

Minutes

Audio Tape No. 500

The City Council of the City of Leawood, Kansas, met in regular session in the Council Chamber, 4800 Town Center Drive, at 7:30 p.m., on Monday, December 4, 2000. Councilmember Mike Gill presided in the absence of Mayor Peggy J. Dunn.

Councilmembers present: Scott E. Gullede, Gary L. Bussing, Jim Rawlings, Patrick L. Dunn, Shelby Story, Mike Gill, Louis Rasmussen, and James E. Taylor, Sr.

Staff present:

Patricia A. Bennett, City Attