval of the traffic squad. Councilman Bruns moved that implementation of the project effective August 1, 1972, be approved; seconded by Councilman H. C. Evans. Motion carried.

At the request of Councilman Bruns, the Council adjourned to executive session to consider employee status forms. The Council returned to regular session at 9:50 p.m. The same Councilmen were present.

Employee Status Forms: On motion by Councilman Bruns, seconded by Councilman Eddy, the Council approved the following promotion:

Robert L. Sharp, from Probationary Firefighter First Class at $548.60 per month, effective July 1, 1972.

On motion by Councilman Bruns, seconded by Councilman Conklin, the following promotion was approved:

C. Dennis Andrew, from Probationary Firefighter First Class at $548.60 per month, effective August 1, 1972.

On motion by Councilman Bruns, seconded by Councilman Aalbregtse, the following employment was approved:

Ben Clay Florance, 9645 Manor Road, as Probationary Firefighter at $510.00 per month effective August 1, 1972.
On motion by Councilman Bruns, seconded by Councilman Conklin, the following promotion was approved:

Royce L. Bounds, from Probationary Patrolman to Patrolman at the rate of $650.00 per month effective July 1, 1972.

At 9:55 p.m., on motion by Councilman Bruns, seconded by Councilman Conklin, the meeting adjourned to Monday, July 31, 1972, immediately following the public hearing on the budget to hear emergency matters only.
Minutes of a Budget Hearing of the Governing Body of the City of Leawood, Kansas.

A hearing in connection with the proposed 1973 City budget was held at 7:30 p.m. on Monday, July 31, 1972, in the Fire Station, 9609 Lee Boulevard, with Mayor Margaret W. Jordan presiding.

Roll call was answered by Councilmen Ballard, Eddy, Aalbregtse, H. C. Evans, Bruns, and Judd. Also present were City Treasurer Hansel, Fire Chief Toman, Police Chief Blume, Deputy City Clerk Ruth Kuder, and the Council Reporter.


Mayor Jordan opened the hearing on the budget as published in The Johnson County Scout on July 21, 1972, to comments from the Council. Councilman Judd asked the status of the detective. Councilman H. C. Evans stated funds were included for the detective commencing April 1. The hearing was then opened to questions from the floor. Howard Kipfer, 9609 Lee Boulevard, observed that there was a 4% increase in the mill levy and asked if this was all because of an increase in Social Security and retirement, and asked if any allowance had been made for increase in valuation. Councilman H. C. Evans answered that all the increase in mill levy was due to Social Security and CAPERS, and that the levy did anticipate an increase in valuation as certified to the City by the County Clerk. In answer to an inquiry by Councilman Judd, Treasurer Hansel stated the mill levy for the Parks Commission remained the same as it was in 1972. Mayor Jordan stated to ladies in the audience that funds were included for a crossing guard at Marsha Bagby School. No one requested any deletion or addition to the proposed budget.

Since there were no further comments from councilmen or the audience, Councilman Bruns moved that the hearing be closed; seconded by Councilman Judd. Motion carried.

On motion by Councilman H. C. Evans, seconded by Councilman Bruns, the 1973 budget was adopted as published.

There being no further business, on motion by Councilman Eddy, seconded by Councilman Bruns, the meeting adjourned.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:47 p.m., immediately following the budget hearing, in the Fire Station, 9609 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Councilmen Aalbregtse, H. C. Evans, Eddy, Ballard, Bruns and Judd were present.


The Deputy City Clerk distributed copies of the agenda. Councilman Bruns moved that business be limited to any presentation Police Chief Blume had to make to the Council, and that other matters be postponed until the regular meeting; seconded by Councilman Judd. Mayor Jordan stated the application of Gates Bar-B-Q for a cereal malt beverage license was required to be submitted before August 1.

Councilman H. C. Evans moved to amend the motion to include consideration of the Gates Bar-B-Q cereal malt beverage license application; duly seconded. Amendment carried. Motion as amended carried.

Traffic Grant: Chief Blume reported he was presently in the process of interviewing and testing prospective police officers for the traffic squad but felt it was best not to take any formal action prior to August 1. He said he would solidify recommendations for the next meeting.

Crossing Guard at Cure of Ars School: Chief Blume reported Chief Hundley of Prairie Village had asked for a definite commitment that Leawood would bear one-half of the crossing guard at Cure of Ars. Councilman Judd moved that the Council approve the recommendation by Chief Blume that the City of Leawood agree to pay one-half of the crossing guard at Cure of Ars School for the remainder of this year. Councilman H. C. Evans moved to amend the motion to state that funds be taken from the administrative line account originally designated for council salaries; seconded by Councilman Aalbregtse. Motion as amended carried.

Application for Cereal Malt Beverage License - Gates Bar-B-Q: Mayor Jordan stated that a check in the amount of $300 had been submitted with the application and that the City Attorney had found the application to be in proper form. Councilman Bruns moved that the application be approved; seconded by Councilman Judd. Mayor Jordan read from the application. Councilman Eddy asked Chief Blume to make a statement concerning the street leading into the police-courts complex. Chief Blume stated both he and Chief Toman had reservations about the possibility of cars being parked on the cul-de-sac.
and the roadway leading to the police station. Following discussion, Councilman Eddy moved that an ordinance be drawn to prohibit parking on both sides of 103rd Terrace; seconded by Councilman Bruns. Motion carried. Chief Toman suggested that the access road to 104th Street would present the same problem. Councilman Bruns moved that the Ordinance Committee draft an ordinance prohibiting parking on both sides of 104th Street west of State Line; seconded by Councilman Judd. Motion carried, Councilman H. C. Evans opposed.

At 8:06 p.m., on motion by Councilman Bruns, seconded by Councilman Judd, the meeting adjourned to Monday, August 7, 1972, 7:30 p.m.

Attest:

[Signature]

City Clerk

[Signature]

City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, August 7, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Aalbregtse, Conklin, H. C. Evans, Eddy, W. E. Evans, Judd.

The invocation was given by Sister Carmella Thibault of Cure of Ars Convent.

Councilman Bruns entered the meeting at the close of the invocation.

Minutes - Meeting of July 17, 1972: Councilman Bruns asked if the minutes were to be an accurate reporting of what transpired at the meetings; that he noted several omissions: (1) the minutes did not reflect that the motion to adjourn was amended so that a meeting would be held on July 31 only for the purpose of hearing any report by the Chief of Police; and (2) the minutes did not include that Councilman Bruns laid before the Mayor a card on the 500 Committee and asked if any City employees received such request for campaign contribution, to which Mayor Jordan answered they did not.

In answer to Councilman Bruns' question about the minutes, Mayor Jordan said there had been several discussions relative to their content, that they were to note official action and were not a word-for-word transcription of the entire Council meeting. To Councilman Bruns' question as to who decided what was to be left out and what was to be included, Mayor Jordan answered, the Council Reporter. At Councilman Bruns' request, the two sections of the recording tape in question were replayed. Councilman Bruns moved that the minutes of the July 17th meeting be amended to include, "Councilman Bruns asked whether any City employees were requested for a donation of $50.00 to Mayor Jordan's campaign fund, to which Mayor Jordan answered no," and to show in the last paragraph on page 1438 that the meeting adjourned to Monday, July 31, 1972, immediately following the public hearing on the budget "to hear emergency matters only." The motion, seconded by Councilman Judd, carried.

Campaign Activities at City Hall: Councilman Bruns stated he was aware of the fact that several City employees did receive a request for donation. Mayor Jordan replied that after Councilman Bruns' question on July 17, she checked the lists that were used and found there were three City employees who were members of the Leawood Country Club, Mrs. Oberlander, Mrs. Coons and Mrs. Farrar, who received these requests. The matter was discussed at some length. Councilman Judd asked if a resolution had been reached on a letter sent to the Mayor by Councilman Ballard. Mayor Jordan said she discussed it with
Mr. Ballard and it had been brought before the Administrative Committee tonight. Councilman Judd asked Mayor Jordan to comment on what was covered in that letter. Mayor Jordan said until the Administrative meeting tonight she had no knowledge of what accusations were being made, and under the circumstances, if there was to be any action taken it should be taken in open Council meeting with a chance for a full hearing and notice of the charges. Councilman Eddy asked the City Clerk if any of her people in City Hall were involved in any way, shape or form at any time during the course of the recent campaign in working for any of the candidates, to which Mrs. Oberlander answered, yes. Councilman W. E. Evans objected that the discussion was out of order and that it should be handled in executive session. Mayor Jordan said she felt the minimum necessity was that written charges be brought, that they be presented for hearing to the Administrative Committee, that any employee involved appear before the Committee; if the Committee's recommendations require further inquiry, that it should be presented before the entire Council. Councilman Judd moved that an investigating committee be convened, with the President of the Council designated as chairman, the committee to consist of two other councilmen to look into this matter and report back to the Council as a whole; seconded by Councilman Bruns. Motion carried.

Minutes - Meeting of July 31, 1972: On motion by Councilman Bruns, seconded by Councilman Eddy, the minutes of the meeting of July 31, 1972, were approved as submitted. Later in the meeting, at #2125 on the recording tape, Councilman Bruns moved that the minutes of the meeting of July 31, 1972, be amended to reflect that the application for cereal malt beverage license by Gates Bar-B-Q was unanimously approved; seconded by Councilman Judd. Motion carried.

Minutes - Budget Hearing, July 31, 1972: On motion by Councilman H. C. Evans, seconded by Councilman Judd, the minutes of the budget hearing were approved as submitted.


Councilman Conklin moved to amend the agenda to allow Mr. Kroh to be heard at this time; seconded by Councilman W. E. Evans. Motion carried.

Approval of Revision of Final Plans for Tract "F", Leawood South: Councilman Conklin reported that following a public hearing, the Plan Commission had approved an amended final development plan for Tract "F", Leawood South, stating that the amended final plan represented a change from garden apartments to townhouses and involved no change in zoning classification. Councilman Conklin displayed and explained the plans, commenting that density was reduced. Gene Kroh
August 7, 1972

answered questions of councilmen. Chief Toman stated the change to townhouses relieved fire fighting hazards. Councilman Bruns moved for approval of the revised plans; seconded by Councilman Judd. Motion carried.

REPORTS

#2285 Treasurer: Mr. Hansel's report was submitted and approved on motion by Councilman Judd, seconded by Councilman Aalbregtse.

#2307 Municipal Judge: Judge Cope's report was submitted and approved on motion by Councilman Eddy, seconded by Councilman Conklin.

#2315 Fire Department: Chief Toman's report was submitted and approved on motion by Councilman Bruns, seconded by Councilman W. E. Evans. Chief Toman stated the firemen had made arrangements on their off-duty time to take a five-day emergency medical training course so that all the paid men, with the exception of the men just hired, will have had the training program. Councilman W. E. Evans stated he hoped the Police Department would also take advantage of this course offered by the K. U. Medical Center. Councilman W. E. Evans added it was highly commendable that the men were willing to donate this time to the citizens of Leawood and moved that a letter of appreciation from the Governing Body be sent to them, thanking them for donating their time; seconded by Councilman Judd. Motion carried.

#2342 Police Department: Chief Blume's report was submitted and approved on motion by Councilman Judd, seconded by Councilman Aalbregtse. Chief Blume pointed out that the department effected four felony arrests this month and arrests were made on all seven drug and narcotics problems brought to their attention.

#2350 Public Works: Mr. Yelton stated he would like to continue the changed format of the Public Works report if agreeable with the Governing Body. Councilman Judd commended Mr. Yelton for the excellent manner of reporting information in great detail. Councilman Eddy referred to a comment in the report concerning sick leave carryover. Following discussion, Councilman Aalbregtse suggested Mr. Yelton research the problem and make a suggestion at the next Council meeting. The report was approved on motion by Councilman Judd, seconded by Councilman W. E. Evans.

#2442 Budget & Finance: No report.

Intergovt. Coop. & Comm. Affairs - Application for Participation in All-America Cities Competition: Councilman Aalbregtse reviewed information concerning the competition and recommended that the Council not attempt to participate. Councilman Eddy moved that the Council accept the recommendation; seconded by Councilman Bruns. Motion carried.
Intergovt. Coop. & Comm. Affairs - Annual Governor's Drug Abuse Education Conference: Councilman Aalborgtse reported participation in the conference involved obtaining a team of five people to attend the conference and set up program in the future. He said he was unable to come up with a leader from Leawood, and unless the Council had suggestions for such a team he would suggest the City not participate. Mayor Jordan stated the Council of Mayors had discussed forming a group for Johnson County as a whole as an alternate to city representation. Councilman Aalborgtse moved that the Mayor be authorized to represent the City in the Council of Mayors' discussion of county-wide drug abuse and report back to the Council; seconded by Councilman Judd. Motion carried.

Intergovt. Coop. & Comm. Affairs - Newsletter: Councilman Aalborgtse reviewed the items which had been suggested for the next newsletter and requested that any further suggestions be given to Charles Troppito. He requested that approval of the rough draft be on the agenda of the next Council meeting.

Ordinance Committee: No report.

Park Commission: Councilman Conklin referred to the report distributed at the table. He reported a special Park Commission meeting was held to discuss petitions for creation of a recreation commission and that a citizens meeting was scheduled for this week. Councilman Conklin requested that any interested constituents contact Mr. Troppito or himself for information or for signing a petition. He said a swimming pool was one of the things citizens have mentioned they feel a need for. The matter was discussed, including the time table to get the question on the ballot in November.

Plan Commission: No further report.

Public Safety - Resolution No. 266 - Authorizing Acceptance of Grant for Traffic Safety Squad: Chief Blume presented Resolution No. 266 and Councilman Judd moved for its approval; seconded by Councilman Bruns. Resolution No. 266 was unanimously adopted. A copy is attached hereto as part of the record.

Councilman Judd requested an executive session after the last item on the agenda to consider change of status form for one policeman.

Sewer: No report.

Public Works - Somerset Drive Improvements: A letter from Mr. Yelton to Councilman Ballard on Somerset Drive improvements had been distributed. Mr. Yelton referred to a comprehensive report by Larkin & Associates and asked for the Council's position on the improvements. He said he and Councilman Ballard had been asked to attend a meeting of the Prairie Village Public Works Commission to discuss the project and Leawood's participation in it. Councilman H. C. Evans
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suggested that Mr. Yelton attend the meeting for information, that the Council would like to know what the proposed time table was for the three listed priorities and what the breakdown was of the $58,000 estimated as Leawood's share as an aid to later determining the source of funds. Councilman Judd suggested that Leawood residents who will be affected by such proposed widening be contacted. City Attorney Winn suggested that Mr. Yelton check legal opinions relative to financing of the widening of 95th Street as they might be helpful in this situation also. Mayor Jordan said copies of the report had been delivered to Councilman Ballard some three months ago and that copies were available at City Hall.

Public Works - Federal Urban Systems Map: Mr. Yelton explained the area map of Wyandotte and Johnson Counties designating certain roads as Federal Urban Aid roads whereby Federal money would come directly to the cities for improvements to those roads to preconceived Federal standards. He said the roads affected in Leawood would be 103rd, 95th and 83rd Streets. To receive Federal Urban monies the roads would have to be improved to four 11-foot lanes. He emphasized that being on the plan did not mean the City had to improve the roads. Mr. Yelton recommended approval of the map so that some Federal monies would be available if the City ever wanted to improve these roads. He said mayors of all the municipalities were asked to sign the map indicating approval of the governing bodies involved. Mayor Jordan said the Council of Mayors was going on record as attempting to get legislation introduced into the U. S. Congress enlarging the urban limits in fact because of southward growth contemplated so that help with the highway network that would be required to be developed could be made available. She explained that approval of the present designation was the first step since in Johnson County cities are limited by formula to a certain percentage of the present primary and secondary roads to be undertaken in future funding. Following discussion, Councilman Eddy moved that the Council authorize the Mayor to sign the map; seconded by Councilman Conklin. Councilman Judd stated he was unalterably opposed to a proposition such as this which would completely and totally destroy the concept of a residential neighborhood in the older area of Leawood. Councilman Conklin read from a letter signed by Eugene Alt, chairman of the Leawood Plan Commission, dated December 22, 1971, objecting to the urban system boundary as inadequate for planning purposes and requesting that additional streets in the southern portion of the City be included. Following further discussion, motion carried, Councilman Judd opposed. Councilman Bruns emphasized this action was with the very definite understanding that the Council was not committed to widening any street.

MAYOR'S REPORT

Resolution No. 267 - Expression of Sympathy to City Clerk Jinny Oberlander upon the Death of her Father: Mayor Jordan read a note of thanks from Jinny Oberlander for the flowers sent by the City and for personal expressions of sympathy.
Upon motion by Councilman Judd, seconded by Councilman W. E. Evans, Resolution No. 267, expressing sympathy to Mrs. Oberlander, was adopted unanimously. A copy of the resolution is attached hereto as part of the record.

Resolution No. 268 - Concerning Flood Insurance: Mayor Jordan stated the resolution was the last step required in order to make Federally subsidized flood insurance available to Leawood citizens for private housing and commercial businesses. On motion by Councilman Eddy, seconded by Councilman Conklin, Resolution No. 268 was adopted. A copy is attached hereto as part of the record.

Proclamation - Southgate Open Week: On motion by Councilman Judd, seconded by Councilman Aalbregtse, the week of August 13th, 1972, was proclaimed as SOUTHGATE OPEN WEEK.

Disclaimer of Utility Easement - Leawood South: City Attorney Winn stated that the disclaimer was a technical matter to remove a utility easement erroneously granted to the City of Leawood across Tract E, Leawood South. On motion by Councilman Eddy, seconded by Councilman Conklin, the Mayor was authorized to sign the disclaimer on behalf of the City of Leawood.

Establishment of Insurance Committee: A memorandum by Jim Stanley had been distributed by mail. Mayor Jordan suggested it might be appropriate to set up a permanent insurance committee for advice to the Council. Councilman Bruns suggested that department heads be a part of the group so they can help choose the coverage they feel is best for them. Councilman W. E. Evans moved that a permanent insurance advisory committee be set up with the chairman of the committee being a member of the Council; that the committee be made up of not more than three experts who have no conflict of interest (that they not be members of a single company but rather experienced insurance brokers who have access to many companies) and heads of City departments; that the group report to the Council by October 1.

There was a short recess to reverse the recording tape.

Insurance Committee (cont.): There was discussion of the makeup of the committee. At the suggestion of Mayor Jordan, department heads were asked if they wished to be members of the committee or merely present for the deliberations. Chief Toman, Chief Blume, Mr. Yelton and Mrs. Oberlander stated they would like to be non-voting members of the committee. Councilman W. E. Evans then moved to amend his motion to state that a Council member be chairman of the committee, three brokers be members of the committee, and the department heads be ex officio members; seconded by Councilman Aalbregtse. The term "insurance broker" was discussed. Councilman Bruns recommended that Councilman H. C. Evans be appointed chairman of the insurance committee. Motion carried as amended.
Memorandum concerning Vacancy in the Office of Mayor or Councilman: A memorandum had been distributed. City Attorney Winn suggested that in addition to statutory procedure for filling a vacancy in the office of councilman, an internal procedure had been adopted by the Council.

Report on CATV: Copies of a report dated July 26th had been distributed. There was discussion of the plan for solicitation of subscribers.

OLD BUSINESS

Councilman Eddy moved that the order of business be revised to consider the report of the Building Committee before the items concerning Tract "H"; seconded by Councilman Bruns. Motion carried.

Purchase of Tract "H", Part IV, and Resolution of Acceptance for Parts I, II, III, and IV, Tract "H": City Attorney Winn stated the deed for Part IV of Tract "H" had not yet been received, and requested that these two items be placed on the agenda for the next Council meeting. Later in the meeting, at #130 on the recording tape, Councilman Eddy asked the status of the purchase of Tract "H". City Attorney Winn answered that Parts I, II, and III had actually been purchased and deeds taken but the formal resolution of acceptance had not yet been adopted; that on Part IV, intention to exercise the option had been announced and the deed was being drawn. Councilman Eddy said he would like to see the Council go ahead and purchase the rest of the site.

Report of Building Committee: Councilman Conklin reported a meeting of Councilmen Eddy and Conklin, John Granstedt and Chief Blume on July 24 at which plans and drawings were reviewed, interior finishes, site and water problems and Part IV of Tract "H" were discussed, minor changes in the on-site access to the lower level of the police entrance were made, and Mr. Granstedt reported his drawings were approximately 85 per cent complete. Councilman Conklin added that on July 31st Mr. Granstedt reported he was 90 to 95 per cent complete. Councilman Judd moved that Don Yelton be appointed ex officio member of the Building Committee to give his assistance in expediting plans and letting of the contract; seconded by Councilman W. E. Evans. Motion carried. Councilman Eddy suggested that prior to the letting of bids all members of the Council be invited to a Building Committee meeting. The suggestion and the timetable were discussed. Acceptance of final plans will be on the agenda of the August 21 meeting. A memorandum concerning builders risk insurance was referred to the Building Committee for recommendation.

Appearance of Consumer Communication Services Corporation Representative re Previous Request for Permission to Deliver Mail: The representative did not appear.

NEW BUSINESS
August 7, 1972

#175 Request for Permission to Deliver 2nd, 3rd and 4th Class Mail and Magazines - Independent Postal System of America: Mayor Jordan stated the previous six months' trial was found to be unsatisfactory. Councilman W. E. Evans moved that the request be denied on the basis that the Council regards such delivery as a nuisance; seconded by Councilman H. C. Evans. Motion carried.

#185 Resolution No. 269 - Pertaining to Hours of Operation of City Hall: Councilman Eddy presented the resolution to set up a method whereby the Council would be responsible for hours the City Hall would be open. Councilman Bruns moved for approval of the resolution; seconded by Councilman Eddy. There was discussion as to whether it was necessary or convenient to citizens to have City Hall open on Saturday mornings. Councilman W. E. Evans moved to amend the resolution to read that the offices at City Hall be open during the hours 8:30 a.m. to 4:30 p.m. Monday through Friday, and 8:30 a.m. through 12:00 noon on Saturday, except on holidays, etc.; seconded by Councilman Judd. Amendment carried, Councilmen Eddy and Bruns opposed. Resolution No. 269 was adopted as amended. A copy is attached hereto as part of the record.

#268 Report re Occupation Licenses and Permits for Year Ending June 30, 1972: Mayor Jordan said this report indicated that receipts were $3,000 over the preceding year. There was discussion re delinquent occupation licenses. The City Clerk said if occupation license fees were not collected by the first of September she would advise that a warrant would be issued. Councilman H. C. Evans suggested that warrants be issued without further notice. Councilman Judd inquired about results of investigation re a suspected violator. Councilman Eddy suggested checking as to whether suspected violators have a license to do business in the State of Kansas or a resident agent. Need to revise the ordinance was discussed.

#340 American Hot Rod Association Queen Contest: Mayor Jordan stated the request was for three queen candidates from Leawood for judging in the Grand Prix. Councilman Judd moved that the request be rejected as it was not in line with official City business; seconded by Councilman Bruns. Motion carried.

#352 City Voting Delegates to League of Kansas Municipalities Convention: Mayor Jordan stated the League's annual convention would be held in Kansas City, Kansas, on September 24-26. She called for nominations for two voting delegates and two alternates to represent the City of Leawood. Councilman W. E. Evans moved that the Mayor and the President of the Council be the voting delegates; seconded by Councilman Eddy. Motion carried. Councilman Aalbregts moved that the two delegates select their own alternates; seconded by Councilman W. E. Evans. Motion carried.

#378 Appointment of Chairman of Insurance Committee: Mayor Jordan announced appointment of Councilman W. E. Evans as chairman of the Insurance Committee.
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#380 Request to Solicit Funds at Ranch Mart (Leawood) - American Medical Center at Denver: City Attorney Winn stated the application was in technical compliance with the ordinance. On motion by Councilman Bruns, seconded by Councilman H. C. Evans, the request to solicit was approved. There was discussion with concurrence that all applications to solicit should come before the Council.

#390 Request to Solicit Funds - National Cystic Fibrosis Research Foundation: City Attorney Winn stated the application was in technical compliance with the ordinance. On motion by Councilman W. E. Evans, seconded by Councilman Judd, the request to solicit was approved.

#410 Air Conditioning in Council Chamber: Councilman W. E. Evans noted that the council chamber had been horribly warm during the meeting. The City Clerk was requested to call the air conditioning consultant.

#423 Appropriation Ordinances: Nos. 305A and 296S in the amounts of $88,077.74 (including $50,000 certificates of deposit) and $245,064.72 (including $240,000 certificates of deposit), providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved, Councilman W. E. Evans abstaining.

The Council then adjourned to executive session as requested earlier in the meeting by Councilman Judd.

The Council returned to regular session at 11:10 p.m. The same councilmen were present.

Employee Status Form: On motion by Councilman Judd, seconded by Councilman Bruns, the following promotion was approved:

James S. Cox, from Probationary Patrolman to Patrolman, rate increase from $633 to $650 per month.

#444 Mayor Jordan said in view of the extreme desire evidenced here to investigate the campaign activities at City Hall, she would request volunteers to serve on that committee. Councilman Judd said the motion specified the President of the Council was to chair the committee and select two members to participate.

At 11:12 p.m., on motion by Councilman Bruns, seconded by Councilman Judd, the meeting adjourned to Monday, August 21, 1972, 7:30 p.m.
Minutes of a adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, August 21, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Aalbregtse, Conklin, H. C. Evans, Ballard, W. E. Evans.

The invocation was given by Councilman W. E. Evans.

Minutes: On motion by Councilman W. E. Evans, seconded by Councilman H. C. Evans, the minutes of the meeting of August 7, 1972, were approved as submitted.

Councilman W. E. Evans moved that the Communication Services Corporation representative be heard at this time; seconded by Councilman Conklin. Motion carried.

Appearance of Consumer Communication Services Corporation Representative Relative to their Previous Request for Permission to Deliver Mail: Charles D. Minter, assistant general manager and sales manager for Consumer Communication Services, presented the background of the company and outlined the plan for delivering advertising matter to homes in the area by having it placed on doorknobs in plastic bags by mailmaids, to be housewives in the area. He explained the mailmaid program, outlined qualifications of officers of the company, and displayed examples of advertising delivered. Mrs. John Clenny, a supervisor for CCS, said she would like to know the reason they were not given permission previously. Brett Schroeder, attorney for the company, also appeared. Councilman W. E. Evans moved that the application not be approved, on the basis that such delivery is considered by the Council to be a nuisance; seconded by Councilman H. C. Evans. Motion carried.


Councilman Conklin moved for a change in the agenda to include a recommendation from the Plan Commission on acceptance of deed; seconded by Councilman W. E. Evans. Motion carried.

Ordinance No. 427 S - Acceptance of Deed from J. C. Nichols Company Conveying Additional Right-of-Way for 119th Street (West of High Drive): Councilman Conklin read a memorandum from the Chairman of the Plan Commission conveying the recommendation that the dedication of land for street purposes be approved by the Council. Councilman Conklin referred to the sketch of the 40 foot right-of-way the
Nichols Company proposed to deed to the City at Verona Gardens (the south half of 119th Street). Councilman Conklin stated the deed had been reviewed and approved by the City Attorney and that the City Engineer had recommended acceptance. Mr. Pollock stated the matter was urgent because a number of homes under construction were nearing completion. He explained an easement had been submitted to the Gas Company with the restriction that the Gas Service Company would not secure "prior rights", so that if the line should have to be moved, they must do it at their own expense. The Council discussed whether an 80 foot right-of-way was adequate for the street. Councilman Conklin said the City had accepted an 80 foot right-of-way on part of 119th Street. Councilman Conklin moved that the ordinance be considered on an emergency basis; seconded by Councilman H. C. Evans. Motion carried. Councilman Conklin read the ordinance and moved for its adoption. The form of the deed and the ordinance had been approved by the City Attorney, and approved for content by the City Engineer. Ordinance No. 427 S was unanimously adopted.

Report of Board of Inquiry into Campaign Activities:
Councilman Ballard stated he had asked Councilmen W. E. Evans and H. C. Evans to serve on the committee, that the committee would meet on August 24 to interview people concerned, and requested that the matter be placed on the agenda of the next Council meeting.

Report from Building Committee: Councilman Ballard moved that the report be delayed until Councilman Eddy arrived; seconded by Councilman W. E. Evans. Motion carried.

Report from Public Safety Committee Meeting: No report.

Progress Report on the Recreation Commission: Councilman Conklin reported an organizational meeting had been held on August 10, that Mrs. M. A. Schmidt was elected chairman of the citizens petition drive, that there were about 25 volunteers assisting in the drive, and commented on good publicity received. Material contained in a contrast between a park commission and a recreation commission to be included in the newsletter was discussed. Councilman Ballard requested that the phrase "a Park Commission technically is limited only by the 13 mill levy of the General Operating Fund" be changed to state that a recreation commission has specific statutory levy limitation whereas the park commission does not. City Attorney Winn suggested that the one mill levy per $1,000 be stated as $1.00 per $1,000 valuation. Councilman Ballard also suggested that the phrase "would be self maintaining" be changed to "has the capability of being self maintaining". Councilman W. E. Evans suggested that if the signatures were to be gathered by door-to-door solicitation that perhaps a solicitation permit should be obtained. City Attorney Winn said he felt this would come under one of the exceptions to that requirement, but he would research the matter.
Report on CATV: Councilman H. C. Evans reported he had the monthly report of TeleCable of Overland Park which indicated they were on schedule with the installation of their cable. He said a map of the city provided by TeleCable indicating the sequence of installations showed only area north of I-35. He said they were indefinite about the area south of I-35 because whether or not the reservoir is built will have a definite effect on their method of distribution of cable. The City Attorney will examine the ordinance. Mr. Winn indicated that this was a non-exclusive franchise and that another franchise could be granted.

Approval of Rough Draft of Newsletter: Councilman Aalbregtse reviewed items to be included in the newsletter scheduled for publication on Friday, August 25. He read the item relative to the police auction to be held September 7. He mentioned an item relative to the need for occupation licenses. On motion by Councilman Aalbregtse, seconded by Councilman W. E. Evans, the draft of the newsletter was approved with corrections noted relative to the recreation commission.

Report Relative to Activity at City Hall on Saturdays: The report had been distributed. Mrs. Smith stated, in answer to Councilman Aalbregtse's question, that since people have become aware that City Hall is open they have used it increasingly on Saturday mornings.

Proposed Sick Leave Modification Plan: A memorandum by Donald Yelton had been submitted for consideration. Mayor Jordan said it was the start of development of a personnel policy within the city. The plan contained in the memorandum and methods of funding were discussed. Councilman W. E. Evans asked Mr. Yelton to get a comparison with national and state government plans as well as other cities. Councilman Ballard moved that a committee be created consisting of the four department heads, with Donald Yelton as chairman, to research sick leave policy and work out a plan they feel is adequate. Councilman W. E. Evans' suggestion that the Insurance Committee might be a part of the committee was discussed. Councilman Ballard amended his motion to include the Insurance Committee as a subcommittee and that the Mayor try to locate someone with expertise in personnel work who would be willing to serve on the committee; seconded by Councilman H. C. Evans. Motion carried.

Ordinance No. 428 S - Disclaimer of Utility Easement in Leawood South (Second Reading): Councilman Conklin moved for adoption of the ordinance discussed at the last meeting. Ordinance No. 428 S was unanimously adopted.

There was a short recess, during which Councilman Eddy entered the meeting.

Discussion of Purchase of Parts IV and Va, Tract "H": Councilman Conklin presented a plot plan for the police building and stated tracts I, II and III had already been
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purchased; that tract IV was authorized for purchase, but a little more was needed for access; that it had been brought to his attention that tract V could be subdivided into Va which would give almost all the frontage needed to slightly rework the parking to get onto the property. Councilman Conklin said authorization was needed to purchase Va from the building fund so that bidding, awarding of contract, etc. might proceed.

Councilman Eddy stated that if the City was going to build the police-courts complex in that area, it needed to own the rest of the cul-de-sac, tracts VI, VII and VIII, if possible, and utilize the ground instead of putting the building on that little piece of property in the corner. Councilman Eddy added that the City Architect felt this was a very poor site, that it might add up to five per cent to the cost to take care of seepage water in the basement. Councilman Conklin was excused to get the latest plot plan from his car. He then displayed the later version, showing the revised access to the police area and the crossing to the public works area. Chief Blume said the site had certain disadvantages, such as the matter of access and other operational complications. Councilman Conklin agreed moving the building as indicated by Councilman Eddy would make a much more ideal location on the site. Mayor Jordan said the rest of the area around the cul-de-sac would cost approximately $50,000. Chief Blume stated if any appreciable changes were made in the site, changes in the Governor's grant would consume a voluminous amount of time. Councilman W. E. Evans said he had been against this site since he had been on the Council. Councilman Ballard said he had been amazed that the Civil Defense people had not rejected the idea of using the basement as a Civil Defense headquarters. Availability of an emergency generator was discussed. The Council discussed the amount of grants involved, $32,000 Civil Defense, $50,000 Governor's Committee, $30,000 Communications grant, and the time element involved in each. The cost of the remaining tracts and possibilities for financing purchase of them was discussed.

City Attorney Winn suggested since each tract is taken on a half deed, half gift basis, the possibility of modifying the contract might be explored so that Kroh Brothers might give the City parts V and VI in return for paying that amount ultimately when parts VII and VIII were purchased later on. Councilman H. C. Evans said there was some question as to whether the City would have sufficient funds to complete the building even without the purchase of any additional tracts. Councilman Ballard suggested negotiation of a total settlement between tracts VI, VII and VIII, sewer connections, and Leawood Park land all at one time.

Councilman Conklin said he had been prepared to recommend that the Council advertise for bids at an adjourned meeting to be held on August 30th, but since questions had been raised, he asked for some direction from the Council. A motion by Councilman W. E. Evans that a meeting of the committee of the whole and the Chief of Police be held to go over everything,
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visit the site, and come to a decision was not seconded. Councilman Ballard suggested the matter be left in abeyance, and see if there was any way to get the necessary tracts to shift the building around. Councilman Ballard moved for an executive session at the close of the regular agenda for the purpose of determining how tracts V, VI, VII and VIII might be obtained; seconded by Councilman Conklin. Motion carried.

MAYOR'S REPORT: Deferred in the interest of time.

NEW BUSINESS:

On motion by Councilman W. E. Evans, seconded by Councilman Conklin, the order of the agenda was changed to consider the request for municipal industrial revenue bonds by Mr. Bartel.

Presentation of Request for Municipal Industrial Revenue Bonds: Mr. Walter Bartel presented the request of C.M Corporation relative to the building of a convalescent home at a site to be determined that would in part be financed by the issuance of industrial revenue bonds. He explained that industrial revenue bonds allowed a firm such as his to come into a community, develop a nursing home, enter a lease-purchase agreement with the city, and pay off the bonds; that for the first ten years the property could be tax exempt. Mayor Jordan referred the matter to the Budget & Finance Committee for recommendation to the Council.

Presentation of Tabulation of Bids Received Relative to Annual Street Improvement Program and Authorization for Mayor to Sign Street Contract: The tabulation had been distributed. Mr. Yelton displayed a map showing the streets to be improved, explained the improvements, and recommended that the low bid of Harbour Brothers, 6915 Kaw Drive, Kansas City, Kansas, in the amount of $18,570 be accepted. Following discussion, Councilman Ballard moved that the bid of Harbour Brothers be accepted and that the Mayor be authorized to sign the street contract; seconded by Councilman W. E. Evans. Motion carried.

Sewer Assessment for 1973: Councilman Eddy moved that the sewer assessment for 1973 remain at the previous amount of $45.00 per year, which amount is to be billed by the Sewer Clerk and such part time employees as are required to prepare the bills and send them out; seconded by Councilman Ballard. Motion carried.

Status Forms for New Employees: On motion by Councilman Ballard, seconded by Councilman W. E. Evans, the resignation of Steve Bergendoff, a summer employee in the Park Department, was accepted.

On motion by Councilman Ballard, seconded by Councilman W. E. Evans, the resignation of John Rector, a summer employee in the Park Department, was accepted.

On motion by Councilman Ballard, seconded by Councilman W. E.
Evans, the resignation of Mary Jo Stineauer, a high school student employed temporarily, was accepted.

Mayor Jordan commented that employment of the following employees (two traffic squad officers and one to replace an officer who resigned) were the ones upon which the Council had been polled.

On motion by Councilman Ballard, seconded by Councilman Conklin, the following employment was approved:

Craig Ellis Hill, Probationary Patrolman, at the rate of $650 per month.

On motion by Councilman Ballard, seconded by Councilman Conklin, the resignation of Sergeant Earnest L. Gardner, effective August 27, 1972, was accepted.

On motion by Councilman Ballard, seconded by Councilman W. E. Evans, the following employment was approved:

William Robert Huff, Probationary Patrolman, at the rate of $650 per month, effective August 24, 1972.

On motion by Councilman Ballard, seconded by Councilman Conklin, the following employment was approved:

Steven D. Philips, Probationary Patrolman, at the rate of $650 per month, effective August 10, 1972.

In answer to a question by Councilman Eddy, Chief Blume said these people had been advised they were on a government grant.

On motion by Councilman Ballard, seconded by Councilman Conklin, the following employment was approved:

Dana Carl Becker, Public Works Department laborer, at the rate of $3.42 per hour, effective August 15, 1972.

Report on Insurance Committee: Councilman W. E. Evans recommended appointment of the following insurance brokers, Howard Walter, William G. Kirkpatrick, and James Stanley, to serve on the Insurance Committee. On motion by Councilman Conklin, duly seconded, the recommendation was accepted.

Publications for City Government: Councilman W. E. Evans noted a number of brochures which might be helpful, including "Federal Action Affecting the States", "Fire Administration", "General Bulletin, Industrial Development", "Police Administration", "Sewage and Waste Disposal", at an introductory rate of approximately $7.50 each for four months. Councilman W. E. Evans, at the suggestion of Councilman Aalregtse, recommended that the matter be referred to the department heads.
The Council adjourned to executive session at 11:08 p.m.

The Council returned to regular session at 11:35 p.m.

Councilmen Aalbregtse, Conklin, H. C. Evans, Eddy, Ballard and W. E. Evans were present.

Authorization for Negotiations: Councilman Ballard moved that a committee consisting of himself, the City Attorney, and Councilman Eddy be allowed to negotiate with Joe Davis and other representatives of Kroh Brothers on the subject of settling the sewer connection issue and report back to the Council; seconded by Councilman W. E. Evans. Motion carried, Councilmen Conklin and H. C. Evans voting nay. Mayor Jordan said she negotiated in good faith on tract Va, and from the temper of those negotiations she would consider it a breach of that good faith bargaining to go over and try to get the other tracts.

Date for Meeting to Settle Question of Police Building Site:

A motion by Councilman Aalbregtse, seconded by Councilman Ballard, to adjourn to Tuesday, September 5, 1972, was defeated following discussion. There was discussion of a date for adjournment, the probable date plans and specifications for the police-courts building would be complete, and extra time involved if the building were shifted on the site. Parking, elevations, allowance for possible future addition, funding and alternative building materials were discussed. In view of the urgent need, Chief Blume pleaded that the Council not allow plans for a new police headquarters to get stymied. City Attorney Winn stated negotiation was suggested as an equitable way to resolve a disagreement with Kroh Brothers and perhaps satisfy some of the Council as to location of the building within the present site. He said the negotiations should not cause delay beyond the date plans and specifications were to be completed.

At 12:15 a.m., on motion by Councilman H. C. Evans, seconded by Councilman Conklin, the meeting adjourned to Wednesday, August 30, 1972, 7:30 p.m. to consider the plans and specifications, settlement of the question of the site, and advertisement for bids on the police-courts building.

Attest:

[Signature]

City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was scheduled to be held at 7:30 P.M. on Wednesday, August 30, 1972.

Councilman Richard Conklin was the only member of the Council present. Also present were Mayor Margaret W. Jordan and Jinny Oberlander, City Clerk.

Due to lack of a quorum, Councilman Conklin moved the meeting be adjourned.

Attest:

Jinny Oberlander, City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Wednesday, September 6, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Aalbregtse, Conklin, H. C. Evans, Ballard, W. E. Evans, Judd.

The invocation was given by Rev. Earl Meissner.

Minutes - Meeting of August 21, 1972: On motion by Councilman W. E. Evans, seconded by Councilman Conklin, the minutes of the meeting of August 21, 1972, were approved as submitted.

Minutes - Meeting of August 30, 1972: On motion by Councilman W. E. Evans, seconded by Councilman H. C. Evans, the minutes of the meeting of August 30, 1972, were approved as submitted.


Mayor Jordan recognized Mrs. M. A. Schmidt for the valiant job she had done on the recreation petitions, managing to sign up approximately twenty per cent of all the registered voters.

Councilman W. E. Evans moved that the Council consider the request for approval of Verona Gardens Plat No. 2 at this point; seconded by Councilman Conklin. Motion carried.

Request for Approval of Verona Gardens Plat No. 2: Councilman Conklin stated the Plan Commission on August 28, 1972, recommended that the Council approve Verona Gardens Plat No. 2; and that all the proper signatures had been obtained. Mr. Virgil Pollock commented on the timetable for development of the plat and stated they hoped to improve 119th Street from State Line west to High Drive this fall. He said they still do not have a signed deed for the north half of the right-of-way for 119th Street but his company would follow up on that. The plat and the right-of-way were discussed. Councilman Conklin moved that the Council approve Verona Gardens Plat No. 2; seconded by Councilman W. E. Evans. Motion carried.

Memorial to Athletes Killed at Munich: Councilman W. E. Evans moved that the City observe the rest of the week as a memorial to the athletes that were killed at Munich, and that the City flag be flown at half staff through the rest of the week; seconded by Councilman Judd. Motion carried.
Councilman Conklin moved that the agenda be altered to consider the Park Commission report at this time; seconded by Councilman W. E. Evans. Motion carried.

Resolution No. 270 - That the Question of Establishment of a Supervised Recreation System be Submitted to the Voters:
Councilman Conklin presented petitions for creation of a recreation commission containing 1,184 signatures, certified by the deputy City Clerk on September 6, 1972. Councilman Conklin moved that the Council accept the petitions, adopt Resolution No. 270, and request that the County Election Commissioner's Office place the question of creation of a recreation commission on the ballot; seconded by Councilman W. E. Evans. Councilman H. C. Evans moved that the motion be amended to specify that the question be placed on the ballot at the next general election; seconded by Councilman Aalbregtse. Amendment carried. Motion as amended carried. Resolution No. 270 was adopted unanimously. A copy is attached hereto as part of the record. Councilman Conklin commended Mrs. Schmidt and her fellow workers for their work in obtaining the signatures on the petitions. At the suggestion of Mayor Jordan, Mrs. Schmidt was given a rising vote of thanks.

REPORTS

Treasurer: Mr. Hansel's report was submitted and approved on motion by Councilman H. C. Evans, seconded by Councilman Aalbregtse.

Municipal Judge: Judge Cope's report was submitted and approved on motion by Councilman W. E. Evans, seconded by Councilman Judd.

Fire Department: Chief Toman's report was submitted and approved on motion by Councilman Judd, seconded by Councilman W. E. Evans. Mayor Jordan read a letter of commendation of Chief Toman and the Fire Department dated September 5, 1972, from Ross Roach for the department's quick response, demonstration of professional skill, consideration and courtesy in an emergency.

Police Department: Chief Blume's report was submitted and approved on motion by Councilman Judd, seconded by Councilman W. E. Evans. Motion carried.

Report on Meeting Concerning Johnson County Ambulance Service:
Chief Toman reported a meeting was held at the request of the Chairman of the Board of Consolidated Fire District No. 2 with the County Commissioners to pose the question of inadequate ambulance service in some areas of Johnson County. A high rise equipment problem was also presented. Chief Toman said it was stated that the ambulance problem could be solved by levying a one mill levy against all residents in the county to produce revenue to increase ambulance service. Chief Toman
said at the present time he could see no way of operating a service more economically than has been done in the City for the past sixteen years, and that he saw no reason to increase the mill levy to provide a service the City already has. He said at a meeting of fire chiefs subsequent to the meeting with the County Commissioners they discussed the thought of someone else having control of their rescue service, and that the areas not served could levy the mill and operate their own ambulance service. Councilman H. C. Evans suggested that the City of Leawood request copies of the minutes of the meeting with the County Commissioners. Mayor Jordan explained that neither fire service nor rescue service was required by municipalities. She compared the mill levy of a special benefit fire district in the county of 4.13 in 1971, to Leawood's levy of 5.96, including fire service. A motion by Councilman Judd concerning advice to the County Commissioners relative to ambulance service was not seconded.

Chief Toman explained the economy of operating the system as Leawood does. Mayor Jordan said there had been a request from MARC for Chief Toman to serve on an ambulance advisory committee for the entire metropolitan area, and requested that the Council give consideration to this request. The Council discussed the matter of ambulance service. Councilman W. E. Evans moved that a letter be drafted with the cooperation of Councilman Judd, the Fire Chief, the Mayor, and Councilman Bruns to be sent to the County Commissioners and to all local city fire chiefs and fire districts expressing the sentiments of the Council that our system has worked beautifully, that we do not mind being good Samaritans provided it is not at the expense of our own citizens, that we like local control, that Chief Toman may use his expertise in helping other communities develop their own service, but we do not want to add an additional tax to our citizens, at the same time reducing the amount of service they would receive; seconded by Councilman Ballard. Motion carried. Councilman W. E. Evans moved that Chief Toman be authorized within the limits of his conscience and demands of his department to aid in an advisory capacity the Metropolitan Area Committee for Ambulance Service in the formulation of ambulance services for other cities; seconded by Councilman Conklin. Motion carried.

Public Works: Don Yelton's report was submitted and approved on motion by Councilman Ballard, seconded by Councilman W. E. Evans. Time spent for repair of equipment was discussed.

COMMITTEE AND COMMISSION REPORTS

Budget & Finance: No report.


Ordinance: No report.

Parks: Report considered earlier on the agenda.
Plan Commission: Report considered earlier on the agenda.

Public Safety - Approval of Status Form for Crossing Guard: Councilman Judd presented the status form and moved approval of the following employment:

Dorothy Jean Way, as School Crossing Guard at Marsha Bagby School, at the rate of $7.50 per day.

Seconded by Councilman W. E. Evans. Motion carried. Councilman W. E. Evans inquired about the crossing guard for Cure of Ars. Chief Blume stated that Prairie Village would hire the guard and bill the City of Leawood for half the personnel cost. Councilman Judd stated a letter from Mrs. Allan Bloff would be considered by the Public Safety Commission.

Public Works Commissioner - Employee Status Forms: Councilman Ballard presented the status form and moved for acceptance of the resignation of Jerry Stipancich as Assistant Street Superintendent; seconded by Councilman W. E. Evans. Motion carried.

On motion by Councilman Ballard, seconded by Councilman Aalbregtse, the following promotion was approved:

Bill Gray, to be in charge of both the Street and Sewer areas, his title to be changed after the ordinance is revised, rate change from $852.43 per month to $900.00 per month.

Sewer Commissioner: No report. Councilman Ballard requested an executive session at the end of the agenda.

Building Committee - Resolution No. 271 - to Allow Advertisement for Bids on the Police-Courts Complex: On motion by Councilman W. E. Evans, seconded by Councilman Judd, the resignation of Councilman Judd as Chairman of the Building Committee due to the press of personal business, and his recommendation of the appointment of Councilman Conklin in his stead were approved. Councilman Conklin reported representatives of the Office of Emergency Preparedness conducted an informal review of the police-courts building plans and requested only relocation of the emergency generator; they cautioned that no contract could be signed until their formal review had been made. Councilman Conklin reported the Building Committee had met to review plans and specifications for the building project and it was the consensus of the Building Committee to unanimously recommend to the Council that the Council advertise for bids for the construction of the police-courts complex. He read Resolution No. 271 and proposed its adoption. Councilman Conklin stated the building as now designed did require purchase of part Va of Tract "H". Councilman Aalbregtse inquired about findings of the delegation to look into this and report back. Councilman Ballard moved for an executive session to consider the purchase of Part Va, Tract "H". Councilman Judd requested that the
executive session also include consideration of specifications for a new ambulance. Councilman Ballard stated the negotiating committee's recommendation was that the City issue the check for Tract IV, purchase Va, and proceed on the assumption that we are not going to get V, VI, VII and VIII at this time, and not predicate planning of the building around those negotiations. Councilman W. E. Evans stated he would like to address himself to the problem of the building and the Building Committee's report. He made the following statement:

"As you all know, I have had some real serious reservations in the past about the building site, and I do appreciate very much your kindness in allowing me to talk. As you all probably further know, this is my permanent home. I plan on living here the rest of my life. Those of us who do plan on living here the rest of our lives I think want to see our City progress, develop, continue, and maintain its present stature. We all realize there is a tremendous, a desperate need for added facilities in the City and particularly police facilities. The need has existed for a number of years and grows by the square root each year. As a matter of fact, we have been told that if the additional facilities are not acquired rather soon we have the possibility of the loss of a police force. We are told that unless we do this on a semi-emergency basis we stand to lose some funds for building of the building. We have discussed the building for the past year, and each and every time we have been given this building in a piecemeal sort of way. Each time we say we are not sure that we have to accept this particular location, this site, but let's go ahead with this plan or that plan, so that we get it bite size, little by little. We have also been told that each and every one of us has had the opportunity to put a similar package together, to go out and find a piece of land, have the building planned, bring it in to the Council and either feed it to them bite size or force it down their throats. And, of course, there are different ways of running an organization such as this governing body, either by a democratic method where we work together and try to do the very best we can, and the other is a monarchy. I personally didn't feel that I should go out and try and find all of these things and bring it to you all and force it down you. I have brought to the Council on numerous occasions the name of Mr. Art Jacobson whose duty with Midwest Research Institute has been to find ideal locations for cities or for businesses. He had volunteered his service on repeated occasions. He even attended four or five of the Council meetings. I even talked to him last night and he still is willing to help us if we would like his help. He has not yet been contacted by anyone for help. The Council here, a greater number than fifty percent of us, have some engineering related background. Those who do not have an engineering related background, and even those who do, the entire Council is made up of men who in business or in an engineering field have all made their mark with their corporations. They are men whom people depend upon and listen to. Walt wouldn't be where he is today if he didn't have an awful lot of moxie and a lot of
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"good sound judgment behind him. Certainly Dick as an architect has not only proven himself through a corporation and through his own work in industry, but also has extra time to donate to his community and to other things. I could go on around the Council table. Each and every member here has a great deal to offer. Many of the men who have these engineering backgrounds, and certainly our Mayor who has a very good engineering background, have worked hard and long and each one of them have told us on one or more occasions that the site on which we are planning to build the City building is not desirable. Each and every one of them have told us that the position of the building on an undesirable site is also undesirable. Each and every one of them have suggested and certainly the man who is in charge of our finances, Homer, who is a level-headed and hard working man and a well trusted and respected man in his profession and in community, knows darn well that we are working on a shoestring and we have a good chance of serving up to the next governing body a package that is going to be awfully hard for them to handle. Going on around the table, Bill Eddy, Don Ballard, have told us that this is not a desirable thing and that if we had to start over again as of a year ago that they would definitely be against it.

"The building, again, we need very badly. We need something utilitarian. We are told that this building is only a temporary structure that will only be used for eight years. We are told by the people that should know, certainly the Police Chief at our last Council meeting stated that in eight years, by 1980, the building would even be located in the wrong place to serve the City well. He had some reservations about the placing of the building. I drove by again two days ago just to review the area. Again, we have a divided four-lane highway which will become progressively more busy, then we have to go through a little side street, then down past a barbeque stand which I am sure will be frequented at least at certain hours by great numbers of people, and then behind the loading docks of warehouses into the police-courts building. The access, the egress is not good.

"I distributed to you this evening from the Greb X-ray Company some information stating that they have looked into this building site themselves. Their engineers have told them that it certainly is no place to build a building with a basement; the piers should go down at least twenty feet, they have to be larger I am told by our own architect because as one goes down past 3 feet 8 inches in one particular area the dirt becomes moist. We are going to drive piles down into this area that have to be much larger because we don't want the building to float off. One of our main concerns has been sump pumps. Another concern has been sand bags. We are told that this will only flood every two hundred years. I happen to live on this creek, it is in my back yard as you all know, and I would say a minimum of twice a year that creek rises a minimum of fifteen feet, it comes clear up to the back of my gazebo; and at that point we don't have
near the watershed we will have further down the road. In
the back of my house also, the creek divides just two lots
up so that I only get half the flow of the water. As someone
said the other day to the Chief, maybe we ought to make him
Lord Mayor of our Leawood navy. By the way, when Greb X-ray
planned on building their building there, they were going to
have to buy a tremendous amount of fill dirt to build it up
to obviate their place being flooded or at least so they state
in their letter, and we know that the land that has to be
filled in this way, I think the astute term for this is a
flood plain; we know that land of this nature is far less
expensive than regular land. As a sidelight, it is sort of
surprising to me that this company who has been trying to
give to the City an $800 a year income, no one has bothered
to follow up with this company and find out whether or not
even if they couldn't buy that site, maybe another site
within our City to help us with our tax problems. As you
know, I have brought to the Council on two occasions a
gentleman who is willing to discuss with our Council the
donation of a couple of acres of his land which lies just
behind the theatre; there are forty acres immediately behind
it and then he owns the 120 acres behind that which fronts
on Mission Road from 119th to 123rd. I talked to him last
night. I had been previously informed that he had been
contacted. When I discussed this with him last night he
hadn't remembered ever being contacted or this ever dis-
cussed with him, but I have brought this to the Council and
I have tried again, and he would be glad to give us these
two acres. In driving around through the Country, and I have
been all over this Country as I know you gentlemen have,
there is nothing more wonderful than to go through a small
town or small city, or even our big cities, and see a lovely
courts complex, a beautiful public building. The esthetics,
I think, are important, certainly utility is important also.
If one is to build a building, possibly a Tuscan foundation
but why not a little bit of Doric and possibly even some
Corinthian added to it?

"As I have said, we have had this fed to us one bite at a time.
We tried to go along with it. We've worked with it. The
members of this governing body are intelligent people, they
are good businessmen, they are leaders in their respective
fields and in their community, and they all agree one hundred
per cent that this is an undesirable location, the building
is poorly situated on an undesirable location, and we may not
even be able to afford to finish it. And yet, piece by piece,
bite by bite, we voted closer and closer and closer to this.
So now we come to the point that we are going to lose $116,000
if we don't do it by December 31st. We have asked does this
have to be completed by that time? Do the contracts have to
be let by that time? And the answers are always on the hurry
up, rush, emergency side. Certainly, I am sure, no matter
where other members of this governing body go, they are going
to have some pride or the reverse thereof in any building
that we build; and possibly even someone in the future will
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say, 'Well, gosh, you were an engineer, what did you do, what have you done in the past?,' and they will find out that you were one of the instrumental leaders in building a beautiful $250,000 building on a flood plain. I wonder what this would do to a reputation. Maybe we need to rush this thing through so that we can build ourselves a memorial or a monument so that we will have something to have pride in. I personally for one am willing to give up this memorial or monument and maybe even share it with the next governing body. If this is only a temporary structure, those of you who have not been up to Shawnee Mission Hospital could avail yourselves of the time to look at a building out there that we bought for $7,000 because we knew we didn't have the money to do the thing right at that moment. The building is as wide as this and about half again as long as this room and it is serving adequately. It was a surplus building that we bought through GAS and set it up. We have adequate lawn here that we could set up a temporary structure for two or three years which could be put up in the matter of a week or at the most probably a month, get the help that we need for the police department, sit back, get a good committee working on this, finding a good place, at least starting a beautiful city plaza, and using our intelligence trying to do the best we can for our community. I would like to have each and every one of you think this through thoroughly before you make your decision. I know decisions were made before this evening but I would like to have you really think it through thoroughly before you rush into something that you may be sorry for. Thank you very much for your allowing me to talk."

In answer to the remarks of Councilman W. E. Evans, Councilman Judd said we have to be practical; that he did not feel the building was ever presented on an emergency basis; that the City could not get the Federal and State funding unless the plans and specifications as drawn up would meet the most stringent requirements; he said the problem of additional ingress and egress was minute compared with what the City stands to lose if the Council does not proceed and get the plans out for bids; otherwise, a delay of five years on any additional police building was likely and there was no way of knowing if additional funds would be available. Councilman Judd added it had become a matter of necessity that we find additional space, that we proceed on the basis of the plans which have been submitted and approved. Councilman Judd moved for a vote on the resolution that the City advertise for bids on the construction of the police headquarters as submitted by Mr. Conklin. Councilman Conklin stated he felt there was a misunderstanding about the temporary nature of the building; he said Chief Blume pointed out that this particular facility as designed would serve the department's needs for eight years without remodeling or expansion. Councilman Conklin commented on the permanency of the proposed building; he said a previous Plan Commission, the Police Department, and the Fire Department had approved the general location of the present building site; that piecemeal buying of lots was necessitated by the budget,
and that the emergency nature of the project was probably
because it was a little behind schedule. Councilman Conklin
said Mr. Greb's situation was different because he wanted
to build a warehouse. There was further discussion of
comments made. Councilman Conklin moved that the motion
to adopt Resolution No. 271 be amended to include the date
of the 7th day of September; seconded by Councilman Judd.
Amendment carried. By a roll call vote, the resolution as
amended was adopted, Councilman W. E. Evans opposed. Mayor
Jordan offered her gratitude to the Building Committee, the
Public Safety Commission, and to all the officials of the
City--City Architect, Police Chief, Administrative Assistant,
Director of Public Works, Director of Civil Defense--for the
beautiful job of coordinating this project. There was dis-
cussion that Don Yelton should sign the invitation to bid
instead of the City Architect.

Approval of Check Drawn - Payment to Architect: Councilman
Conklin moved approval of issuance of a check in the amount
of $7,000 to John Granstedt as payment on his contract for
architectural services; seconded by Councilman Judd. City
Attorney Winn said the amount was below what could be paid
out under the contract at this time. Motion carried.

There was a short recess. The Council returned at 9:48 p.m.
following the recess. The same councilmen were present.

MAYOR'S REPORT

62nd Annual City Convention of League of Kansas Municipalities:
Mayor Jordan stated voting delegates had already been selected
for meetings to be held September 24-26, but participation of
other council members and staff members was encouraged. She
said reservations for some or all of the sessions should be
phoned to the City Clerk's office by noon on September 7. She
named staff members who would attend.

Designation of Recipient for Notice re Federal Grant Appli-
cations: Mayor Jordan suggested Don Yelton be designated to
receive information on behalf of the City relative to any
application for Federal grant assistance in form of mortgage,
subsidy, or insurance for single family or multi family
housing development. On motion by Councilman W. E. Evans,
seconded by Councilman Judd, City Engineer Don Yelton was
designated as the person to receive the notification, with
the stipulation that he in turn notify the Plan Commission.

Federally Subsidized Flood Insurance: Mayor Jordan read a
notification that sale of Federal flood insurance was
authorized effective September 1, 1972, at a subsidized
rate for the City of Leawood.

Police Auction: Mayor Jordan announced the Police auction
would be held Thursday, September 7, from 8:00 a.m. to 12:00
noon.
Request for Street Lighting and Offer of Land: A letter from Dr. Don Hoover, president of Merry Lea Corporation, submitting a request for street lighting and, if the Council expresses an interest, a willingness to donate approximately one acre of land on 143rd Street for Fire Station No. 3, was referred to Councilman Conklin for investigation of the offer and report to the Council.

Advanced Management Training Seminar: Mayor Jordan read information concerning a seminar for municipal administrators sponsored by the League of Kansas Municipalities to be held the week of October 15, 1972, at Glenwood Manor; enrollment limited to one participant per city. On motion by Councilman Judd, seconded by Councilman Conklin, the application form was approved for a member of the City staff to attend; the matter to be discussed with department heads at staff meeting and recommendation made to the Council as to which staff member would be able to attend and would best benefit from the training.

Letter re Safety Precautions for Children: Mayor Jordan read a letter from Mrs. Wendy Kelly whose son was hit by a car on Lee Boulevard, stating it was unbelievable that there were substantially no safety provisions for children in Leawood—no sidewalks, no bicycle paths, no pushbutton signals and no crossing guards. The letter, along with that of Mrs. Dorothy Bioff, was referred to the Public Safety Commission for recommendation at the next Council meeting.

Letter from Mayor of Helmond, The Netherlands: Mayor Jordan read a letter from the Mayor of Helmond, The Netherlands, replying to greetings sent by the Council through Miss Joni Barske.

Request from Volunteer Action Service: Information was read concerning Voluntary Action Day, Wednesday, September 27, from 2:00 to 9:00 p.m. at Union Station, at which human service agencies may describe their needs to individuals who wish to volunteer. Councilman W. E. Evans moved to support the volunteer action center by making information available to agencies within the City of Leawood; seconded by Councilman Aalbregtse. Motion carried.

Report of Board of Inquiry: Councilman Ballard read the report signed by Councilmen Ballard, W. E. Evans and H. C. Evans, which stated, in part, "The only significant impropriety reported to the Committee was the amount of City time spent keeping a calendar of events for the campaign coffees and various other scheduled appearances of the Mayor ... No further Council action is recommended by this Committee. However, we recommend the Mayor offer a statement to the Council, confirming or denying her alleged utilization of City Hall clerical help to maintain, schedule and coordinate the calendar of events relating to her campaign for public office, and, if affirming, offer an explanation. Further, the Committee respectfully requests approval from
"the Governing Body to place any and all future or present members of the Governing Body on notice that no employee of the City may in any way participate in future personal campaigns on City time for any reason. Further, no City property or other resources may be used for any purpose that could be construed to be personal or private." Councilman Ballard stated he thought the real source of the problem evolved in the Council chamber when a personal friend of the Mayor's was hired under the recommendation of the Mayor to work in the City Clerk's office. He said it appeared a slight amount of patronage politics had been introduced into City Hall, and that he was very much concerned that this sort of thing does not happen again. Councilman Ballard moved that the Committee report be accepted; seconded by Councilman H. C. Evans. Motion carried. Mayor Jordan made the following statement:

"I would like to take this opportunity to acquaint you with the problems of being the presiding officer on a so-called part time, unpaid basis. It has been my continuous custom since I have taken office and since I do not, like most of you seated at this Council table, sit at one desk throughout the day, to make my whereabouts known to the City officials that may have need of communication with me. This has been my practice and has been true since I took office, and I have for anyone's curiosity my posted calendars that are ordinarily kept on the bulletin board over my secretary's desk for your inspection. It seems ironic that in the three years and three months that I have served as a City official that, being a technical son-of-a-so-and-so, I keep time records. I have to date, donated freely and of my own volition services that in the open market are valued in excess of $33,000. I have requested neither thanks nor recognition; I have not gone out of my way to seek any recompense for this work. I donated freely because I have always believed that those that have the time, the interest, and the training carry a burden upon them to serve those they can serve. To have this service reflected in this kind of interrogation, not of me, because I would suffer this willingly in silence, if you are a public figure you are a subject of fair comment and I have borne more than my share in the last year and will continue to do so, but I will not as the administrative head of this government see any employee of my city subjected to the type of witch hunt, allegations and innuendoes that forced this type of a board of inquiry. And I would say further that the employee who has been the subject of this inquiry has furnished services to the City both as an employee and outside of her employment, services which I found members of my Council were unwilling to furnish, to-wit: I had an employee that on the basis of the emergency requirement of the application for a $50,000 grant that will build the court house annex that you voted on tonight came in on her own time on a Sunday night and typed up an application that we finished at approximately four o'clock in the morning that had to be delivered in Topeka at 8:00 the next morning."
"This is an employee who on default of one of the councilmen to get volunteers for the budget lid election, phoned all of the registered voters in that precinct, over 425 telephone calls, as a volunteer. I think this is very poor thanks and sets a very poor example for the treatment of our City employees. We have at least in the last year, through the upgrading of our City services, tripled the load on an already overburdened staff. I don't think any one of you would ask your secretaries or your employees to work in this kind of environment with this type of antiquated, outdated, dangerous (until we rewired City Hall) equipment. And I want to make it perfectly clear that we have procedures set up in our City that require notice of charges to an employee, opportunity to confront witnesses, the benefit of counsel, and a fair hearing, none of which were afforded this employee. I am distressed and outraged that the board of inquiry was necessary when administrative procedures are available, are relied upon by our employees who are necessarily officials of trust of our City business. I thank the Board for their inquiry, for their just conclusion. I would only hope that in the future you would consider those that you could damage by allegation—not me, but your staff."

Councilman Ballard attempted to respond. Councilman W. E. Evans moved that the Council adjourn to executive session; seconded by Councilman Conklin. Motion carried.

The Council adjourned to executive session at 10:25 p.m.

The Council returned to regular session at 11:00 p.m. The same councilmen were present.

Councilman Ballard moved that the Council accept the report of the committee negotiating a settlement on the sewer connections; seconded by Councilman H. C. Evans. Motion carried.

Advertisement for Bids for Rescue Car: Councilman Judd moved that the Fire Chief be permitted to submit for bid specifications on the new ambulance to M & M Ambulance, S & S Ambulance, and Superior Ambulance; seconded by Councilman Aalbregtse. Motion carried.

Councilman Judd moved that radio specifications for equipping the ambulance be sent to General Electric, R.C.A., and Motorola; seconded by Councilmen W. E. Evans. Motion carried.

Purchase of Part Va of Tract "H": Councilman Conklin moved that the Council authorize the purchase of Part Va of Tract "H" in the amount of $1,617.89; seconded by Councilman Judd. Motion carried.

Ordinance No. 429 S - Relating to the Acceptance of Deeds from Kroh Bros., Inc. Conveying to the City of Leewood Parts of Tract "H", Leawood Industrial District: Councilman Conklin moved that an emergency be declared for passage of the
ordinance to accept deeds to parts of Tract "H" for the purpose of proceeding with advertising for bids on the police building; seconded by Councilman Aalbregtse. Motion carried. Councilman Conklin read Ordinance No. 429 S accepting deeds conveying Parts I, II, III, IV, and V a of Tract "H", and moved for its adoption. Ordinance No. 429 S was adopted unanimously.

Request for Authority for City Engineer to Engage Consulting Engineers for Feasibility Study Relative to Treatment of Waste Water by the Johnson County Sewer District: Councilman Ballard explained that Sewer Committee wanted the Council to give permission to have Phil Kline go ahead with a brief preliminary study to check the feasibility of taking the Dyke's branch and Indian Creek branch lines over to the Indian Creek treatment plant, to compare that cost to the cost of going to Kansas City, Missouri. Councilman Ballard moved that the Council authorize Bill Eddy and the Sewer Commission to have Phil Kline begin work on this project; seconded by Councilman W. E. Evans. Motion carried.

Resolution No. 272 - Proclaiming Constitution Week: Mayor Jordan presented the request of the Daughters of the American Revolution, Sagamore Chapter, that Constitution Week be declared. On motion by Councilman W. E. Evans, seconded by Councilman Judd, Resolution No. 272, proclaiming the week of September 17 through 23, 1972, as CONSTITUTION WEEK, was unanimously adopted.

Appropriation Ordinances: Nos. 306A and 2973 in the amounts of $155,591.50 (including $110,000 certificates of deposit) and $4,559.21, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved, Councilman W. E. Evans abstaining.

Authorization for Engineer's Estimate - Police-Courts Building: Councilman Conklin moved that Don Yelton, the City Engineer, be instructed and/or authorized to prepare the engineer's estimate on the police-courts complex as required by law; seconded by Councilman Aalbregtse. Motion carried.

At 11:20 p.m., on motion by Councilman Aalbregtse, duly seconded, the meeting adjourned to Monday, September 18, 1972, 7:30 p.m.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, September 18, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Aalbregtse, H. C. Evans, Eddy, Bruns, Judd.

The invocation was given by Sister Carmella Thibault of Cure of Ars Convent.

Councilman Ballard entered the meeting at the close of the invocation, and Councilman Conklin entered the meeting as Mayor Jordan called for a motion on the minutes.

Minutes: On motion by Councilman Bruns, seconded by Councilman Ballard, the minutes of the meeting of September 6, 1972, were approved as submitted.

Visitors: Sister Carmella Thibault, Sister Marie Coleman, Greg Sherf, John Irwin, Mrs. C. R. Hansel, Margery Whiteley, Mr. and Mrs. Winton D. Jensen, Stuart C. Johnson, R. D. Weisser, Pat Staniforth, Alvah E. Boyce, Jr., Mrs. L. C. Cagle, Betty A. O'Brien, Mr. and Mrs. Russell Cross, Kurt Heidenreich, Renell Chapman, V. M. Dostal, Don Taylor, Richard Foltz, Mrs. R. S. Woodward, Mrs. James Hughes, G. E. Walls, Diane Putman, Pam Green, Spencer Siemens, Mr. and Mrs. Frank H. Foulkes, Marcy Milton, Mr. and Mrs. S. J. Ewald, Richard O. Davis, Marsha Jordan, Kathryn M. Lundmark, Curtis Buser. Members of the Press: Bob Savino, Ray Kozakewicz.

Councilman Bruns moved for a change in the agenda to consider as the first item on the agenda a report by Councilman Aalbregtse and secondly the report from the Building Committee; seconded by Councilman Judd. Motion carried.

Reconsideration of Resolution No. 236: Councilman Aalbregtse stated Resolution No. 236 was passed by the Council based on information that approval of the sewer district would not affect the proposed Tomahawk Reservoir, and that was not true in light of what had happened since then. Councilman Aalbregtse further stated since that time there had been appropriated $40,000 for restudy of the proposed reservoir and he felt this study should be made under as fair conditions as possible. He said there seemed to be an impression created that the majority of the people in Leawood were opposed to the Tomahawk Reservoir but he didn't find this to be necessarily true. He said he did not feel the Council should reject the reservoir on the basis that it did not benefit the people of Leawood as to flood control, and referred to the floods in South Dakota and the Pennsylvania-West Virginia area. Councilman Aalbregtse said Tomahawk Reservoir was a good opportunity to withhold some open area, and that the City will soon need a source of water.
supply and a recreational area. At Councilman Aalbregtse's request, the tape was played back of that portion of the Council meeting of July 26, 1971, at which Resolution No. 236 was passed. Councilman Aalbregtse, on the basis that creation of the sewer district did in fact affect the proposed Tomahawk Reservoir and apparently would affect the restudy that would soon be in progress, moved that Resolution No. 236, dated July 26, 1971, be rescinded. Councilman Bruns said five councils had been opposed to the Tomahawk Reservoir and this Council had gone on record as opposed to it. He said Councilman Ballard, who had done a marvelous job in surveying the sewer situation, made the motion for adoption of Resolution No. 236; that he did not see there had been any change except that the benefit ratio studies were declining, and that he was opposed to rescinding Resolution No. 236. Councilman Judd said it was very obvious by the map displayed that the sewer district alluded to was to the east and north of the proposed reservoir so he could see no reason why it would affect construction of the reservoir, and pointed out that the flood in Pennsylvania was caused by a hurricane and the disaster in South Dakota was caused by a dam giving way.

By a show of hands, three people in the audience indicated they were opposed to Tomahawk Reservoir and quite a number indicated support.

Councilman Ballard moved to proceed with the agenda; seconded by Councilman Judd. Motion was defeated 4 to 3, Councilman Aalbregtse, Conklin, H. C. Evans and Eddy voting nay. Councilman Eddy moved that discussion be limited to a maximum of ten minutes for each side of the question; seconded by Councilman Bruns. Motion carried.

Councilman Bruns answered Mr. Foulkes, saying the park at 1435 was well used; that the estimate of the Corps of Engineers to restudy Tomahawk was $80,000; that Congress appropriated $40,000 which meant there was not going to be a restudy. Mr. Foulkes countered that the park being crowded pointed to the need for more recreational facilities.

V. M. Dostal said he opposed Tomahawk Reservoir for what he considered the best interests of Leawood and Johnson County; that it was economically a disaster and there was no possible way for it to go forward; he said many people who make public statements that they are for Tomahawk Reservoir will privately tell you that it will never be built. Kathryn Lundmark said perhaps the young people would like to make Leawood a place
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where there is recreation; perhaps they are not quite so materialistic; she said if the reservoir were in Overland Park, Leawood would be in favor of it. Pam Green said she believed it would be great to have the reservoir in Leawood, that the City would need outdoor recreation in the future. Curtis Buster said he was concerned with not only the recreational aspects but that there was going to be a shortage of water, and the fact that part of our land needs to be kept just the way it is to be able to see trees, lakes, animals in their natural habitat, etc. He said it would be nice to have the reservoir. A man from the audience posed the question as to whether funds allotted by the Government for such land would be taxable if re-invested within a year, and, if so, he said the two major developers would not lose too much.

Richard Davis, project engineer for Water District No. 1, pointed out the advantages of Tomahawk and the other Blue River reservoirs to Water District No. 1, including better quality of water, reliability of service, and lower operating expense.

Councilman Ballard said the question before the Council was not Tomahawk Reservoir but organization of the sewer district and how it affects the reservoir. He said the sewer district approved by Resolution 236 did not encroach upon the reservoir and he could not see how building on that land could be held off when the Corps of Engineers did not plan on utilizing it. Councilman Aalbregtse said on the map he had examined there was more overlapping of the sewer district and the reservoir. He amended his motion to also rescind Resolution No. 250 approving Sewer District No. 5, adopted by the Council on February 21, 1972. Councilman Aalbregtse's motion failed for want of a second.

Councilman Ballard moved that review of storm drainage on 95th Street be considered as the next item of business on the agenda; seconded by Councilman Conklin. Motion carried.

There was a short recess to clear the Council chamber.

The Council returned to regular session at 8:37 p.m. The same councilmen were present.

Review of Storm Drainage - 95th Street Area: Mr. Phil Kline, partner of Shafer, Kline & Warren, consulting engineers for the City of Leawood, reported on a study made by his firm at the request of the Sewer Committee of certain areas of Leawood generally south of 95th Street from west of Belinder to Lee Boulevard. He said the study was occasioned by 95th Street plans which propose delivering to Belinder Road and Meadow Lane 42 inch and 30 inch storm sewers with inadequate capacity to receive them. He displayed a map of the area and provided councilmen with an estimate for piping to a series of ponds proposed to be connected by an open, concrete-lined ditch channel to 96th Street and on down to Lee Boulevard. He said
estimated total project cost was $203,000 not including any acquisition of easements; that average lot cost, assuming all costs were assessed to the properties in that district on a square foot basis, would be $750. He said there were many ways to handle the cost. Boundaries of the area were discussed. Mr. Kline said he would recommend a project of this scope regardless of the widening of 95th Street. He said hopefully by the time 95th Street was ready for widening there would be something ready to receive the storm drainage. There was discussion of easements around the ponds and for the channel. City Engineer Don Yelton said the ponds needed to be stabilized regardless of what happened to 95th Street. Mr. Kline said there were temporary measures that could be used to alleviate the condition of having a 42 inch pipe and a 30 inch pipe coming to us where we have nothing to receive them. The Sewer Committee will make a recommendation to the Council, including financing (including possibility of Federal grant) and some idea of the construction timetable. Councilman Ballard moved that the Council accept the report from Shafer, Kline & Warren; seconded by Councilman Bruns. Motion carried. Councilman Ballard suggested that composition of the 95th Street Committee be clarified. Mayor Jordan designated as members of the 95th Street Committee, Councilmen Conklin, Eddy, Ballard, and Bruns. On motion by Councilman H. C. Evans, seconded by Councilman Bruns, the committee designation was approved.

Building Committee Report: Councilman Conklin reported that the proposed police-courts complex building was out for bids; that the engineer's estimate was being prepared; that bids would be opened at 2:00 p.m. on October 10, tabulated and presented to the Council on October 16.

Resolution No. 273 - Authorizing Execution of Civil Defense Construction Grant Offer and Application for Emergency Operating Center to be Incorporated in Proposed Police-Court Building (Phase 3): Mayor Jordan read and explained the resolution. On motion by Councilman H. C. Evans, seconded by Councilman Judd, Resolution No. 273 was unanimously adopted. A copy is attached hereto as part of the record.

MAYOR'S REPORT

Rate Reviews: Mayor Jordan said rate review sheets were available now for the commissions to confer with department heads on individual salary increases for employees for the next calendar year; she requested that the sheets be returned so the master payroll could be made out and the ordinance drawn in time to authorize payment of these salaries by the second meeting in November. She said the Ordinance Committee would be requested to revise the present timetable on rate reviews to reflect the time required by the staff.

Revenue Sharing: Mayor Jordan said it was hoped a computerized runout of the exact appropriations to the City and County would be available next week. She asked the City Clerk to
request Councilman W. E. Evans to keep abreast of this matter and make a report at the next Council meeting. The Budget & Finance Committee will prepare a list of priorities so that in the event this revenue does come through, the City will be able to formulate a letter of implementation promptly.

Open House - Johnson County Community College: Mayor Jordan read an invitation to open house at the new campus of the Johnson County Community College at 111th and Quivira Road to be held at 2:00 p.m. on Sunday, September 24, 1972.

Proclamation - United Nations Day: On motion by Councilman Aalbregtse, seconded by Councilman Judd, October 24, 1972, was proclaimed as UNITED NATIONS DAY.

Proclamation - Heart of America Tropical Fish Week: On motion by Councilman H. C. Evans, seconded by Councilman Conklin, September 17-24, 1972, was proclaimed HEART OF AMERICA TROPICAL FISH WEEK.

Report from Public Safety Commission: Councilman Judd moved for an executive session at the end of the agenda to consider promotion of two patrolmen; seconded by Councilman Aalbregtse. Motion carried. Councilman Judd read a letter received from the tournament director of the Southgate Open Women's Invitational Golf Tournament thanking Chief Blume and the Police Department for their help and cooperation during the 1972 tournament. Councilman Judd reported the Commission had not made a final decision regarding requests for a stop light and/or crossing guard at 89th and Lee Boulevard and a bicycle path along 89th Street from Lee Boulevard to Mission Road. Councilman Judd stated a request had been received from Kansas City, Missouri, pertaining to stop lights at 89th and State Line; he said due to the nature of the area some agreement as to sharing cost for stop lights should be worked out. He said Mr. Yelton would review cycling of stop lights at 83rd and State Line, 103rd and State Line, and 95th and Mission Road. Councilman Judd reported the Public Safety Commission was looking at and working on various civil service ordinances. He said a question of right-of-way along Lee Boulevard south of 97th Street for Brookwood School children had been referred to the City Attorney.

Purchase of Rescue Vehicle: Councilman Bruns opened bids on a 1973 Cadillac rescue car as follows:

- Cole-Miller Coach Co., Kansas City, Mo. - $17,155.81
- Mullen Superior Coach Co., Shawnee Mission, Kansas - f.o.b. Lima, Ohio - $17,633.92
- Midwest S & S Sales, Kansas City, Mo. - $24,061.95

Councilman Bruns moved that the Council approve the Cole-Miller bid in the amount of $17,155.81; seconded by Councilman Ballard. At the suggestion of the City Attorney, Councilman Bruns amended his motion by adding that approval of the bid be subject to detailed review of the specifications by Chief Toman. Motion as amended carried.
Purchase of Radio Equipment for Rescue Vehicle: Councilman Bruns opened bids for radio equipment for the rescue car as follows:

Motorola, Lenexa, Kansas, 45 watt - $717.00
(alternate bid - 30 watt - $622.00)
R.C.A., Denver, Colorado - unable to submit bid
General Electric Co., Leawood, Kansas, 35 watt - $695.05

Chief Toman suggested that the General Electric bid be accepted as it was the requested wattage. Councilman Ballard moved for acceptance of the General Electric bid; seconded by Councilman Bruns. Motion carried.

Authority to Advertise for Bids for Station Wagon: Councilman Bruns moved for approval to advertise for bids to replace the 1967 Fire Department station wagon; seconded by Councilman Eddy. Motion carried.

Resolution No. 274 - Support of Urban In Fact Boundary: On motion by Councilman Ballard, seconded by Councilman Conklin, Resolution No. 274, supporting establishment of the 1990 Urban In Fact Boundary as the Federal Aid Urban Boundary, was adopted unanimously. A copy is attached hereto as part of the record.

The Council adjourned to executive session at 9:58 p.m.

The Council returned to regular session at 10:10 p.m. The same councilmen were present.

Approval of Letter Relative to Ambulance Service: Councilman Judd read the letter prepared by Chief Toman. Councilman Bruns moved that the Council approve the letter in essence and that it be sent; seconded by Councilman H. C. Evans. Motion carried.

Employee Status Forms: On motion by Councilman Judd, seconded by Councilman Bruns, the following promotion was approved:

Steven G. Shults, from Patrolman First Class to Corporal, at the rate of $745.00 per month, effective October 1, 1972.

On motion by Councilman Judd, seconded by Councilman Conklin, the following promotion was approved:

Veldon D. Prince, from Patrolman First Class to Corporal, at the rate of $745.00 per month, effective October 1, 1972.

At 10:15 p.m., on motion by Councilman Bruns, duly seconded, the meeting adjourned to Monday, October 2, 1972, 7:30 p.m.
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, October 2, 1972, in the City Hall, 9615 Lee Boulevard. President of the Council Ballard called the meeting to order and explained that Mayor Jordan would join the meeting later. Roll call was answered by Councilmen Aalbregtse, H. C. Evans, Eddy, Ballard, Bruns, W. E. Evans, Judd.

The invocation was given by Councilman W. E. Evans.

Councilman Bruns moved for a change in the agenda after the department reports to make awards to the Fire Department and to read bids on a station wagon for the Fire Department; seconded by Councilman H. C. Evans. Councilman W. E. Evans proposed an amendment to the motion to consider the appropriation ordinance immediately following the items suggested by Councilman Bruns; seconded by Councilman Aalbregtse. Amendment carried. Motion as amended carried. Councilman Judd moved that a presentation to the Police Department also be included; seconded by Councilman Bruns. Motion carried.

Minutes: On motion by Councilman H. C. Evans, seconded by Councilman Bruns, the minutes of the meeting of September 18, 1972, were approved as submitted.


REPORTS

Treasurer: No report.

Municipal Judge: Judge Cope's report was submitted and approved on motion by Councilman W. E. Evans, seconded by Councilman Bruns.

Fire Department: Chief Toman's report was submitted and approved on motion by Councilman Bruns, seconded by Councilman Judd.

Police Department: Chief Blume's report was submitted and approved on motion by Councilman Judd, seconded by Councilman Bruns. Councilman H. C. Evans asked what portion of the results of the month's activities came from the activation of the traffic squad. Chief Blume said traffic citations were up a little over 100 per cent.

Public Works: Councilman Ballard stated he and Don Yelton met with Ralph Carroll, Public Works Director of Prairie
Village, to discuss the improvement of Somerset Road. He said the present plan envisioned Priority 1 improvement past the corner of Lee Boulevard and Somerset to the end of the commercial area, and that the Prairie Village Public Works Committee wanted the street improved over to Mission Road. Councilman Ballard said he indicated to them that Leawood was interested in seeing it improved over to the Priority 1 area, but other things had a higher priority than widening Somerset farther west. The matter was discussed. Councilman Eddy stated although he had requested that he be notified, he had not been informed of the meeting with Prairie Village officials. He moved that he be informed of any meetings that are set up in regard to any work on Somerset with any officials of any city and/or Johnson County. Councilman Bruns seconded the motion and added that he also wanted to be informed. There was further discussion of the proposed improvements. Councilman Eddy suggested that the Public Works Department investigate use of a metal guard rail at that same intersection as he felt the delineator posts were not adequate protection for children using the widened pavement as a sidewalk. Councilman Eddy's motion concerning notice of meetings carried. Councilman Bruns suggested that any discussion or decision regarding the guard rail be a joint effort of Public Safety and Public Works. Later in the meeting (Side 2, #40 on the tape), Councilman W. E. Evans asked about holes and ridges in the 83rd Street paving. Don Yelton explained that the problems were not the fault of the contractor but were the result of drivers removing barricades and driving on the new surface too soon. Councilman Eddy added that the type surfacing used was an intermediate surfacing recently developed, not intended to be the smooth surfacing used on major arteries.

Procedure for Approval of Appropriation Ordinances: Councilman W. E. Evans stated he had been disgruntled about the way the appropriation ordinances were handled. He said no one could go through the ordinances in the time allotted at the Council table and really know what he was voting on. There was discussion of procedures in connection with expenditures, including purchase requisitions, purchase orders, authorization by department heads, and checking by the treasurer.

Mayor Jordan entered the meeting and took the chair at 8:05 p.m. during the discussion of appropriation ordinance procedures.

Councilman W. E. Evans moved that a study committee be formed to review expenditures and make recommendations to the Council for some way of spot checking routinely to obviate the possibility that money be spent needlessly. Function of the proposed committee and present procedures were discussed. Motion failed for want of a second.
Appropriation Ordinances: Nos. 307A and 298S in the amounts of $39,322.96 and $48,184.10, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved, Councilman W. E. Evans abstaining.

Fire Department Awards: Councilman Bruns stated in the Emergency Care Training Class held in September Leawood Fire Department participants scored very high over other cities. He praised the department. He said he felt Leawood had the world's greatest fire and emergency system. Councilman Bruns reviewed their service records and presented pins for ten years of service to Captain Gary Scheer, Captain Abney Benoit, and Chief Jourdan Toman. Each of the men was congratulated by the Mayor and the Council.

Purchase of Station Wagon for Fire Department: Councilman Bruns opened bids for a new 1973 Ford station wagon, as follows:

- Schlozman Ford, Overland Park, Kansas - $4,236.36
- Schneider Ford, Kansas City, Missouri - $4,262.37
- Ray Smith Ford, Kansas City, Missouri - $4,235.37

Chief Toman stated he was not aware when specifications were written that steel belted radial tires would be only about $50 more. Councilman Judd moved for approval of the Schlozman Ford bid; seconded by Councilman Bruns. Councilman W. E. Evans moved to amend the motion so that the Chief be allowed an additional amount of approximately $50 for steel belted radial tires; seconded by Councilman Aalbregtse.

There was a short recess to reverse the recording tape.

Tape No. 19
Side 2

Purchase of Station Wagon for Fire Department (cont.):
Amendment carried. Motion as amended carried.

Police Commissioner - Presentation of Low Pedestrian Casualty Award: Councilman Judd announced that Leawood was included as one of the three cities in Kansas to receive an award for its low pedestrian casualty record in the American Automobile Association 33rd Annual Pedestrian Safety Inventory. He presented the plaque to Chief Blume.

COMMITTEE AND COMMISSION REPORTS

Budget & Finance: Councilman H. C. Evans stated he had been requested to answer by October 13th a letter from the Legislative Research Department at Topeka requesting additional information for the committee to study the effects of the tax lid law as to what difficulties had been experienced under the budget lid and had problems been created by the tax lid. He said his intent was to confer with the Budget and Finance Committee and answer in substance that the budget
lid had been a problem but that the tax lid had not been a particular problem. Mayor Jordan said the policy statement of the League of Kansas Municipalities was strongly in opposition to the tax lid-budget lid. She said the questionnaire would have extremely important implications for the forthcoming legislative session.

**Intergovt. Coop. and Community Affairs:** No report.

**Ordinance:** No report. Councilman Ballard suggested that copy of the noise ordinance recently passed by Prairie Village be requested.

**Parks:** No report.

**Plan Commission:** No report.

**Public Safety:** No report. Councilman Judd requested that Mr. Yelton report at the next Public Safety Commission meeting concerning the proposed traffic light at 89th and State Line.

**Public Works:** No report.

**Sewer:** No report.

**MAYOR'S REPORT**

**Report re Revenue Sharing:** The report had been distributed. Mayor Jordan pointed out that there was an extreme disparity in revenue sharing which was an outgrowth of a formula determined on factors such as per capita income, population (using the 1970 census), and local tax effort. She said when an adjustment provided for was applied, Leawood's share would be around $31,000. Guidelines concerning use of the revenue and priorities within the City were discussed. Councilman H. C. Evans suggested that a commitment await the opening of bids on the police building.

**Building Committee:** No report. Mayor Jordan said the engineer's estimate was to have been prepared by today; she said the engineering review of the plans had been completed and, with a few minor modifications, the plans were approved. Mayor Jordan read her letter to Mr. Henke explaining that bidders had been notified that a portion of the general conditions was missing and would be supplied at a later date, with a further provision that should the missing material be furnished so late that the bidders would not have a reasonable time to consider it, the bid opening date would be extended. She explained that AIA conditions were out of print. Mayor Jordan said she had been assured that if the material were available by the middle of the week, approval of the Phase 3 application for the emergency operating center would be processed possibly in time for bid opening on October 16.

At Mayor Jordan's suggestion, Councilman Judd moved for an executive session concerning Councilman Eddy's recommendation.
on relocation of the police building, purchase of additional land and sale of land; seconded by Councilman Aalbregtse. Motion carried.

Report from Insurance Committee: Councilman W. E. Evans reported an organizational meeting had been held, that the Committee was presently reviewing the City's insurance and hopefully would have a report at the next Council meeting.

The Council adjourned to executive session at 9:20 p.m.

The Council returned to regular session at 10:06 p.m. The same Councilmen were present.

Committee to Examine Conditions Relevant to Sale of Property: Councilman Bruns moved that a committee be appointed to examine conditions relevant to sale of certain surplus property, the committee to be formed of Assistant City Attorney Reuter, Mayor Jordan, and President of the Council Ballard; seconded by Councilman Judd. Motion carried.

Ordinance No. 430 G - Relating to Dogs: Councilman W. E. Evans stated it was the Committee's recommendation that the former regulation as to number of dogs permitted be added to the present ordinance. Councilman Ballard moved that an emergency be declared for passage of the ordinance to correct an omission in the previous ordinance; seconded by Councilman Bruns. Motion carried. On motion by Councilman Ballard, Ordinance No. 430 G, relating to dogs, was unanimously adopted.

Letter from H. E. Viehweg Regarding Flooding of his Basement: Copies of the letter had been distributed. Councilman W. E. Evans reviewed his conversation with Mr. Viehweg. Don Yelton was requested to get in touch with Mr. Viehweg.

At 10:15 p.m., on motion by Councilman Bruns, seconded by Councilman H. C. Evans, the meeting adjourned to Monday, October 16, 1972, 7:30 p.m.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, October 16, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Conklin, H. C. Evans, Ballard, W. E. Evans, Judd.

The invocation was given by Mayor Margaret W. Jordan.

Approval of the minutes was delayed as Councilman W. E. Evans had to leave the meeting to answer an emergency phone call.


Presentation of State Highway Commission Safety Award: Mayor Jordan read a letter from Governor Robert Docking notifying that Leawood was third place award winner in Class B traffic safety program for 1971. Mr. Lyle D. Ward presented the award to Chief Blume on behalf of the Governor's Office and the Safety Department of the Kansas Highway Commission.

OLD BUSINESS

CATV Report: Mayor Jordan referred a memorandum of complaints in connection with CATV installation to Councilman H. C. Evans, chairman of the CATV Committee. Mr. Yelton reported he had received several telephone complaints relative to the CATV installation. Mayor Jordan requested that Mr. Yelton furnish his report to Councilman H. C. Evans. Councilman Judd noted that some of the work was being done on weekends, and suggested that explanation of the matter be included in the newsletter. City Attorney Winn said he had investigated distribution of cable south of I-435 and felt the City had a bargaining position to enter negotiations concerning eventual distribution in that area. There was further discussion of complaints from residents relative to cable installation without consulting property owners.

Councilman W. E. Evans returned to the meeting.

Minutes: On motion by Councilman Judd, seconded by Councilman W. E. Evans, the minutes of the meeting of October 2, 1972, were approved as submitted.

Re-Hearing - Independent Postal System of America Request for Permission to Distribute Material: An opinion written by the City Attorney and other material had been distributed to the Council. Attorney Herbert M. Kohn presented the request of IPSA for permission to distribute second, third and fourth class mail in the City of Leawood. He stated that the present
October 16, 1972

Application differed from that made in 1969 in that at that time the operation was managed on a franchise basis, while the present application was being made by the company run by the national headquarters in Oklahoma through a system of route sales where an independent contractor was responsible as an investor for the particular route that he would service. Mr. Kohn said the carriers were governed by regulations set forth in a brochure and operational manual. He said residents need only call or write a note to the office to stop delivery of the material. District Manager Ed Olin assured the Council his company would do everything possible to maintain its image, and emphasized that the carriers now had a strong interest in performing properly as they were in business for themselves. He said they would comply with the regulations of the City.

Two carriers were present. The Council discussed the matter. Councilman W. E. Evans suggested that residents call if they wanted the service instead of to stop it. The type of material distributed was discussed. Councilman Ballard said it was fine to deliver magazines or other material on request of the homeowner, but he was opposed to perpetuating junk mail. Councilman Judd said the former operation did not conform to the rules and regulations and that he did not see that the present setup was any different. There was discussion concerning identification of vehicles, uniforms, number of routes, and number of deliveries contemplated per week. Mr. Kohn stated they would be willing to furnish copies of the contract with carriers, route regulations, resumes, and license numbers. Councilman W. E. Evans moved that the matter be referred to a committee for further study; seconded by Councilman Conklin. Motion carried. The matter was referred to the Public Safety Commission.

Report from Building Committee: Councilman Conklin moved for an executive session following closing of regular business for the purpose of discussing the engineer's estimate on the police-courts complex which would be detrimental to the process of bidding if discussed in open session; seconded by Councilman Judd. Motion carried. Councilman Conklin reported approval from Civil Defense authorities was expected by the 18th. The time schedule on bid closing, etc., was discussed, and tentative Council adjournment date of October 30 was agreed upon.

Report from Insurance Committee: At the request of Councilman W. E. Evans, the report was deferred.

Mayor's Report

Answer to Legislative Research Department Questionnaire: Answer made by the Budget & Finance Committee to the questionnaire had been distributed. Mayor Jordan explained the function of the study committee authorized by the Legislative Research Department and asked councilmen to communicate with Councilman H. C. Evans if they had anything in particular they wished to emphasize at the hearings to be held by the study committee. Councilman W. E. Evans proposed a vote of thanks.
to Councilman H. C. Evans for preparing the answers to the questionnaire.

Revenue Sharing: Mayor Jordan explained the City had been advised that a compromise probably would eliminate the minimum previously indicated. She read a letter from Congressman Larry Winn II enclosing copy of a letter he wrote to the Secretary of the Treasury concerning the proposed allocation for Johnson County under the Revenue Sharing Act, complaining of allocation made to urban areas of Kansas in relation to more rural areas, and proposing use of population figures and tax effort figures for the same year. Mayor Jordan referred to the Budget & Finance Committee for review copy of a Survey of Local Government Tax Revenues and Intergovernmental Revenues.

Kansas State University Courses in Comprehensive Planning: Mayor Jordan read information concerning short courses in Comprehensive Planning and Administration of Codes, Ordinances and Regulations intended for new employees or staff members. The Planning section was referred to Councilman Conklin as Plan Commission representative.

Social Security Tax Increase: Mayor Jordan read notification of the new Social Security contribution rate schedule: 1973, employee and employer contribution total of 11% of salary up to base of $10,800; 1974, 11% to a base of $12,000. There was discussion of the effect of this increase on the budget. Use of no fund warrants for this purpose was also discussed.

Councilmen were reminded that the adjourned November Council meeting would be the target date for approval of payroll rate reviews.

NEW BUSINESS

Abatement of Nuisance - Dead Trees: City Engineer Yelton presented facts surrounding two dead elm trees at 2327 West 96th Street which were declared a nuisance under Ordinance 13-503. Mr. Yelton said one tree was in dangerous state and the other would be dangerous in the near future. He suggested that the Council take action to abate this nuisance. Mayor Jordan noted that two public works employees had certificates from a Dutch elm disease detection and evaluation clinic held by the County Agent. Following discussion, Councilman Ballard moved that action be taken to abate the nuisance of the obviously dead tree; that action be held off on the other one until such time as further evidence is received to indicate that the owner had given up on it or that it is obviously dead; seconded by Councilman H. C. Evans. Councilman W. E. Evans objected to delay in removal of the second tree. Motion carried, Councilman W. E. Evans opposed.

Report of City Engineer - Solid Waste, Drainage, Smoke Abatement, Street Improvements:
Solid Waste: Mr. Yelton reported the plan submitted by the Johnson County Solid Waste Management Committee had been accepted; that it gives responsibility to the cities, by public means or private contract, for collection and transportation of solid waste to landfills operated by the county. He said the City should have a plan developed within twelve months after the county plan becomes effective, and suggested that a committee create a plan for the City for collection and transportation of solid waste. Councilman Ballard said he did not see any reason to make any move that would take the homes associations out of the picture. Mayor Jordan suggested that Councilman Ballard meet with homes association officers to inform them of the regulations. The responsibility of the City in connection with solid waste was discussed.

#990 Drainage South of 95th Street between Meadow Lane, Belinder Road and 98th Street: Mr. Yelton referred to the presentation made to the Council earlier by Phil Kline and said he had sent a letter to the Corps of Engineers exploring the possibility of funding under a small flood program.

#1002 Smoke Abatement: Mr. Yelton said he had had many calls concerning Gates Bar-B-Q emitting smoke and causing discomfort in the area. He reported smoke abatement equipment was now installed and that he had contacted Kansas City Testing Laboratory to run tests on smoke emissions there. Councilman Ballard asked that the City Attorney review the ordinance on smoke abatement. City Attorney Winn examined the ordinance and determined that it was adequate.

#1045 Street Improvements: Mr. Yelton stated the contractor had until October 23 to fulfill the contract for street repair. Mr. Yelton reported the County Engineer, the Consulting Engineer, the Director of Public Works of Overland Park, and he had made an on-site inspection concerning 95th Street and field checked the prints. He said the County Engineer hopes to have the public meeting on this improvement before the end of the year and have it under contract in early spring. Councilman Judd requested that he be informed when the cost estimate is received. Councilman Ballard added that when the cost estimate is received action should begin right away to determine how Leawood's projected portion of it would be financed. City Attorney Winn suggested that Councilman Ballard, Mr. Yelton and the City Attorney review the methods of financing.

#1095 Approval of Newsletter: Draft of a proposed newsletter was discussed. Councilman Judd moved that the newsletter include notice of a public hearing to be held on December 11 relative to the proposed benefit district for storm drainage, subject to confirmation with Phil Kline; seconded by Councilman W. E. Evans. Motion carried. Councilman Judd moved that the newsletter include information concerning installation of CATV cable, the article to be prepared by Councilman H. C. Evans; seconded by Councilman W. E. Evans. Motion carried.
suggestion of Councilman W. E. Evans, it was agreed that an
explanatory opening paragraph be added to the section dealing
with the recreation commission. Councilman H. C. Evans
moved to omit (1) Occupation Licenses, (2) Zoning, Re-zoning,
and Subdivision Plats - Plan Commission, and (3) Trash
Ordinance, in that order if omissions were necessary to
make the additions agreed upon by the Council; seconded by
Councilman Judd. Motion carried.

Request for Permission to Solicit - CARIH: On motion by
Councilman W. E. Evans, seconded by Councilman Judd, the
request of Children's Asthmatic Research Institute and Hospital
was approved.

Request for Permission to Solicit - UNICEF: On motion by
Councilman W. E. Evans, seconded by Councilman Conklin, the
request of United Nations Children's Fund was approved.

Request for Permission to Solicit - Leawood Lions Club: On
motion by Councilman W. E. Evans, seconded by Councilman
Ballard, approval of the request of Leawood Lions Club for
their Porch Lights for the Blind solicitation (on which
members of the Council had been polled) was ratified.

Consideration of Contribution to Memorial Fund - Mrs. Helen
Evelyn Scott: Mayor Jordan stated Mrs. Oberlander represented
the City at memorial services for Mrs. Scott, the first City
Clerk of the City of Leawood. On motion by Councilman W. E.
Evans, seconded by Councilman Ballard, an appropriation out
of the general operating fund of $25.00 for contribution to
Children's Mercy Hospital in memory of Helen Evelyn Scott was
approved.

Consideration of Representative from Leawood re Kansas City
Power & Light Application to State Corporation Commission for
Authority to Surcharge Certain Items to be Extended for
Research and Development: Following discussion, Councilman
Ballard moved that the matter be ignored; seconded by
Councilman H. C. Evans. Motion carried.

Report re Sewer Proposal to County Commissioners: Councilman
Ballard reported that since obtaining approval of the Council
to have a preliminary study made of cost of diversion of the
Dyke's and Indian Creek branches to the Indian Creek treatment
station, the Committee had decided it would be better to
present the proposal to the County Commissioners for their
reaction as to whether or not they would give the proposal
serious consideration, before spending the money. He said
an appointment had been made with the County Commissioners
to make the presentation on October 24. Following discussion,
Councilman Judd moved that Councilman Ballard be instructed
to make such a proposal to the County Commissioners and
explore the possibilities; seconded by Councilman Conklin.
Motion carried.

Resolution No. 275 - Re Federal Revenue Sharing: Councilman
Ballard proposed adoption of Resolution No. 275. Councilman
W. E. Evans stated he did not think the Council had gone into revenue sharing in depth, and asked: "What is it? Is it a way of representatives in Congress trying to buy votes; is it meant for cities such as ours or is it meant to help the really large cities that are having really large problems; what is it costing to send the money back east and then have it delivered back to us; do the people in Washington know more about our needs than we; are they better able to solve our problems than we. We boil down to a basic problem of big government or local decision and I think this is one thing we should let be known to those who are representing us our wishes on this." He said he would like to see something put in the resolution that the Council was not in accord with the program in general and, secondly, that rather than listing specific things such as park property, park equipment, etc., just stating that it be put in a separate fund to be considered by the Council at that time. Councilman W. E. Evans moved that by an addition to the proposed resolution the Governing Body of the City of Leawood go on record as opposing Federal Revenue Sharing; however, if it be enacted and Leawood receives its portion, that it be put in a separate fund as directed by the national government and used for one-time capital expenditures rather than recurring annual expenditures. Motion to amend failed for want of a second. Councilman H. C. Evans seconded the motion for the resolution. Councilman Conklin suggested insertion of commas in the "such as" clause. Resolution No. 275 was adopted as amended by adding two commas (Councilman W. E. Evans voting nay, Councilman Judd abstaining), as follows:

RESOLUTION NO. 275

"Whereas, the governing body of the City of Leawood does not consider the funds from the Federal Revenue Sharing Program to be sufficiently dependable, in terms of future planning, to justify their inclusion into the general operating budget for any annually recurring item such as salaries and various other similar expenses.

"Therefore, be it resolved, that consideration of possible uses for the funds be initially limited to capital expenditures, such as park property, park equipment, street maintenance equipment, building structures and modifications, or other such items for which the money can be legally spent in accordance with the program guidelines.

"Further, be it resolved, that no definite commitment will be made for use of the funds until the proposed new police courts building has been fully funded to include the interior furnishings and exterior landscaping."

Status Form - New Employee: Councilman Ballard presented the status form and moved for approval of the following employment:

Jennie June Dougan, 3003 West 82nd Terrace, as Clerk in the Administrative Department at the rate of $369.25 per month effective November 1, 1972;

Seconded by Councilman W. E. Evans. Motion carried.
Inquiry re Noise Ordinance: Stuart C. Johnson stated he had raised the question several times as to why something had not been done about a noise ordinance; that he had offered to help on it; and he felt after this much time something could have been done about it. Mayor Jordan said it was a question of priorities and other matters had come ahead of the noise ordinance. She said it had not been overlooked. Chief Blume said he had not proceeded with the noise ordinance because (1) it involved the expenditure of several hundred dollars for equipment, (2) several officers would have to be trained to operate the equipment, to effect the proper arrests, and to testify properly in court, (3) the police department had only one secretary. Councilman W. E. Evans said he did not believe the Mayor nor the Chief of Police should take full responsibility, and apologized to Mr. Johnson for the delay on behalf of the entire Council. Following further discussion, Councilman Ballard moved that the Governing Body give the matter relatively high priority and try to get a noise ordinance out; seconded by Councilman W. E. Evans. Motion carried. The Public Safety Commission will make a recommendation to the Ordinance Committee. Mr. Johnson was invited to attend the Public Safety Commission meeting to be held October 18.

At 10:40 p.m., the Council adjourned to executive session for the purpose previously stated.

The Council returned to regular session at 11:10 p.m. The same Councilmen were present.

At 11:10 p.m., on motion by Councilman Judd, seconded by Councilman Conklin, the meeting adjourned to Monday, October 30, 1972, 7:30 p.m.
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, October 30, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding. Roll call was answered by Councilmen Aalbregtse, Conklin, H. C. Evans, Eddy, W. E. Evans, Judd.

The invocation was given by Councilman W. E. Evans.

Minutes: On motion by Councilman W. E. Evans, seconded by Councilman Aalbregtse, the minutes of the meeting of October 16, 1972, were approved as submitted.

OLD BUSINESS

Consideration of Site for Police Building: Mayor Jordan read a letter dated October 19, 1972, from Mr. D.C. Harrison, Regional Director, Defense Civil Preparedness Agency, Denver, Colorado, to Mr. Royden A. Konopaska, State Civil Defense Director, advising that due to the seriousness of the flood potential at the proposed site of the Leawood Emergency Operating Center in the proposed police-courts building on Tract "H" in the industrial district at 103rd and State Line, and the understanding that the recently developed Federal flood insurance program prohibited coverage of construction on 50-year flood plains and required that construction between the 50-year and 100-year flood levels be protected against the 100-year flood, it was the collective judgment of civil defense engineers that the building design as presented on the revised plans did not provide the necessary protection against the risk involved, and that the office was holding Leawood's project application for Federal matching funds for construction until comments were received from Leawood.

Mayor Jordan said the City was victim of (1) bad publicity regarding the flooding possibilities discussed in Council, and (2) Presidential directive issued that forbid any Federal funds being used in a project that was subject to a 100-year flood level. Councilman W. E. Evans moved that the Governing Body congratulate the Government on their astute observations. Motion failed for want of a second. Councilman Judd suggested that Tract "H" be exchanged for some other land which would meet requirements, or that the space in back of the present City Hall be utilized for construction of the building on the same basic design. He emphasized the urgent need for new facilities for the Police Department. Councilman W. E. Evans suggested the City sell Tract "H" and build on land on Mission Road between 119th and 126th Streets where a minimum of two acres had been offered to the City as a donation, or construct a temporary building at the site of the present City Hall.
Flood level elevations were discussed. Mayor Jordan noted that the present plan would be clear of any problem if it were built on the first floor elevation only. There was discussion that a contract would have to be let by December 31 to prevent expiration of the Board of Tax Appeals grant. The 119th Street to 126th Street location on Mission Road was discussed for the police building or a future fire station. It was determined that this property extended only to 123rd Street which was in the low area, unsuitable for a fire station and not an optimum location for the police building.

Mayor Jordan said the present plans could be redesigned for a one-story structure at the present location, and that she had a preliminary indication that Kroh Brothers would probably allow the City to go ahead with the purchase of Tract "H". She said it was her feeling that it should be offered back to Kroh Brothers for the purchase price if it were not used for a police station. Mayor Jordan said she had been led to believe that approval of the Governor's Committee would be given on a substitute location provided it were relatively near and have the same type of access as the present plans. She said she had located three sites:

1. The Donald Hall property immediately south of I-435 and State Line. However, to acquire this property the City would have to condemn it as Hall Brothers would not release the land voluntarily at this time because their planning is incomplete. Mayor Jordan said the friction that would be created by condemnation would be a problem.

2. A three-acre tract owned by Ray Williams at the east end of the cul-de-sac of 98th Street, fronting on State Line slightly north of Milgram's. Mayor Jordan said present plans could be adapted to that piece of property with a minimum of revision, and Mr. Williams was not adverse to discussing the acquisition of this property.

3. Three acres owned by Busch Voigts at the northwest corner of 103rd and Lee which was for sale at $1 per square foot, or $86,740.

The sites were discussed. The meeting recessed at 8:20 p.m. while Councilmen W. E. Evans, Aalbrechtse and Judd inspected the property.

The Council returned to session at 8:43 p.m. All the same councilmen were present.

Mayor Jordan called for a recommendation from Chief Blume as to the tactical advantages and disadvantages of each site. Chief Blume said of the sites discussed so far, he would say the one at 103rd and Lee would be operationally most desirable; secondly, the present City Hall site; and thirdly, the site at 98th and State Line. Chief Blume stated he felt the
103rd and Lee site was appreciably better than the 98th and State Line site because of road access; that he saw no appreciable difference between the 98th Street site and the Tract "H" site. The Council discussed the sites and the probable cost of each at length.

A motion by Councilman W. E. Evans authorizing negotiations was withdrawn. Ways to proceed were discussed. John Granstedt suggested that contractors be sent a letter advising that the building would be basically the same but the Council was considering moving the site which would necessitate modifications in the foundation.

Councilman H. C. Evans moved that (1) the Mayor be authorized to further negotiate for the Voigts and the Williams properties, (2) if in her judgment it was appropriate to obtain appraisals on both of those properties, as well as Tract "H", that it be done, (3) that she be authorized to include Tract "H" as an offer of trade, (4) that proceedings be re instituted with Civil Defense authorities regarding reinstatement of funds on one of the sites, (5) that the architect be requested to study both of the sites for adaptation of the plans, and (6) if in the judgment of the architect it would be appropriate to take borings, that they be made; seconded by Councilman Judd. Following further discussion, motion carried unanimously.

Councilman H. C. Evans requested that reports from both the Mayor and the architect be included on the agenda of the next Council meeting. Mayor Jordan suggested that she report to the Building Committee and that the Building Committee make the preliminary determination as to whether money should be spent or other decision made.

At 9:20 p.m., on motion by Councilman Eddy, seconded by Councilman H. C. Evans, the meeting adjourned to Monday, November 6, 1972, 7:30 p.m.

Following adjournment, Mayor Jordan emphasized the responsibility of each person having access to City Hall after regular office hours to ascertain that the door was locked upon leaving the building.
Minutes of a Special Meeting of the City Council of the City of Leawood, Kansas

A special meeting of the City Council was held at 9:00 a.m., on Saturday, November 2, 1972, at the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding.

The Mayor read the call for the meeting, signed by Councilmen Judd, Conklin and Ballard.

Roll call was answered by Councilmen Ballard, Aalbregtse, Conklin, H. Evans and Judd. Also present were John Granstedt, Don Yelton, Chief Blume and Charles Hansel. Dr. Otho Duncan arrived sometime after the meeting began.

Mayor Jordan advised the Council that of the present sites under consideration for the proposed Police Courts complex, the Voights property at 103rd and Lee would be available only by condemnation.

Councilman Conklin gave a summary of the meeting of the Building Commission held Thursday evening to consider an alternate site for the proposed Police Courts complex. Several alternate sites were mentioned; viz., Voights site would be No. 1 tactically; No. 2, City Hall site, by building the new complex behind the present building, and ultimately moving or demolishing the present City Hall. A third site for consideration was vacant property at 98th and State Line. No. 4, a portion of the Hall property, not presently available unless taken by condemnation.

Mayor Jordan asked Messrs. John Granstedt, Don Yelton, Richard Blume and Bill Gray to give a report after inspecting the Hall property, since the first question concerning the property was the sewer connection which would be required. Mr. Yelton displayed a map and explained the situation. It was his feeling that the elevation, together with rock involved, would prevent getting into the sewer main. He said there was a possibility of tunneling under I-435 at a cost of approximately $10,000, and a surface crossing of Indian Creek at a cost of approximately $14.00 per foot.

Architect Granstedt explained the sewer connection behind the Standard station at 103rd and State Line. Since the main sewer line lies approximately 900 feet east of the station, a lateral line could, in the past, possibly have been run up to the station. If this is the case, there would be a manhole in the area. If not, it would be necessary to tunnel under State Line a distance of approximately 100 feet. Chief Blume indicated access onto State Line would not be too good and would probably create problems, but that the locale had good access to I-435.

Mr. Granstedt was of the opinion that a building could be put on the Hall site, but would not be very attractive, since the building would
November 4, 1972

have to be angled toward the highway, north of the road entering the property. The angle of fall is north/northwest. The building would look into a bank. He said there would be no problem with flooding; drainage from the hill could be worked around the building. Mayor Jordan indicated unwillingness of Hall to discuss the site at this time, and said it would apparently have to be acquired by condemnation. Mr. Granstedt further indicated that as far as a water supply was concerned, he didn't know what was available for the Hall property but that it probably would be supplied by Missouri.

Mr. Granstedt indicated the Voights property was the most attractive of those under consideration. Sewer lines would have to be brought in. A great deal of screening was felt to be advisable. He felt there would be no problems with sewer facilities. Chief Blume was of the opinion the access was the most desirable of the alternatives, putting aside economic considerations. Mr. Yelton could see no problems. Mr. Granstedt indicated that power was available for almost any site, and that if there was a need for additional power, it could be supplied.

Mr. Granstedt presented plans to adapt the building to the City Hall site; the tract contains 3.85 acres. Reversing the building and changing the grade of land, with access to rear, were some of the modifications possible. City Hall would be 50 feet in front of the new building.

Councilman Conklin indicated he had received a call from Mr. John Moffitt, concerning a site at approximately 129th and State Line, between the entrance to Leawood South and State Line Airport. Mr. Moffitt broached the subject of selling this to the City at a reasonable price. It was Councilman Conklin's opinion this location was too far south at this time. Chief Blume thought it would not be safe to go this far south because of personnel, and the time involved.

Mayor Jordan said she had talked to Civil Defense the preceding evening, including discussion relative to configuration of coverage of walls. This would not be true on the Hall property, however, but would require reinforced walls. She felt there would be no problem. Because of the timing involved, she had inquired as to whether they would accept corrected sepias. It was indicated this would be satisfactory.

Councilman Judd reported he had discussed this matter by phone with Councilman Bruns. Mr. Bruns was opposed to both the Voights property and the City Hall property as locations for a site, since the City would extend from 80th Street to 160th Street, eventually. He felt the police complex should be located in vicinity of 120th Street. Mr. Judd cited the disadvantage of having no through streets in the southern part of the City to Mr. Bruns, and the need to have the Police Department located north of I-435 for the next ten years. However, Mr. Bruns still felt first priority should be given to a site in the southern part of the City. Mr. Hansel objected to having the station south of I-435, stating that it made no sense. Mr. Aalbregtse was of the opinion that, assuming the City is fully developed in 20 years, building here would be a practical aspect toward building a substation in the southern part of the City in twenty years. Chief Blume indicated that the
police facility could support approximately 35 officers; by 1990, this building would be more than adequate. He indicated substations are very expensive to operate and felt it would not be a serious problem to build at this location, since many cities are running 25 miles out of stations. He did not consider a need for a substation to the south to be of serious importance, because it would be possible to completely relocate police facilities at a later date.

Councilman Judd thought it was possibly time to look at land south of I-435 now, because of land cost factors in the future. Mrs. Jordan had reason to believe that at the time planning for the Hall property is completed, 850 acres will be involved. Already, certain areas have been indicated for community development.

Mr. Judd mentioned that the time factor, with respect to allocation of funding, made the matter urgent, in that the Council did not want to lose this. Mayor Jordan indicated the Voights site would be acceptable to GCCA. Mr. Hansel reported that a local match by City government would apply with respect to cost of the land, total cost estimated to be $81,668. If the City takes the deduction for land, we would have to come up with an additional $18,500 in order to make our local match. The City could make the match by moving the present City Hall building across Lee Boulevard to the vacant lot which the City could purchase.

It was pointed out that one of the first things to settle before considering the location of the building was the fact that the new Police Department must be accessible in the event of consolidation. Mr. Judd directed the Council's attention to the fact that with the part of GCCA grant amounting to $18,000, an additional $22,000 would be required to buy the Voights property, and that there would be a $4,000 difference with which to obtain a more choice location. The economics of putting a new building on the City Hall site would therefore be lost. Mrs. Jordan mentioned the funds could be committed this year; condemnation proceedings under statutes allow thirty days in which to transfer title. If the owner decided to appeal, a contract could still be signed. Mr. Hansel felt it was not advisable to hold this money unless $100,000 is committed this year. Mayor Jordan noted that the $116,000 Board of Tax Appeals money could not be applied to purchase of land. We could take Tract H in for the Sewer System and sign a contract to commit the funds. Apparently Kroh Brothers would permit the City to go ahead; she thought the appraised value would be acceptable. Mr. Hansel did not feel it would be proper for the Sewer System to make a profit, should this route be taken.

The Voights property consists of approximately 100,000 square feet, valued at approximately $23,000 per acre. Chief Blume indicated that if we could not get the Voights property, perhaps the next alternative should be the Hall property, and that if it is to be condemned, the most economical and attractive portion should be chosen. Mr. Granstedt indicated that there is an over-all plan for development of the Hall property. He thought that the area at 112th and Lee is where they
contemplate locating a major center. There is already an extension of Lee Boulevard, by bridge, across I-435. Lee Boulevard would have to be widened. It may become a major thoroughfare.

In further discussion, Mrs. Jordan said she felt that a new City Hall building would be required at a later date. Chief Blume informed the Council that the needs of a police department are quite different from those of a fire department with respect to responding to emergencies; in that police department response time is less important. Serious problems would be created by locating the police building to the south. His primary concern about location was economic feasibility over emergency access from any particular location. He thought it more important to get maximum usage out of the dollars spent. Locating to the south would create additional problems in that more and more people are being arrested, with increased time required to be spent in the station.

Councilman Ballard mentioned the quality of the structure contemplated for the Industrial Area, and inquired whether this would fit the Voights property without putting in additional dollars. Mr. Granstedt felt this plan to be better than the original one for the site in the Public Works area. The grade could be changed. So long as there is to be an EOC in the basement, there would be no windows. The only access to the EOC would be through the garage. The area is thought to be relatively free of rock, which is probably down eight to eleven feet and pretty constant throughout this area. Councilman Conklin noted the advisability of erecting a building which would not be too institutional looking, but still not look like a residence.

Dr. Otho Duncan arrived and was introduced. He expressed his opposition to locating the building on the Voights property which is only three-fourths of a mile from the present location. He inquired as to whom property owners could turn in order to stop this. He also indicated he had talked with neighbors, who are also opposed to having a police station in that area. Mayor Jordan explained the Council makes the decisions. The Council is the zoning body. Further, zoning ordinances have attempted to maintain the quality of neighborhoods. Municipal buildings are included in residential zoning. The City has had no indication that the location of City Hall and the Fire Station has damaged property values in the vicinity. Mrs. Jordan explained the operational and economical difficulties involved in the matter under discussion to Dr. Duncan.

Mrs. Jordan emphasized that it was necessary for the Council to make some sort of decision on the matter. Mr. Conklin thought we should leave 103rd and Lee as the Police Department site, and put City Hall on the Hall property later, thereby establishing a centralized location of City Hall if expansion becomes necessary. Councilman Judd suggested considering functional factors for the next ten years, and that the main concern of the Council should be to the populace.
Mayor Jordan requested the Council indicate their individual choices with respect to the three sites contemplated: Voights, City Hall and Hall property.

Councilman Evans said he felt that whatever site was decided upon should be on the basis of consensus of all eight councilmen. He felt that items from the 1973 budget, in which those absent are concerned, would have to be sacrificed. He hoped that there could be as much agreement as possible among all eight councilmen. He did not feel that only five members should decide this matter. He expressed the feeling that people in adjoining residential areas of any of the proposed sites had been given little or no notification, and had no opportunity to be heard. It was his position that neighbors around the Voights property wanted to be heard and that they should be heard. He said he would consider leaving the Council meeting, thereby leaving the Council without a quorum, if any vote was to be taken at the meeting in session. Mayor Jordan agreed such action should be taken at a regular meeting. Mr. Ballard felt there should be a public hearing. Mr. Evans told Dr. Duncan he would be willing to spend as much time as necessary to explain the entire situation to him.

Mrs. Jordan said that a notice could be sent out today. She asked the Council if it was possible to eliminate any of the proposed sites at the present session, and whether any further sites could be eliminated so as to arrive at the best decision. Councilman Aalbregtse suggested that the Council should have something from Budget & Finance as to the money involved. Mr. Hansel stated that the less expensive site was City Hall, assuming the Federal grant is available, and that the Voights property is the most expensive site. It was then determined the City Hall site is 250 x 280; total area, 70,000 square feet. Mayor Jordan said that if the City Hall site was used, the City would probably forego the Court's Grant. She advised there was a great deal of research to be done to have ready material for presentation November 6.

Councilmen Evans and Ballard brought up other possibilities which had not been discussed. Councilman Ballard stated he had a low opinion of the City Hall site as a location for the new building. He felt its use would be a matter of haste, and that the City should find some intermediate solution. Mrs. Jordan said four sets of plans have been prepared and that there has been a critical shortage of facilities for the past ten years. Councils during that time had never made a decision. Factors researched, so far as it is possible to know them, had turned up feasible items for consideration. The decision will rest with this Council for housing the Police Department and to allow them to operate.

Councilman Aalbregtse said he had not heard any Council member express anything negative about the Voights property. He suggested that a full investigation be made of this property, and that all information needed be presented to a full Council; that a public hearing be held, and that a decision on the Voights property be made, based on full facts. Items to be considered were the best knowledge of Mr. Granstedt with respect
to test borings; specific recommendations from Chief Blume; financing of acquisition of property; how this affects Federal grants; and the cost to build. Councilman Evans indicated that all this information was available except that obtained from borings, which could not be made, since this is private property.

Mr. Hansel felt an engineer's estimate of the building cost on this tract was necessary. He felt the City could save $18,000 to $20,000 by building on a site other than Tract H. Further explanation from Mr. Granstedt included screening cost of $8,000 to $9,000; the City would save approximately $24,000 over building on Tract H. Councilman Ballard felt the City should have the best site and said he would not go along with only a mediocre screening job. He also felt we should have something ready to show to citizens at the public hearing.

Mayor Jordan indicated that the Council should be aware that consideration of Police Headquarters could be denied because of condemnation proceedings. She explained that filing suit, Court appointment of three appraisers, and a hearing were all requirements of condemnation; however, the suit could be dismissed at any time. Mr. Granstedt indicated he would need several days to prepare material required from him.

Mr. Ballard made a motion that a resolution be introduced to the Council November 6 outlining our intent to work on the Voights site, and to authorize the Building Committee to proceed with the City Attorney in condemnation proceedings and whatever else is required to keep this matter moving, and to establish a date for a public hearing, after which we would make a decision as to whether we will go after the Voights property. Date of public hearing is to be set at the November 6 Council meeting; second, Councilman Conklin; passed.

Mayor Jordan requested the City Clerk to prepare the resolution and distribute to the Council by Police Department today. Mrs. Jordan indicated Mr. Voights would be notified. Mrs. Jordan indicated she had access to what was encountered on the Dubach property, and would make it available.

The meeting was adjourned on motion by Councilman Aalbregtse, seconded by Councilman Judd.

President of Council

ATTEST:

City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, November 6, 1972, in the Fire Station, 9609 Lee Boulevard, with President of the Council Donald S. Ballard presiding. Roll call was answered by Councilmen Aalbregtse, Conklin, H. C. Evans, Eddy, Ballard, W. E. Evans, Judd.

The invocation was given by Councilman W. E. Evans.

Visitors: Miss Louisa P. Johnston, Mrs. Wayne C. Byrd, Dr. Paul R. Perme, Tom M. Frey, Mrs. Samuel Brodkin, Joseph Caruso, Mr. and Mrs. E. V. Reichley, Mr. and Mrs. D. R. Lowry, Mr. and Mrs. Jack W. Ryne, H. B. Ingebretsen, Mr. and Mrs. John A. Schlichter, Mary Rowe, Herb Kohn, E. J. Olin, Mr. and Mrs. Howard V. Weaver, Ray Hailey, Mrs. Robert Weir, Mrs. Louis N. Bono, E. L. Winthrop, Sherwin L. Epstein, Mr. and Mrs. Ed Hendrickson, Madelyn and Marcia Voights, Mr. and Mrs. Ken Dubach, Tom Ruzicka, Russell A. Boley, Mr. and Mrs. William R. Chadwick, E. L. Putnam, Tom Brown, Judy Rau, Mrs. Charles Kipfer, Norman E. Selby, D. A. Norby, John Rupprecht, Mr. and Mrs. J. A. Perky, Alex Nichols, Mr. and Mrs. Arch E. Paterson, Mrs. Fred T. Pinnell, Grace K. Brettner, Mr. and Mrs. S. S. Gayle, Stuart C. Johnson, Excie Kurz, Mrs. B. C. Richardson, Dr. Otho Duncan, Fred Seaver, L. C. Phister, Dale Crouch. Member of the Press: Bob Savino.

Councilman H. C. Evans moved to change the order of the agenda to consider (1) the matter of the zoning application of Sizzler Steak House, (2) the Independent Postal System item, (3) the resolution regarding the Police Building, and (4) the report from the Insurance Committee; seconded by Councilman W. E. Evans. Motion carried.

Report Re Sizzler Steak House Zoning Application: Sherwin L. Epstein, attorney for Collins Foods International, owner of the Sizzler Family Steak House, displayed drawings and plot plan of the proposed steak house. He stated Eugene B. Brown was not a party in the zoning application. He said it was not a franchise operation. Mr. Epstein said the property at 85th and State Line was zoned for a gasoline service station and an office building and that the Ward Parkway Corridor plan for that corner was not binding. He read from a history of the zoning of the property in question. He said the City Council of Kansas City, Missouri, had recommended rezoning from a gasoline service station to a Sizzler Family Steak House with the provision that the rezoning be approved by the City of Leawood. He presented a copy of a petition signed by abutting property owners in Kansas City in favor of the steak house. Mr. Epstein said there was approximately .12 acres of the tract in Leawood including a grassy setback,
two full parking spaces, parts of four parking spaces, and a driveway. He said he felt that part in Leawood would not increase the traffic situation; that the character of the Leawood property could not be considered incompatible; that the granting of approval of the Leawood portion would not necessarily create strip or spot zoning because there was no actual commercial use in Leawood. Mr. Epstein said the driveway was an exit 200 feet north of the corner, leading northbound on State Line Road. He said the plan provided for low to medium plantings on the Leawood side. A photograph of a typical Sizzler Steak House was presented. Mr. Epstein said lights would be designed to meet both city codes, and that trash would be completely concealed in an area abutting Wyoming Street. Mrs. Samuel Brodkin, Vice President of the Brightwater Homes Association, said one-sixth of the property was in Leawood, and presented a petition with approximately 100 signatures of residents, stating reasons for denial of the petition, including traffic congestion, smoke and cooking odors, late-hour traffic, increased parking in the residential area, increased traffic on 84th Terrace, the possibility of signs, lights, etc. undesirable to Leawood residents, trash and garbage could increase the possibility of rats and unsightly appearance, and it would create unfavorable land development affecting property values in Leawood.

Councilman Conklin read for the record a letter from the Chairman of the Leawood Plan Commission stating that the Plan Commission had voted unanimously, following a public hearing, to recommend that the application for the Sizzler Family Steak House be denied by the Council. Councilman Conklin moved that the City Council deny the application in compliance with the Plan Commission recommendation; seconded by Councilman W. E. Evans. Motion carried unanimously. Councilman W. E. Evans challenged those present to get together, buy the property of Miss Johnston and surrounding property, and make it a national shrine to the Pony Express. Miss Johnston spoke in opposition to the Sizzler Steak House application and pointed out the historic value and potential tourist attraction of the Pony Express property.

There was a short recess to allow persons in the audience in connection with the Sizzler application to clear the room.

Public Safety Report re Independent Postal System of America Application: Councilman Judd reviewed the request of IPSA to establish routes for the purpose of distributing third and fourth class material by hanging plastic containers on door-knobs of residences. He read the report of the Public Safety Commission that the Commission found little assurance that carriers would comply with basic requirements of City Ordinance 8-304; that the Public Safety Commission recommended the Council reject the request of Independent Postal System of America for door-to-door delivery of advertising material especially in view of past unsatisfactory experience.
with that company. Councilman Judd moved that the application be denied; seconded by Councilman W. E. Evans. Motion carried unanimously.

**Discussion of Police-Courts Building:** Councilman Ballard reviewed work that had been done by the Council and previous councils in trying to get new quarters for the Police Department, and the fact that grants would not be available because of the location of the building in a flood plain at 103rd Terrace and State Line. He said the Council may be obligated to commit money prior to January 1 for which permission to spend had been obtained from the Board of Tax Appeals.

Councilman Ballard said when funding was turned down for the 103rd Terrace location, the Governing Body immediately started looking at other locations which were suitable and upon which building could be started within a reasonable amount of time. He said from an operational point of view, the location at 103rd Street and Lee Boulevard was very desirable.

Councilman Conklin said considerations for selection of site included (1) tactical location to serve the population north of I-435 as well as to provide for future City expansion south of I-435; (2) cost; (3) availability. He said at this time the site at 103rd Street and Lee Boulevard seemed to meet most of the criteria. Councilman Conklin explained that in order to keep on the time schedule, certain paper work had to be instigated (but could be stopped any time) if the City were to go to condemnation.

Councilman Conklin read a resolution providing that (1) the City Attorney institute legal prerequisites to the acquisition of the property on the northwest corner of 103rd and Lee Boulevard in the name of the City, (2) a date be established for public review of the facilities at the proposed site, (3) the project architect be directed to prepare in advance of the public review the necessary sketch plans for adaptation to the proposed site of facilities as presently designed, and (4) any other action required be taken to insure that satisfactory site be available no later than December 15, 1972.

Since the resolution had been read to the public and the Council, Councilman Judd moved that motion be deferred until public discussion was considered; seconded by Councilman W. E. Evans. Motion carried.

Mrs. William Chadwick requested that minutes of Council meetings of October 30 and November 4 be read. Councilman H. C. Evans moved that the portion of the minutes of the meeting of October 30th pertaining to consideration of site of the police building, and minutes of the emergency meeting of November 4th be read; seconded by Councilman Aalbregtse. Motion carried. Councilman Ballard stated the minutes of the meeting of November 4th had not yet been prepared. Councilman H. C. Evans read from the minutes of October 30th concerning consideration of site for the police building.
Councillor H. C. Evans reviewed the special meeting held on November 4th. He said it was reported by the Mayor that Mr. Voigts did not wish to sell the land; that discussion covered alternate sites, financing problems, etc., and that no votes were taken at that meeting except the vote to prepare the resolution to be put on the agenda of this Council meeting. Councillor Ballard emphasized that the Council had not voted to select the 103rd and Lee Boulevard site as the site for the police building, but only to consider that as a possibility.

Tom Ruzicka, attorney for Busch Voigts, read a petition signed by 80 to 90 residents who objected to the proposed site at 103rd and Lee Boulevard for construction of a police building. The following spoke in opposition to use of the 103rd and Lee Boulevard site for a police complex: Norman E. Selby, Dr. Otho Duncan, Sheldon Gale, Madelyn Voigts, Howard Weaver, Mary Rowe, Mr. and Mrs. William Chadwick, Larry Phister, Fred Seaver, Dale Crouch, Mrs. Ken Dubach, John Schlichter, Betty Paterson, Ed Hendrickson, and John Rhodus. Warren Morse suggested locating the building at the northwest corner of 103rd and State Line. Charles R. Hansel, as a resident of the northern area of the City, objected to the police complex going south and suggested use of the present City Hall site.

During the discussion from the audience, Councillor W. E. Evans said he had brought to the attention of the Council an offer of volunteer services to help find an appropriate site for the building, volunteer services of an attorney, and an offer of donation of two acres of land, but no one had bothered to call any of them. Councillor Judd pointed out this was not a spur of the moment proposition and outlined steps taken over the past several years toward new facilities. Councillor Conklin explained that the present City Hall site was down the list because of geographic location in relation to future expansion of the City. He assured those present that whatever site were chosen, the architect would endeavor to see that Leawood would be proud of the building.

Councillor Conklin read the proposed resolution again. Councillor Ballard emphasized that the intent on November 4 was that passage of this resolution was not to be Council approval to go ahead with condemnation proceedings, but because of the time factor these things should be started. Councillor Judd moved that in view of information which came to light today regarding the possibility of extension of the funds for the police-courts complex, no further action be taken with regard to the acquisition of any site for the police-courts complex until (1) inquiries have been made by the City Attorney of the Board of Tax Appeals for the purpose of determining whether or not extension can be obtained of the City's permission from the Board to expend funds, and (2) inquiries have been made of Federal authorities
as to what money would be available under the O.E.P. and G.C.C.A. grants should the site change be made; seconded by Councilman Conklin. Motion carried. Councilman W. E. Evans moved that the whole process be returned to the Building Committee for further study, that Mr. Art Jacobsen be contacted and asked to help with this study, and that four of the interested citizens present be contacted to help with finding appropriate land for the police-courts complex; seconded by Councilman H. C. Evans. Following discussion, motion failed. Councilman Conklin moved that the matter be returned to the Building Committee and that Mr. Art Jacobsen be contacted to offer technical assistance; seconded by Councilman W. E. Evans. At the request of Councilman Eddy, Councilman W. E. Evans reviewed the qualifications of Mr. Jacobsen. Motion carried.

Councilman Eddy moved the order of business; seconded by Councilman Conklin. Motion carried. There was a recess at 10:21 p.m. to allow those in the audience who wished to do so to leave.

The Council reconvened at 10:30 p.m., following the recess. All the same councilmen were present.

Minutes: On motion by Councilman Conklin, seconded by Councilman Aalbregtse, the minutes of the meeting of October 30, 1972, were approved as submitted.

Report from Insurance Committee: Councilman W. E. Evans reported persons involved in the report had to leave because of the press of other business. He moved that report of the Insurance Committee be made a special order of business at 7:35 p.m. on November 20, 1972; seconded by Councilman Conklin. Motion carried.

Request for Maintenance of 111th Street: Tom Frey, manager of Indian Valley Stables, requested that 111th Street be maintained by the City as it had been in the past. There was discussion concerning maintenance versus improving the surface. The matter was referred to Mr. Yelton and the Public Works Commission to see what could be done within the scope of maintenance. Mr. Frey said part of the problem was caused by County trucks traveling the road to the sewer facility.

REPORTS

Treasurer: Mr. Hansel's report was submitted and approved on motion by Councilman Eddy, seconded by Councilman W. E. Evans.

Municipal Judge: Judge Cope's report was submitted and approved on motion by Councilman W. E. Evans, seconded by Councilman Aalbregtse.

Fire Department: Chief Toman's report was submitted and approved on motion by Councilman Judd, seconded by Councilman W. E. Evans.
Police Department: Chief Blume's report was submitted and approved on motion by Councilman Judd, seconded by Councilman W. E. Evans. Councilman Judd stated the report showed considerably more activity due to activation of the traffic squad.

Public Works: Mr. Yelton's report was submitted and approved on motion by Councilman Eddy, seconded by Councilman Aalbregtse.

COMMITTEE AND COMMISSION REPORTS

Budget & Finance: No report.


Ordinance: No report.

Park Commission: No report. Councilman Conklin reminded that the recreational proposal would be on the ballot the next day.

Public Safety - Acquisition of Police Cars for 1973: Councilman Judd stated a summary of bid openings had been distributed. He moved that the Council accept the recommendation of the Public Safety Commission that the bid of Friendly American Motors in the amount of $15,604.00 for lease of four marked Ambassador patrol cars, one unmarked detective car, and one unmarked administrative and backup car, less trade-in allowance for the 1971 Plymouth, be accepted. There was discussion of larger cars and added equipment. The motion was seconded by Councilman W. E. Evans, and carried.

Public Safety - Traffic Lights - 89th and State Line: Mr. Yelton reported on negotiations for contribution to signalization at 89th and State Line. Councilman Judd said the Public Safety Commission was not prepared to make a recommendation but was advising the Council of negotiations to try to get private financing for street lights at this intersection insofar as neither the City of Leawood nor the City of Kansas City had the funds. The matter was left with the Public Safety Commission for recommendation. Councilman Judd moved that Mr. Yelton continue to pursue the matter of private financing for the lights at the intersection of 89th and State Line; seconded by Councilman W. E. Evans. Councilman Eddy requested that the Commission take into consideration that the street on the west side of State Line was a private street. Motion carried.

Public Safety - Review of Status Forms: Due to the late hour, Councilman Judd suggested that the review be postponed until the next meeting.

Public Safety - Report on Noise Ordinance: Councilman Judd reported Mr. Stuart Johnson had been asked to review a copy of the Prairie Village ordinance entitled "Noise and Vibration Control"; that the ordinance had been studied by the Commission,
November 6, 1972

and the Public Safety Commission recommended passage of a similar ordinance after due consideration by the Ordinance Committee. Mr. Stuart Johnson said he felt the Prairie Village ordinance was good and should be adopted in Leawood. Councilman Judd moved that the ordinance for noise and vibration control as adopted by Prairie Village be referred to the Ordinance Committee for submission to the Council; seconded by Councilman W.E. Evans. Motion carried.

Councilman Judd moved that Chief Blume be instructed to obtain cost data on various sound measuring devices to implement the proposed ordinance for sound control; such cost to include not only the equipment but cost of time for training officers; seconded by Councilman W.E. Evans. Motion carried.

Councilman Judd moved that Chief Blume be instructed to send a representative to a sound seminar to be held at the Prairie Village City Hall on Wednesday, November 15, at 7:00 p.m.; seconded by Councilman W.E. Evans. Motion carried.

Public Works Commission - Report re Smoke at Gates Barbeque: Mr. Yelton reported the Kansas City Testing Laboratory test on density of smoke indicated emissions were within City ordinances. Councilman Eddy moved that Mr. Yelton contact the Kansas Pollution Control Department; seconded by Councilman H.C. Evans. Motion carried. Councilman Ballard requested that the matter be placed on the next agenda.

There was a short recess to reverse the recording tape.

Public Works Commission - Report re Car Wash - Mobil Station, 103rd and State Line: Mr. Yelton's report that Mobil Oil Corporation had applied for a building permit to construct a third bay at their facility at 103rd and State Line and data concerning the application had been distributed. He asked for Council guidance as to whether a building permit should be issued. Following discussion, Councilman W.E. Evans moved that the Council approve issuance of a building permit, that it be on the basis of a sewer service charge comparable to the service charge of Kansas City, Missouri; seconded by Councilman Conklin. Motion carried.

NEW BUSINESS

Invitation for Joint Meeting of Council and Plan Commission re Comprehensive Land Use Plan: Councilman Conklin explained the need for such a meeting to inform the Council as to what the comprehensive development plan consisted of, and to reach a consensus of opinion on the points included in the reconnaissance survey, so that consultants can be furnished with general policy guidelines in preparation of the plan. Following discussion, Councilman Conklin moved that the City Council, hopefully in its entirety, join the Plan Commission at the Commission's meeting on November 27, 1972, at 7:30 p.m. for the purpose of hearing a presentation by MARC and entering
into discussion about the upcoming comprehensive plan and the direction it should take; seconded by Councilman W. E. Evans. Motion carried.

Appropriation Ordinances: Nos. 308A and 2998 in the amounts of $132,242.65 (including $90,000 certificates of deposit) and $5,956.76, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were submitted and approved; Councilman W.E. Evans abstained.

At 11:55 p.m., on motion by Councilman Judd, duly seconded, the meeting adjourned to Monday, November 20, 1972, 7:30 p.m.

President of Council

J. Lile
Council Reporter

Attest:

City Clerk
Minutes of a special meeting of the City Council of the City of Leawood, Kansas.

A special meeting of the City Council was held at 7:30 p.m. on Monday, November 13, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding.

Mayor Jordan read the call for the meeting, for the purposes of considering the alternate sites for the police building, the planning for same, and such other matters as may be necessary to implement the action taken by the Council in this regard, signed by Councilmen Aalbregtse, Conklin, and Bruns. A waiver of notice of the meeting had been signed by all councilmen present.

Roll call was answered by Councilmen Aalbregtse, Conklin, Ballard, Bruns, W. E. Evans, Judd.

Visitors: Mr. and Mrs. Busch Voigts, Madelyn Voigts, Mrs. William Chadwick, Dr. Otho Duncan, E.F. Sieber, Mr. and Mrs. Gerald L. Rushfelt, Mr. and Mrs. Robert Cell, Roy Martin, H. B. Ingebretsen, Art Jacobsen, Eugene E. Alt. Member of the Press: Mark Schlinkmann.

Mayor Jordan said at the present time the site that was purchased at 103rd Terrace and State Line had been found unsuitable for the plans by Presidential directive and by the finding of the Office of Emergency Preparedness because of its location within the 100-year flood plain. She said it was deemed by the architect too expensive to make necessary modifications to the building to make it serviceable in that location. She further stated the plans for the police-courts complex were out for bid and the return date of the bids had been suspended pending the determination of site. She said this was required because should an award of contract be made prior to receiving approval of the site from the Office of Emergency Preparedness, the contribution for construction of the building which involved two-thirds of the basement area shared on a 50/50 basis would be forfeited; therefore, in order to go forward, the Council must make a decision either to find an alternate site or forego an emergency operating center.

Mayor Jordan answered inquiries made at the last meeting, as follows:

(1) The Governor's Committee was aware of the necessity for changing the site. The Executive Director has the power to make recommendation directly to the Governor's Committee for a change in the site, retaining Leawood's present application. The next meeting of the Committee would be December 13. Should substantial modification of the plans be required, the City would have to resubmit to the subcommittee on courts, and should the local match be less than the amount pledged in the application, the amount furnished by the Governor's
Committee would be diminished by that amount (part of Leawood's match was the purchase of the land at 103rd Terrace and State Line); unless the facility be located on that land, it will not be available for local match.

(2) The plans discussed by the Building Committee on November 9 had been presented to the Blast Analyst for the Office of Emergency Preparedness for determination of suitability of site. Mr. Henke had advised that they were prepared to proceed with processing the application.

(3) City Attorney Winn had been requested by counsel for the Board of Tax Appeals to write a letter as a re-hearing before the Board would be required. Mayor Jordan said she had been advised that the procedure was to return the question to the Attorney General's office for opinion which would take approximately thirty days. She said it appeared the City would be faced with taking a gamble that the Board would extend the present tax appeal. She said an informal sounding of the Board indicated an extension would probably be questioned.

(4) Mayor Jordan said because of the sewer, water and utility requirements of the building, the Council would have to consider sites, with two exceptions, north of I-435.

Report from Building Committee: Councilman Conklin said the site the Committee wanted to discuss with the Council at this meeting was the present City Hall site. He presented sketch plans indicating use of the plan on the City Hall site. He said one of the reasons the City Hall site seemed to be merging to the fore, contrary to discussions previously, was because of the unavailability or opposition to almost any other site that could possibly be considered. Councilman Conklin displayed and explained the sketch plans. He stated a major problem in going south was the unavailability of paved roads. Councilman Conklin said if the City did not spend money on acquisition of property, it could either take less money from the match or alter the building plan to pick up the difference. Councilman Conklin said nearly every piece of vacant ground north of I-435 had been explored, and at this time the present City Hall site seemed to be the best site operationally and economically without exercising the right of eminent domain. Councilman Bruns agreed that from the standpoint of cost, operation and protecting most of the people, the Council would almost have to get back to the City Hall site.

Chief Blume stated he felt that, given the economics of the present dilemma and the obvious need for the facility as soon as practicable, the best course would be to put the building on the City Hall site. Chief Toman agreed that he felt the City Hall site was the right place at this time. Chief Blume added about all that would ever be needed in the south part of the City would be a bonding station, holding facility and an informational source for citizens in that area.
Councilman Conklin said the Committee's idea was that the present building be removed when the new building was finished, and that the area occupied by the existing building become a parking lot. He said initially the police building would be one in itself without administration, but that eventually City administrative space would be provided in the police building by the addition of a wing.

Councilman Conklin said one of the vacant sites that had been explored was the property at the northwest corner of 103rd and State Line, but it was very expensive and there were other problems. Gerald Rushfelt, Robert Cell, and Roy Martin, residents adjacent to the 103rd and State Line site, said they would welcome the police department as a neighbor on that site.

Art Jacobsen, consultant for Midwest Research Institute, reported on his short term study of sites, including:
1. Tract "H",
2. 103rd and Lee Boulevard,
3. 9800 block of State Line,
4. 105th and State Line,
5. 125th and Mission Road,
6. 128th and State Line,
7. 103rd and State Line. He concluded that a summary of the facts would indicate to him that the present site where City Hall is located was strategically located to serve conveniently the needs and desires of citizens wishing to visit the municipal complex, including the police department; that it presently served the Fire Department well; that the cost factor was favorable; and that he would rank it as No. 1 on the list of available sites for the police headquarters.

Charles Troppito stated population studies of MARC would tend to bear out the fact that in ten years the center of population would not be out of line with the present City Hall site. Councilman W. E. Evans stated it was difficult to make a judgment without knowing some of the facts and figures. In answer to inquiry by Councilman W. E. Evans, Councilman Conklin said approximately $15,000 to $20,000 would be saved on the foundation at the City Hall site.

The Council discussed financing, availability of grants, and desirability of the City Hall site. Councilman Bruns moved that the present City Hall site be approved by the Council for the police complex, and requested that there be no second to his motion at this time so discussion not be cut off. He further stated that he had been in consultation concerning all areas involved during the last two weeks and in his opinion the City Hall site was the best possible site now. He then requested that he be excused from the meeting because of recent surgery, but said he would be available by telephone. Mayor Jordan thanked him for his presence and he was excused from the meeting at 8:55 p.m.

The amount involved in grants was discussed.
Mayor Jordan said the Council would not be committed by putting out a change order to have the bids altered to reflect the City Hall site, but would be getting a firm price on a firm site from the bidders. She said it was necessary to proceed to get the approval from the Office of Emergency Preparedness, hear the neighbors, set a date for receipt of bids, allow for compilation of the bids, and reconvene the Council. She said at that time, upon recommendation of the Building Committee, the architect, and the Chairman of the Budget & Finance Committee, the Council would be able to make a final commitment. She said unless the Council undertakes making some of these preliminary decisions now, it would be unable to complete the commitment in fiscal 1972.

Councilman Ballard said he was concerned about the compatibility of the structure on the site with the present City Hall structure and the Fire Station. He reviewed the history of the City’s endeavor to find more space, including that plans were prepared to add on to the existing building at this site; then it was decided that the appropriate thing was to go to 103rd Terrace to save money on the structure; now a structure was being contemplated on this site that no councilman would have considered originally. He said it had not been established that the City would lose anything if the building were not contracted prior to January 1. He said he would not vote for it until he saw an architect’s rendering of the proposed building behind the present building. Councilman Ballard said he would rather put it off and do it right.

Mayor Jordan said no future application for court construction was to be granted under the present constitution of the Governor’s Committee. She said if the determination was not made to go ahead with some site now, the Council would be foreclosed from proceeding in the event of an unfavorable determination on the extension from the Board of Tax Appeals.

There was discussion of architectural design and compatibility with surroundings. Mrs. William Chadwick entered into the discussion. Councilman Judd said he did not feel the basic design would be totally incompatible in this area any more so than the difference in architectural styles of homes. He said to him it was ridiculous on the basis of incompatibility to throw down the drain the years of work that had gone into trying to get the facilities at no expense to the citizens of the City. He emphasized the necessity of the police department to have a functional space from which to operate. Councilman Judd said he felt the Council had to commit itself at this meeting to selecting the City Hall site in order to proceed while the funds were still available.

Parking space was discussed.

Eugene Alt said, speaking personally, the site seemed adequate to do the job being proposed. He said if requested by the Council, the Plan Commission would consider the plans at its meeting on November 27.
The front elevation of the proposed building was displayed and discussed. Councilman Conklin said he felt discussion of architectural styles other than in a general manner was academic, and that the exterior design could be worked out.

Councilman Judd seconded Councilman Bruns' motion to approve the present City Hall site for the police complex.

Councilman W. E. Evans moved for a short recess for time to think it over; seconded by Councilman Judd. The meeting recessed at 9:40 p.m.

The Council reconvened at 9:47 p.m. Councilmen Aalbregtse, Conklin, Ballard, W. E. Evans, and Judd were present.

Approval of City Hall Site: Councilman Bruns' motion that the present City Hall site be approved by the Council for the police complex carried.

Authorization for Submission to GCCA: Councilman Judd moved that the new site location be submitted for approval to the Governor's Committee on Criminal Administration; seconded by Councilman W. E. Evans. Motion carried, Councilman Ballard abstained.

Authorization for Submission to Office of Emergency Preparedness: Councilman Judd moved that the new site location be submitted to the Office of Emergency Preparedness for approval of their grant; seconded by Councilman Conklin. Motion carried, Councilman Ballard abstained.

Authority to Proceed with Application Before Board of Tax Appeals: On motion by Councilman Judd, seconded by Councilman Conklin, the City Attorney was authorized to proceed with the application to the Board of Tax Appeals.

Public Review of Building Plans: Councilman Conklin moved that a public review of plans for the present site be held; seconded by Councilman Judd. Date for the review was discussed. Councilman Aalbregtse moved to amend the motion to leave the date for public review to the discretion of the Chairman of the Building Committee; seconded by Councilman W. E. Evans. Amendment carried. Motion as amended carried.

Review of Plans by Plan Commission: Councilman W. E. Evans moved that the plans, elevation, etc. be submitted to the Plan Commission on November 27th for approval, with the understanding that possibly the rendering and total situation may not be completed; seconded by Councilman Conklin. Following discussion, motion carried.

Authorization for Architect's Rendering: Following discussion, Councilman Aalbregtse moved that expenditure of up to a maximum of $400.00 be authorized for an architect's rendering of the
proposed building on the City Hall site; seconded by Councilman Ballard. Motion carried, Councilman W. E. Evans voting nay.

At 10:15 p.m., on motion by Councilman Aalbregtse, seconded by Councilman Judd, the meeting adjourned to Monday, November 20, 1972, 7:30 p.m.

[Signature]
President of Council

[Signature]
Council Reporter

Attest:

[Signature]
City Clerk
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, November 20, 1972, in the City Hall, 9615 Lee Boulevard, with President of the Council Donald S. Ballard presiding. Roll call was answered by Councilmen Aalbregtse, H. C. Evans, Ballard, Bruns, W. E. Evans, Judd.

The invocation was given by Councilman W. E. Evans.

In consideration of the people in the audience, Councilman Bruns moved for a change in the agenda to put "Improvement of roads in the southern part of the community" after "Recognition of visitors"; seconded by Councilman Judd. Motion carried.

Report from Insurance Committee: Ray Pouppirt reviewed current fire and liability insurance of the City. He said the current policy had limits of $100,000/$300,000 for bodily injury plus $50,000 property damage, and that there was a schedule of equipment only for the Public Works Department. He proposed addition of an umbrella policy for a nominal premium which would provide the City limits up to $1,000,000 for bodily injury or property damage. He said under the present insurance unscheduled equipment had to be on or 100 feet from City buildings to be covered. From the reviews he had seen, he said it appeared that the City had no burglary insurance except for money in the City Hall building. City Attorney Winn recommended that if economically feasible, the Budget & Finance Committee seriously consider an umbrella policy in view of the trend of court decisions away from governmental immunity. Mr. Pouppirt said it had been rather impossible to find the right person to talk to concerning the insurance. Following discussion, it was agreed that insurance policies could be taken out of City Hall for review upon signing a receipt.

Jim Stanley reported on the medical and life insurance program. He said the major medical portion was raised from $25,000 to $250,000 per insured; that the life insurance premium went down; that he did not recommend putting the medical insurance out for bid. He said the only weakness in present coverage was the $500 maternity benefit. Increase in maternity benefits was discussed. Councilman Ballard requested that Mr. Stanley review an increase and make a recommendation. Mr. Stanley stated it had been determined that the City could save about one per cent of payroll per year and provide the same benefits as CAPERS with twice as much life insurance. However, it had been discovered that once a city or county in Kansas was in the CAPERS plan, it absolutely could not get out. Following discussion, Councilman W. E. Evans moved that the Council direct the City Attorney to write the State Attorney General for an opinion and find out if there was some way the
City could take advantage of the $3,000 a year savings and thereby provide a better program for its employees; seconded by Councilman Bruns. The irrevocable status of participation in CAPERS was discussed. Councilman Judd suggested that in addition to the proposed letter by the City Attorney, the Insurance Committee present the matter to State Representative Burke, advise him what had been discovered and see what he might be able to do. Councilman Evans' motion carried. The Insurance Committee will report back with specific recommendations particularly on liability coverage and coverage of various pieces of equipment.

It was determined that action should be taken on medical insurance before the next Council meeting. The department heads stated they felt their employees would not be in favor of increased premiums to cover increased maternity benefits. Mr. Stanley's recommendation was that medical coverage remain with Travelers. Councilman H. C. Evans requested that the Insurance Committee's recommendation concerning fire, theft and liability coverage be reduced to writing, including the amount of premium. Councilman W. E. Evans moved that medical insurance be reinstated with Travelers for the coming year with present maternity benefits and including the major medical increase; seconded by Councilman Bruns. Motion carried.

Minutes - Meeting of November 4, 1972: On motion by Councilman W. E. Evans, seconded by Councilman Judd, the minutes of the meeting of November 4, 1972, were approved as submitted.

Minutes - Meeting of November 6, 1972: On motion by Councilman Aalbregtse, seconded by Councilman Judd, the minutes of the meeting of November 6, 1972, were approved as submitted.

Minutes - Meeting of November 13, 1972: On motion by Councilman W. E. Evans, seconded by Councilman Bruns, the minutes of the meeting of November 13, 1972, were approved as submitted.

Visitors: Sister Marie Coleman, Ray Pouppirt, Jim Stanley, Don Winslow, Tom M. Frey, J. E. Chalfant, John R. Porter, Kathy Yunker, Mr. and Mrs. E. J. Lewis, Mrs. Vernon L. Lyon, Mrs. Robert Yates, Mrs. Al Lindgren, Mr. and Mrs. J. S. Skaptason, Frances Huoni, A. W. Doepke. Member of the Press: Bob Savino.

Request from Residents - Improvement of Roads in Southern Part of City: Don Yelton displayed a map showing gravel roads in the southern part of the City. He distributed a chart of estimated cost of two inches of gravel on a 20-foot roadway for each of the roads, totaling $88,065. Mr. Yelton said he had considered them unimproved roads and all he had done was to put graders down there and try to fill potholes and keep them passable without applying any new surfacing material. City Attorney Winn emphasized that the expenditure for gravel would need to be repeated every two to three years. The City Attorney outlined three methods of financing improvement of
There was discussion of the streets involved. Mr. Yelton said Mr. Ed Bopp was circulating a petition for improvement of Mission Road from 135th to 143rd Street under a benefit district assessment.

J. S. Skaptason said residents were not asking for improved roads; that a little bit of gravel applied continuously would not cost $88,000; that it was a limited amount of money which the City of Leawood had been able to expend previously. He said residents would recommend that a crown be put back on the roads and a limited amount of gravel applied. Ed Lewis agreed that residents were not asking for improvement of the roads, only maintenance. There was discussion of method of grading and the number of times the roads had been graded this year. Mr. Yelton said $4,000 was budgeted for gravel and $3,400 had been spent. Councilman Bruns said he felt the City could revert back to the way the roads were maintained before. Mr. Skaptason said he would characterize the situation on certain parts of the roads as being of an emergency nature. Councilman Ballard assured residents in the audience that he and Mr. Yelton would survey the situation and get as much done within a reasonable time as the budget would allow.

There was a short recess at 8:50 p.m. to allow members of the audience to leave.

The Council reconvened at 8:55 p.m. following the recess. All the same councilmen were present.

OLD BUSINESS

Report from Building Committee: Councilman Judd reported Councilman Conklin was in the hospital. Councilman Judd said Mr. Conklin had transmitted to John Granstedt the request for certain revisions and alterations in the building plans. Mr. Granstedt was present and reported the atomic design specialist had indicated he saw no reason why the City Hall site and the plans as discussed with him by Mr. Granstedt would not be acceptable. Mr. Granstedt said the garage access would have to be changed to the south side and that the building plans would have to be reversed; that the site had more architectural work involved; that to save architectural costs, they would try using sepiss. He said the structural plans of the lower areas on the new site would have to be redesigned; that the basement and first floor plans would be revised for a December 13th meeting in Topeka. He said it would take a month and a half to two months to redo the plans. He stated the cost of the police facilities had been recalculated at $109,000 with architectural fees, and that this was sufficient for the City's match of funds. Mr. Granstedt said he would have to recalculate the cost of the E.O.C. portion; that its cost would probably be reduced. He said he would like to review the contract documents with the City Attorney to see if it were possible to continue.
under the old contract for architectural services, and to
meet with as many members of the Building Committee as
possible.

Ordinance No. 431 S - Relating to Purchase of Police Depart-
ment Equipment and Apparatus and Repealing Ordinance No. 419
of February 7, 1972: City Attorney Winn explained the
proposed ordinance was to resubmit the City's application
for authority to expend $116,261.50 and request immediate
hearing. City Treasurer Hansel suggested that the ordinance
should mention that the City expected to expend the money
in 1973. The proposed ordinance was amended by adding
"said expenditure to occur prior to the end of 1973". City
Attorney Winn said he was optimistic about approval of the
application. Councilman Bruns moved that an emergency be
declared for adoption of Ordinance No. 431 S; seconded by
Councilman W. E. Evans. Motion carried. Councilman Aalbregtse
moved that Ordinance 431 S be adopted as distributed with the
correction discussed regarding the time factor for spending
the money. Ordinance No. 431 was adopted unanimously.

Councilman Ballard asked Mr. Granstedt when the plans could
be completed. Mr. Granstedt said it would take a minimum of
two months, including the mechanical and engineering fields.
There was discussion concerning the roof material and exterior
architecture of the proposed building. Councilman Judd said
there were no basic changes in design or function, merely
exterior change in the type of roof. Mr. Granstedt asked
for more information as to what the Council wanted in the
architect's rendering. There was discussion as to whether
the rendering should show the present building and the
proposed administrative wing. It was agreed that the
rendering show only the structure planned to be built
next year, and that it be prepared by December 18.

Resolution No. 276 - Changing Site of Proposed Police-Courts
Building: Councilman Judd read the resolution changing the
site of the proposed police-courts building from Tract "H"
to land owned by the City at 9615 Lee Boulevard, and moved
for its adoption; seconded by Councilman W. E. Evans.
Resolution No. 276 was adopted unanimously. A copy is
attached hereto as part of the record.

Report from Budget & Finance Committee re C M Corporation
Proposal for Revenue Bonds to Build Nursing Home: Councilman
H. C. Evans reported the Budget & Finance Committee felt
(1) that the City should not enter into the question of
revenue bonds on the basis of one isolated proposal but
more as a City development strategy, and (2) that it would
be inappropriate to consider a matter of this kind until
the comprehensive land use plan is completed. Councilman
H. C. Evans moved acceptance of the recommendation of the
Budget & Finance Committee that C M Corporation be advised
that the Council did not favor pursuing the matter any
further; seconded by Councilman W. E. Evans. Motion carried.
Date for Special Meeting to Consider Final Appropriation Ordinance: At the request of Councilman H. C. Evans, date for a special meeting to consider the final appropriation ordinance was discussed. Councilman Judd moved that the special meeting be held on Thursday, December 28, 1972; seconded by Councilman Bruns. Motion carried.

MAYOR'S REPORT

Resignation of Mayor Jordan: Councilman Bruns moved that the resignation of Margaret W. Jordan as Mayor of the City of Leawood effective December 15, 1972, be accepted; seconded by Councilman Judd. Councilman Judd suggested that appropriate measures be taken to express gratitude for her services and hours of hard work she had devoted to the City. Motion to accept resignation carried. Councilman Ballard stated election of a Council President would be on the agenda for the first meeting in December; that he would resign as Councilman effective December 15. Councilman Judd suggested that the news media advise the public that the City was ready and willing to take applications for the vacancy in the office of Councilman, Ward 1. Councilman Judd moved that the new mayor be sworn in at the December 18th meeting of the Council; seconded by Councilman Bruns. Motion carried.

NEW BUSINESS

Approval of Application for Cereal Malt Beverage Licenses - Martin's Thriftway, Leawood South Golf and Country Club, and King Louie Ranchmart: City Attorney Winn said he had reviewed the applications for renewal of cereal malt beverage licenses and found them to be in order. On motion by Councilman Judd, seconded by Councilman Bruns, the application of Leawood South Golf and Country Club for cereal malt beverage license was approved. On motion by Councilman Judd, seconded by Councilman Bruns, the application of King Louie Ranchmart for cereal malt beverage license was approved. On motion by Councilman Judd, seconded by Councilman Bruns, the application of Martin's Thriftway for cereal malt beverage license was approved.

Ordinance Providing for Establishment of Wage and Salary Schedules (First Reading): Following discussion, Councilman Bruns moved that the ordinance providing for establishment of wage and salary schedules for the budget year 1973 be accepted for first reading; seconded by Councilman Judd. Motion carried.

Authorization to Advertise for Bids - Fire Department Pumper: Councilman Bruns presented the specifications and moved that the Council authorize advertisement for bids for a 1500 Pumper for the Fire Department; seconded by Councilman W. E. Evans. Motion carried. Chief Toman reviewed expenditures from the Special Fire Equipment Fund.
Newsletter of Mid America Regional Council Planning Agency:
Councilmen were asked to study and make suggestions concerning preliminary goals for the Kansas City metropolitan region which were contained in a MARC newsletter distributed.

Councilman W. E. Evans moved that the Council adjourn to executive session for the purpose of considering pay roll rate reviews and status forms; seconded by Councilman Bruns. Motion carried.

Following a short recess, the Council adjourned to executive session at 10:07 p.m.

The Council returned to regular session at 11:00 p.m. All the same councilmen were present.

Status Forms - Fire Department Personnel: On motion by Councilman W. E. Evans, seconded by Councilman Bruns, the following promotions and pay increases were approved:

Conley P. Cornell, Jr., from Probationary Firefighter at $510 per month to Firefighter First Class at $548.60 per month, effective December 1, 1972.

Stephen R. Wilson, from Probationary Firefighter at $510 per month to Firefighter First Class at $548.60 per month, effective December 1, 1972.

Pay Roll Rate Reviews: On motion by Councilman Bruns, seconded by Councilman W. E. Evans, the following pay increases for Fire Department employees were approved, effective Jan. 1:

Jourdan A. Toman, Fire Chief, from $1,150.91 to $1,350.00 per month;
Abney J. Benoit, Captain, from $770 to $900 per month;
Gary M. Scheer, Captain, from $770 to $900 per month;
Jerry L. Strack, Captain, from $740 to $880 per month;
Milton L. Sidebottom, Fire Fighter First Class, from $650 to $775 per month;
Dennis A. Thomason, Firefighter First Class, from $630 to $775 per month;
Carl Dennis Andrew, Firefighter First Class, from $548.60 to $665 per month;
Lee Allen Bledsoe, Firefighter First Class, from $600 to $725 per month;
Robert J. Haskin, Firefighter First Class, from $548.60 to $675 per month;
Stephen R. Wilson, Firefighter First Class, from $548.60 to $675 per month;
Conley P. Cornell, JR., Firefighter First Class, from $548.60 to $640 per month;
Ben C. Florance, Probationary Firefighter, from $510 to $575 per month;
Robert L. Sharp, Firefighter First Class, from $548.60 to $650 per month.
On motion by Councilman Judd, seconded by Councilman Bruns, the following pay increases for Police Department personnel, effective January 1, 1973, were approved:

Richard W. Blume, Police Chief, from $1,100 to $1,250 per month (rate review to be made in May to consider further rate increase at that time)
Robert Becker, Lieutenant, from $900 to $1,000 per month
Al R. Sellers, Lieutenant, from $900 to $1,000
Wayne Sharp, Sergeant, from $789.15 to $900
Robert H. Wells, Sergeant, from $765 to $875
Ronald Kossenjan, Corporal, from $755 to $855
Veldon D. Prince, Corporal, from $745 to $845
Steven G. Shults, Corporal, from $745 to $845
Merle Ganaden, Patrolman First Class, from $738.27 to $830
Allan H. Buford, Patrolman First Class, from $725.37 to $820
Brian A. Lane, Patrolman First Class, from $710 to $810
Royce L. Bounds, Patrolman First Class, from $650 to $750
James S. Cox, Patrolman First Class, from $650 to $750
Craig E. Hill, Patrolman, from $650 to $740
Steven D. Philips, Patrolman, from $650 to $740
William R. Huff, Patrolman, from $650 to $740
Marian Selsor, Police Clerk, from $456.93 to $504
Dorothy J. Way, School Crossing Guard, from $7.50 per day to $8.25 per day.

On motion by Councilman Ballard, seconded by Councilman Aalbregtse, the following pay increases for Public Works Department personnel, effective January 1, 1973, were approved:

Donald Yelton, Director of Public Works, from $1,150 to $1,250 per month
Will Gray, Superintendent of Public Works, from $900 to $950
Jack Moore, Sewer Foreman, from $650 to $685
Richard Blakey, Street Maintenance Foreman, from $645 to $680
Leonard Breiner, Equipment Operator, from $3.75 per hour to $3.96 per hour
Robert Hayes, Park Maintenance Foreman, from $640 to $675 per month
Buster E. Hartman, Laborer, no change $3.42 per hour
Jack Evans, Laborer, from $3.42 to $3.61 per hour
Emery Ingram, Mechanic, from $3.92 to $4.14 per hour.

On motion by Councilman Ballard, seconded by Councilman Bruns, the following pay increases were approved for Administrative Department personnel, effective January 1, 1973:

Virginia Oberlander, City Clerk, from $828.60 to $928.60 per month;
Dorothy Holtsclaw, Financial Clerk, from $535 to $600 per month;
Jennie Dougan, Clerk, no change $369.25 "
Frances Farrar, Clerk, from $367.39 to $410 "
Alice Smith, Clerk, from $453.51 to $486 ".

The Administrative Committee will make recommendations concerning the balance of the Administrative Department personnel.

At 11:20 p.m., on motion by Councilman Bruns, seconded by Councilman W. E. Evans, the meeting adjourned to Monday, December 4, 1972, 7:30 p.m.

As President of Council

June Site
Council Reporter

Attest:

Donald Bollard
City Clerk
Minutes of a special meeting of the City Council of the City of Leawood, Kansas.

A special meeting of the City Council was held at 7:00 p.m. on Monday, November 27, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Margaret W. Jordan presiding.

Mayor Jordan read the call for the meeting, for the purpose of calling in of bids on the police-courts building, and such other matters as necessary to implement the action taken by the Council in this regard, signed by Councilmen Aalbregtse, Conklin and Judd. A waiver of notice of the meeting had been signed by all councilmen present.

Roll call was answered by Councilmen Aalbregtse, Conklin, H. C. Evans, Bruns, W. E. Evans, Judd.

Report from Building Committee: Councilman Judd reported that at a meeting with Mayor Jordan, City Attorney Winn and Architect John Granstedt it was deemed advisable that the Governing Body not wait for a rehearing before the Board of Tax Appeals, but that bids on the police-courts complex be called in. The application and hearing before the Board of Tax Appeals to expend the money in 1973 would be pursued. City Attorney Winn said the present meeting was called because we are not absolutely sure of approval by the Board of Tax Appeals. He said calling in the bids was distinctly different from letting a contract; that by the time a contract would be let, the hearing would have been held and the City would know whether it would have the $116,000 to spend. Councilman Judd said due to the changes and additional work shifted on Mr. Granstedt there would be additional architect fees which would be more than compensated by the reduced cost of placing the building on the present City Hall site. Likelihood of approval before the Board of Tax Appeals was discussed. City Attorney Winn said he considered approval an 85 per cent possibility.

John Granstedt explained the City would be asking return of bids from 12 to 13 bidders on the building on the 103rd Terrace property; that basically the building had not been changed except for the garage area. He said the City had the right in the addenda to select two bidders out of the group, so that the contractor list would be narrowed down to two contractors; then when the plans are revised to fit the City Hall site, we would go back to the two contractors, renegotiate, and have them rebid the building we are going to put on this site. Mr. Granstedt and Mr. Winn agreed that all the contractors knew there was going to be a site change. Mr. Granstedt said otherwise the City would have a problem if that point were reached and the extension on spending the Board of Tax Appeals money was not granted. In that case, a commitment on the money would have to be made.
prior to the first of the year. Mr. Granstedt emphasized that the City could back away if it wanted to. There was discussion concerning the City's position after narrowing contractors down to two. Mr. Granstedt discussed the extra architectural work involved and said there was a question of whether or not contractors could use the drawings without having them reversed. He explained the use of sepias. Mr. Granstedt said it would take two months to redo the plans and 15 days for bidding. Mayor Jordan stated taking in the bids would preserve some lead time.

Mr. Granstedt said he thought a letter should be written to the contractors advising them of the City's position. He discussed the savings in the new site and said these savings would not be reflected in the bids from contractors at this time. Mr. Winn said he considered it proper for the Council to pass the resolution. He added that the City would have no contract until one was executed with a contractor, and any and all bids could be rejected by the terms of the bid document.

Resolution No. 277 - Calling in Bids on the Police-Courts Building: Councilman Bruns, being assured by the City Architect and City Attorney that the Council was not being stampeded, moved that the resolution distributed be approved, and requested no second at this time in order not to cut off discussion. A copy of the resolution is attached hereto as part of the record. The City Attorney said if we do not get Board of Tax Appeals approval to the extension then the City must commit the money before the end of the year. He said the money would be committed prior to negotiations for the building on the present City Hall site. Mr. Granstedt, Councilman Conklin and Mr. Winn said under the circumstances they felt calling in the bids was the thing to do. Councilman Conklin seconded the motion to adopt the resolution. Resolution No. 277 was adopted by unanimous roll call vote of the six councilmen present.

Option on Tract "H" Property: Mayor Jordan announced she had received a letter from Kroh Brothers dated November 27, 1972, stating they would like the City to continue its option, and that they had no wish to repurchase the Tract "H" property. She said in view of the value of the property she felt this was an extremely generous offer. Councilman Bruns moved that a letter of appreciation be written Kroh Brothers; seconded by Councilman Judd. Motion carried.

Suggested Appointment to Recreation Commission: Councilman Bruns suggested that Mayor Jordan appoint Al Luxford to the Recreation Commission since he was involved in the original negotiations on the parks and was very dedicated to the City. Mayor Jordan said she would strongly support Mr. Luxford's appointment, but she felt appointments were up to the incoming mayor.

On motion by Councilman Bruns, seconded by Councilman Aalbregtse,
November 27, 1972

#274

the meeting adjourned.

[Signature]
President of Council

June Lile
Council Reporter

Attest:

[Signature]
City Clerk
Minutes of a regular meeting of the City Council of the City of Leawood, Kansas.

A regular meeting of the City Council was held at 7:30 p.m. on Monday, December 4, 1972, in the City Hall, 9615 Lee Boulevard, with President of the Council Donald S. Ballard presiding. Roll call was answered by Councilmen H. C. Evans, Eddy, Ballard, Bruns, W. E. Evans, Judd.

The invocation was given by Rev. John W. Heslip.

Minutes - Meeting of November 20, 1972: On motion by Councilman W. E. Evans, seconded by Councilman Bruns, the minutes of the meeting of November 20, 1972, were approved as submitted; Councilman Eddy abstained.

Councilman Bruns moved for a change in the agenda to elect the President of the Council after approval of the minutes; seconded by Councilman Judd. Motion carried.

Minutes - Special meeting of November 27, 1972: On motion by Councilman Judd, seconded by Councilman Bruns, the minutes of the special meeting of November 27, 1972, were approved as submitted; Councilman Eddy abstained.

Resignation of Donald S. Ballard as Councilman, Ward 1, and as President of the Council: Councilman Ballard presented his resignation as Councilman, Ward 1, and as President of the Council, effective December 15, 1972. The resignation was accepted on motion by Councilman Bruns.

Election of President of the Council: Councilman Judd nominated Councilman Edwin E. Bruns as President of the Council, effective December 16, 1972; seconded by Councilman Eddy. Councilman W. E. Evans nominated Councilman Homer C. Evans as President of the Council; nomination failed for lack of a second. Councilman Bruns explained that he did not second the nomination because Councilman H. C. Evans had indicated he did not want the position. Motion to elect Councilman Bruns as President of the Council carried; Councilman Bruns abstained. Mr. Bruns expressed gratitude to the Council.

Visitors: Sister Marie Coleman, Rev. John W. Heslip, Stuart Johnson. Member of the Press: Bob Savino.

REPORTS

Treasurer: Mr. Hansel's report was submitted. He said the Budget & Finance Committee would meet on Wednesday to assess the City's financial situation. He also said he was concerned about a Board of Tax Appeals order vacating its order of February 29, 1972, permitting the City of Leawood to spend $116,000 in 1972. He said some of the money had already been spent. The matter was to be clarified after the City Attorney arrived at the meeting. On motion by Councilman H. C. Evans,
seconded by Councilman Bruns, the Treasurer's report was
accepted.

Municipal Judge: Judge Cope's report was submitted and
approved on motion by Councilman Bruns, seconded by Council-
man W. E. Evans.

Fire Department: Chief Toman's report was submitted.
Councilman Bruns read a letter from John A. Schlichter
condemning Chief Toman and the rescue squad for their prompt
and considerate help in an emergency on November 21. On
motion by Councilman Bruns, seconded by Councilman W. E.
Evans, the report was approved.

Police Department: Chief Blume's report was submitted.
Councilman Judd read a letter from Dr. O. Dale Smith, chair-
mian of the Board of Trustees of Johnson County Community
College confirming Chief Blume's appointment as a member
of the Law Enforcement Advisory Committee of the College
The Council commended Chief Blume upon his appointment to
that committee. On motion by Councilman Judd, seconded by
Councilman W. E. Evans, the report was accepted.

Public Works Department: Don Yelton reported verbally that
the Street Department had been filling chuckholes and repairing
curbs; that a park gate had been constructed and installed,
and a new lunch room built; storm drains were cleaned. He
said a leaf machine had been rented for two days from the
City of Prairie Village at a cost of $200, and leaves were
picked up in the north end of the City. He reported 119th
Street had been graded and 32 tons of rock applied; 16 tons
of rock had been applied on 111th Street, and a culvert
reset on 123rd Street. He reported there were extensive
stoppages in the sewers in the north end of the City; that
a new set of cutters had been purchased for the rodding
machine; that there was a weekly check of points on the
sewers to assure that they were in working order. Mr.
Yelton said a tax bill in the amount of $1,806.00 had been
received for the rented park property. He said for economy
and more effective policing of ordinances, the City should
have a full-time building inspector. He reported the
engineering division was busy with 95th Street improvement,
the drainage area, and an engineering study of getting the
sewers into the Johnson County Sewer District and other ways
of solving sewer problems. Leaf pick-up was discussed. Mr.
Yelton said he felt it was a service the City should provide.
Councilman Ballard noted there were several areas where
streets get full of leaves. Mr. Yelton was requested to look
into the possibility of the City purchasing a leaf vacuum to
pick up the leaves, and a machine which would both pick up
and shred the leaves, inquire as to the sale price of leaf
mulch, and report to the Council.

There was discussion of the condition of streets in the
Leawood South area and whether or not trucks were causing
the problem. Councilman Eddy suggested the City investigate

1525
whether the State Highway Patrol would spot check weights on trucks. On motion by Councilman Eddy, seconded by Councilman Bruns, the report was approved.

COMMITTEE REPORTS

#514 Budget & Finance: Councilman H. C. Evans reported the committee would meet Wednesday evening to make final projections and make sure the City did not exceed the budget lid. He requested that purchase orders be left undated. Councilman H. C. Evans said revenues would probably exceed the forecast; however, the last payment from State gasoline tax had not been received. On motion by Councilman Bruns, seconded by Councilman H. C. Evans, the report was approved.

#559 Intergov't. Coop. & Community Affairs: No report.

Ordinance: No report.

Parks: No report.

Plan Commission: No report.

#563 Public Safety: Councilman Judd said a report by Lieutenant Becker concerning a meeting on the noise control ordinance at Prairie Village would be reviewed by the Public Safety Commission. He requested that Mr. Stuart Johnson attend the Public Safety meeting.

#581 Opening of Bids for Pumper - Fire Department: Councilman Bruns reported seven requests for bid had been sent out but only one returned a bid. The specifications were discussed. Chief Toman said the specifications were prepared from trucks presently in the Department. Councilman Bruns opened the following bid:

American La France Company, 1500 g.p.m., 1000 Series, custom built fire department pumper, rail freight prepaid, $52,898.00.

The bid was discussed. Mr. Hansel suggested that Chief Toman's recommendation specify what would be included in the bid accepted this year and what would be added next year. Councilman Bruns asked that Chief Toman be excused from the meeting to check the bid and report back to the meeting.

#674 Public Works: Hearings on 95th Street Widening and on Storm Drainage: Councilman Ballard announced that a public hearing on the widening of 95th Street would be held on Thursday, December 14, 1972, at 7:30 p.m. at Ranch Mart, and that a public hearing on storm drainage would be held on Monday, December 11, 1972, at 7:30 p.m. at the City Hall, with an alternate location to be arranged by the City Clerk in case a large number of residents attend. Councilman Eddy emphasized that the storm drainage problem was independent
of the widening of 95th Street except that it incidentally hooked into it. The storm drainage problem was discussed. Councilman Ballard urged councilmen to visit the drainage area prior to the hearing and become acquainted with the problem first-hand.

Public Works - Report re Maintenance of Roads in South Part of City: Councilman Ballard said the Director of Public Works would prepare a long range plan for maintenance of the roads in the south part of the City. He said everything possible within the budget would be done between now and the first of the year.

Discussion of Order Vacating Request of City Before Board of Tax Appeals: City Attorney Winn had entered the meeting. He explained that the order vacating the request of the City had been issued prematurely. He said the understanding was that ultimately such an order would have to be issued so the City could re-file or reappear, but the order should have been held until the hearing was imminent. Mr. Winn said the attorney for the Board had assured him that the intent was not to "jerk the rug out" from under the City. He said because of the Board's schedule, a hearing in early December was virtually impossible. City Attorney Winn will attempt to get written clarification of the order.

Sewer: Councilman Eddy said there was some question about the number of sewer connections left on the north end of the City and requested that Mr. Yelton check into it and telephone him within the next few days. Councilman Ballard explained that connections should be reserved for all present septic tanks.

Councilman H. C. Evans moved for a change in the agenda to consider the report from the Building Committee next; seconded by Councilmen W. E. Evans. Motion carried.

OLD BUSINESS

Report from Building Committee: John Grenstedt reported letters had been sent to contractors advising that the City was opening the bids on December 12 at 2:00 p.m. at the City Hall, that they were to bid the job for the site at 2006 West 103rd Terrace, and pointing out that the site would probably be changed. Mr. Granstedt stated he would estimate the added cost of revisions of the plans to fit the present City Hall site at someplace between $7,000 and $8,000. He suggested that the Building Committee meet and set up the fee arrangement for the extra work. The City Attorney suggested the Building Committee come back to the Council with a definite recommendation in writing.

At 9:10 p.m. Councilman Bruns asked to be excused from the meeting because of an emergency call.

Motion for Executive Session: Councilman H. C. Evans moved
that the pay roll rate reviews and the ordinance providing for establishment of wage and salary schedules be considered at the end of the agenda in executive session because the items involved individual pay rates; seconded by Councilman W. E. Evans. Motion carried.

Building Permit - Roach Cadillac: Don Yelton reported Roach Cadillac had been issued a permit by Kansas City, Missouri, for a used car lot south of its present facility, and the company had applied to the City of Leawood for permission to install parking spaces on the Leawood portion of the property. Councilman Eddy moved that the application be tabled until such time as Mr. Yelton had time to discuss the previous commitments made by Roach Cadillac and the addition of a sidewalk; seconded by Councilman W. E. Evans. Councilman Ballard suggested that Mr. Yelton talk with former councilman Cliff Johnson and Wayne Harrison, former chairman of the Plan Commission, concerning the promises that were made in connection with the building permit that was issued on the original building. Councilman Eddy's motion carried.

Acceptance of Bid for Pumper - Fire Department: Chief Toman reported that exceptions to original specifications were minor in the bid received. Upon Chief Toman's recommendation, Councilman Judd moved that the Council authorize the expenditure of $40,000 in this fiscal year towards the purchase of the pumper from American La France Company, with the balance to be paid from next year's Fire Department funding, under separate purchase orders. It was explained that Chief Toman would specify the parts to be left out of the 1972 order, the second purchase order to be made after the first of the year for the specific parts that would be added to the truck to complete construction. The motion was seconded by Councilman W. E. Evans and carried. Councilman Ballard suggested acceptance of the bid stipulate that the Fire Chief go to the factory to inspect the truck at the expense of American La France. Councilman Eddy suggested that acceptance specify delivery f.o.b. the fire station.

NEW BUSINESS

Application for Cereal Malt Beverage License - Gates & Son Barbeque: Councilman W. E. Evans moved that the matter be considered in executive session for the reason that personal data concerning the applicant was involved; seconded by Councilman H. C. Evans. Motion carried.

Appropriation Ordinances: Nos. 309A and 300S in the amounts of $65,511.38 and $48,036.26, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were approved on motion by Councilman H. C. Evans, subject to the change that the contract for street overlay item be taken from the Special Highway Fund account.

Mayor's Christmas Tree Fund: The City Clerk explained that the City had in the past accepted a check from King Louie Ranchmart
for the Mayor's Christmas Tree Fund Bowling Tournament and put the amount into the Leawood Scholarship Fund. No action required until the money is received.

Councilman Judd moved for an executive session as specified earlier in the meeting; seconded by Councilman H. C. Evans. Motion carried, Councilman Eddy opposed.

The Council adjourned to executive session at 9:35 p.m.

The Council returned to regular session at 9:55 p.m. Councilmen H. C. Evans, Eddy, Ballard, W. E. Evans and Judd were present.

Pay Roll Rate Reviews (Balance of Administrative Department): On motion by Councilman H. C. Evans, seconded by Councilman Eddy, the following pay increases were approved for Administrative Department personnel, effective January 1, 1973:

Joan Coons, Court Clerk-Violations Clerk, from $450 to $474 per month;
James R. Cope, Municipal Judge, from $275 to $315 per month;
June Lile, as Council Reporter, from $2.64 to $2.75 per hour; as Secretary to the Board of Zoning Appeals, from $2.37 to $2.45 per hour;
Ronald Reuter, Assistant City Attorney, from $158.25 to $188 per month;
Larry Winn, City Attorney, from $249.38 to $275 per month, additional Plan Commission contribution from $50 to $60 per month.

On motion by Councilman H. C. Evans, seconded by Councilman Eddy, the following pay increase was approved, effective January 1, 1973:

Charles Troppito, Administrative Assistant to the Mayor for Planning, from $685 to $725 per month.

It was specified that Mr. Troppito's salary would be allocated as follows: $187 from Administration, $163 from Parks, and $375 from Planning.

On motion by Councilman Judd, seconded by Councilman H. C. Evans, the resignation of Sue Hoerner, clerk, effective December 22, 1972, was accepted, Councilman Eddy opposed.

Application for Cereal Malt Beverage License - Gates & Son Barbeque: Councilman H. C. Evans moved that the cereal malt beverage license application of Gates & Son Barbeque be tabled for further study; seconded by Councilman W. E. Evans. Motion carried.

City Hall Staff - Errands: Councilman Eddy requested that the City Hall staff not be asked to run errands to homes of councilmen, etc. after working hours, except in cases of extreme emergency.
At 10:12 p.m., on motion by Councilman H. C. Evans, seconded by Councilman W. E. Evans, the meeting adjourned to Monday, December 18, 1972, 7:30 p.m.

[Signature]

June Lile
Council Reporter

Attest:

[Signature]

City Clerk

[Stamp]
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Monday, December 18, 1972, in the Ranch Mart Auditorium, 3736 West 95th Street, with Mayor Donald S. Ballard presiding. Roll call was answered by Councilmen Aalbregtse, H. C. Evans, Bruns, Judd.

There was some question as to whether the four councilmen assembled constituted a quorum. While the Chief of Police called the absent members, Mayor Ballard explained to the audience that in view of the fact that there was obviously enough opposition to the widening of 95th Street to force it to a referendum by petition, a resolution would probably be introduced at this meeting to the effect that the issue be placed on the ballot in April. The matter was discussed informally with members of the audience. It was determined that none of the absent councilmen could attend the meeting. The City Attorney then advised that the four councilmen present constituted a quorum since there was a vacancy in Ward 1.

The Council returned to session at 7:53 p.m.

Councilman Bruns moved for a change in the agenda after the invocation and approval of the minutes to take out the ordinance designating 95th Street as a main trafficway and the resolution relative to authorization to contract for improvement of 95th Street, and to consider a resolution he would present instead; seconded by Councilman Judd. Motion carried. Councilman Judd moved for a change in the agenda immediately after Mr. Bruns' resolution to consider the first reading of an ordinance establishing a Civil Service Commission for the Police and Fire Departments; seconded by Councilman Bruns. Motion carried.

Minutes: On motion by Councilmen Judd, seconded by Councilman Bruns, the minutes of the meeting of December 4, 1972, were approved as submitted.

Resolution No. 278 - To Submit to Voters Issuance of Bonds to Finance Improvement of 95th Street: Councilman Bruns moved the adoption of the following resolution:

RESOLUTION NO. 278

"BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that the question of the issuance of general obligation bonds to finance the improvement of 95th Street as it passes through the City of Leawood be submitted to the voters of the City at the next regular city election which will be in April, 1973."
During discussion, a man in the audience proposed that adequate funds necessary for a proper drainage system to carry the additional water away from the flooding area be put in with the resolution. The City Attorney stated statutory provisions for financing of the street and the drainage projects were entirely separate and should be the subject of separate resolutions. He added that he was not sure whether general obligation bonds could be issued for improvement of the drainage area, but the City could pay up to 90% of the cost under a benefit district concept. During discussion with members of the audience, Mayor Ballard stated that neither the Council nor the Public Works Committee had ever recommended that the drainage district be financed totally by the people within that benefit district. There were questions from the public concerning financing of the drainage district. The City Attorney explained that state statutes did not provide for referendum procedure in connection with storm drainage projects; he stated, however, two public hearings were required by statute. A gentleman in the audience recommended that the Council submit a statement to the County Engineer to be passed on to the Federal agency involved to the effect that the widening of 95th Street as proposed would increase the drainage problem and that taking care of that increased problem would badly affect the economic affairs of the community of Leawood. Councilman Judd read from a letter dated December 16, 1971, from the Regional Administrator of the United States Environmental Protection Agency outlining steps required concerning an environmental impact statement. Councilman Judd said he failed to see the urgency for Council action at this time on either the original resolution and ordinance or the resolution submitted by Mr. Bruns. City Attorney Winn explained that if the issue were to appear on the ballot at a regular city election, to avoid incurring costs of a special election, publications and various procedures should be commenced. Resolution No. 278 was adopted unanimously by the councilmen present. Councilman Judd stated in the event storm drainage was essential as a result of this vote he would fight every bit as hard for the people in the storm drainage district as he had to prevent the widening of 95th Street.

On motion by Councilman Judd, there was a short recess.

The Council returned to session at 8:52 p.m. The same councilmen were present.

Ordinance Relating to Establishment of a Civil Service Commission for the Police and Fire Departments: Councilman Judd proposed the first reading of the ordinance, stating that it would be appropriate to have it become effective the first of the year. The Council felt it would not be appropriate to consider a matter of this magnitude without having copies distributed for study. Following discussion, the City Attorney suggested its provisions could be made retroactive. Thereupon,
Councilman Judd moved that the ordinance be placed on the agenda of the first meeting in January; seconded by Councilman Bruns. Motion carried.

Visitors: Mrs. Robert Carrigan, Ruth T. McDonald, Mrs. R. L. Hubler, Mrs. James A. Perdew, Verna White, Mrs. Douglas Swail, JoAnn Hutchings, Roy Glish, Robert E. Jakobe, I. J. Boschart, Leonard Conick, Roy C. Borg, D. J. Mooney, Elmer Selonke, Marvin F. Westfall, E. G. Olson, Robert E. Robinson, John T. Graham, Arno G. Salmi, Robert H. Gunther, Henry F. Gunther, Carl W. Parkhurst, Gilbert J. Wagner, Roy Ramsey, J. M. Terrill, Gerald A. Holmes, John F. Zubeck, Joseph F. Zubeck, Dr. Davin Amos, Phillip Hodes, R. A. Erocks, Harvey Present, C. J. Hutson, Stuart C. Johnson, Mr. and Mrs. Paul G. Petersen, Mr. and Mrs. B. P. O'Dwyer, Mr. and Mrs. William Pilchard, Mr. and Mrs. Murray Steeble, Mr. and Mrs. Robert Wolf, Mr. and Mrs. William S. Rawlings, and Mr. and Mrs. Robert Goldstein, Mr. and Mrs. Murray A. Brown, Mr. and Mrs. James Thoennes, Mr. and Mrs. Rosco A. Hill, Mr. and Mrs. J. J. Coupe, Mr. and Mrs. J. V. Schliard, Mr. and Mrs. E. J. Neal, Mr. and Mrs. R. R. Jones, Mr. and Mrs. J. L. Grimes, Mr. and Mrs. B. W. Blattner, Mr. and Mrs. Carl W. Berry, Mr. and Mrs. W. S. Hillis, Mr. and Mrs. Neal D. Dorothy, Mr. and Mrs. James E. Corbin, Mr. and Mrs. L. E. Miller, Dr. and Mrs. Eugene Wise, Mr. and Mrs. D. M. Boer.

OLD BUSINESS

#463 Ordinance No. 432 S - Providing for Establishment of Wage and Salary Schedules: On motion by Councilman Bruns, Ordinance No. 432 S was unanimously adopted.

#473 Extension of time - TeleCable: Councilman H. C. Evans advised the Council that the City would likely receive a request from TeleCable for extension of the time for completion of construction, since the underground part of the installation had been held up by bad weather.

#492 Review of Bids Submitted for Police-Courts Complex: John Granstedt reported the apparent low bidder on the police-courts complex was Pitman Construction Company. Their bid was $338,280 for the building on the 103rd Terrace site—approximately $40,000 over the engineer's estimate. He said the plans were in the process of being revised for the new site. He requested a meeting with the Building Committee and the City Attorney as soon as possible to review the contracts and revision of the plans. He said the building itself was bid at $295,000, and that the bids reflected higher labor costs to become effective in April.

#540 Addendum to Architect's Contract: Deferred pending a recommendation from the Building Committee.

#553 Recommendation from Public Safety Commission re Noise Ordinance: Councilman Judd read from a summary prepared
by Lt. Becker of a seminar on the Prairie Village noise control ordinance. The summary stated it would appear at this time, because of cost for training, unacceptable quality of present training, and questionable enforcement, the noise control ordinance would not be in the best interest of the City of Leawood. Councilman Judd stated it was the unanimous recommendation of the Public Safety Commission that the Council withhold any action on the proposed noise and vibration control ordinance until the Commission had had an opportunity to evaluate the implementation and the operation of the Prairie Village ordinance. Stuart Johnson objected to delay in adoption of the noise ordinance. Following discussion, Councilman Bruns moved for approval of Councilman Judd's recommendation; seconded by Councilman Judd. Motion carried.

NEW BUSINESS

#642 Applications for Cereal Malt Beverage Licenses - Pumpernik's and Ranch Mart Barbeque: City Attorney Winn stated he had examined the applications and found them to be in order. On motion by Councilman Judd, seconded by Councilman Bruns, the applications of Pumpernik's and Ranch Mart Barbeque for cereal malt beverage licenses were approved.

#650 Consideration of Appointment of Margaret Jordan to Building Committee: Mayor Ballard reported he was considering adding Mrs. Jordan to the Building Committee as an advisory member in regard to the funding of the building having to do with the Civil Defense and the Governor's Committee on Criminal Administration applications. Councilman Bruns agreed that Mrs. Jordan was very knowledgeable on the subject, but stated he was opposed to her being on the Building Committee.

#659 Resignation from Board of Zoning Appeals - James M. Fellenstein: Mayor Ballard read a letter of resignation of James M. Fellenstein from the Board of Zoning Appeals effective at the conclusion of the December meeting of the Board. On motion by Councilman Bruns, seconded by Councilman Judd, the resignation was accepted.

#670 Request for Permission to Conduct Annual Solicitation - Seventh Day Adventist Church: Rev. Thomas Flynn appeared on behalf of the application. Following discussion, Councilman Bruns moved for acceptance of the application; seconded by Councilman Judd. Motion carried.

#692 Vacancy in Office of Councilman, Ward 1: Mayor Ballard announced the following candidates were seeking the position of Councilman, Ward 1: Robert Elevens, Ed Winthrop, D.A.N. Chase, J. Nelson Happy. He anticipated a recommendation would be made by the second meeting in January.

At 9:35 p.m., on motion by Councilman Bruns, seconded by Councilman Aalbregtse, the meeting adjourned to Thursday,
December 28, 1972, 7:30 p.m.

Mayor

Council Reporter

Attest:

City Clerk

Donald Ballard
Mayor

June Lile

1535
Minutes of an adjourned meeting of the City Council of the City of Leawood, Kansas.

An adjourned meeting of the City Council was held at 7:30 p.m. on Thursday, December 28, 1972, in the City Hall, 9615 Lee Boulevard, with Mayor Donald S. Ballard presiding. Roll call was answered by Councilmen Aalbregtse, Conklin, H. C. Evans, Bruns, Judd.

Approval of Appropriation Ordinances: Mr. Hansel reported the final appropriation ordinance would bring net expenditures for 1972 to $505,219.80. He said the budget was $520,304, so there was presently a surplus of $15,084 in the General Fund and $38,912 in the Fire Equipment Fund, for a total of $53,996. He said Workmen's Compensation premium of approximately $750 would be charged against this year's budget, leaving a surplus of $53,246. The Council discussed committing the surplus to purchase of the pumper for the Fire Department and other items requested but not authorized. On motion by Councilman H. C. Evans, Appropriation Ordinances Nos. 310A and 301S in the amounts of $14,205.22 and $5,036.61, providing for payment of certain claims against the City and the Leawood Sewer System respectively, were approved.

Councilman Bruns moved that the Council approve as committed $4,106.41 in open purchase orders, $196.50 in Recreation Fund purchase orders, and purchase of the fire engine out of 1972 funds in the amount of $52,898; seconded by Councilman Conklin. Motion carried. Mr. Hansel stated of the funds outside the budget lid, there remained $2,850 in the City Hall Expansion Fund and $107,311.80 in the fund created by permission of the State Board of Tax Appeals.

Review of Money Available for Police-Courts Building: Councilman H. C. Evans said money available for the police-courts building was in the range of $280,000 plus $30,000 for 1973 revenue sharing. Mayor Ballard requested that Councilman Evans present these figures in writing for the next Council meeting.

Report on Meeting with Board of Tax Appeals: Councilman H. C. Evans reported City Attorney Winn, Chief Blume and he had met with the Board of Tax Appeals, that approval was granted to reinstate the permission to spend $116,000, and that an order would be forthcoming not committing the City to any time limit.

Application for Cereal Malt Beverage License - Gates & Sons Barbeque: Mayor Ballard stated City Attorney Winn had recommended approval of the applicant for a period of thirty days. Councilman Bruns moved for an executive session to discuss the application of Gates & Sons Barbeque for a cereal malt beverage license; seconded by Councilman Aalbregtse. Motion carried.

The Council adjourned to executive session at 8:25 p.m.
The Council returned to regular session at 8:35 p.m. The same councilmen were present.

Application for Cereal Malt Beverage License - Gates & Sons Barbeque (continued): Councilman H. C. Evans moved that, based upon the understanding that the ownership of Gates Barbeque would be seeking another holder for its cereal malt beverage license, the application now before the Council be granted to run through January 31, 1973; seconded by Councilman Judd. Motion carried.

Discussion re Ordinance Prohibiting Composts: Councilman Bruns asked the Police Chief if he would like to have an ordinance prohibiting composts. There was discussion that this would fall into a category such as building inspector as opposed to police chief, and that unless there was an inspection and statement by the State Health Department that a health hazard was created, a compost pile could not be prevented, unless a resident signed a nuisance complaint. The Council discussed the need for a full time employee of the City for building inspection, sign and fence violations, etc.

On motion by Councilman Judd, seconded by Councilman Bruns, the meeting adjourned to Tuesday, January 2, 1973, 7:30 p.m.

Mayor

Council Reporter

Attest:

City Clerk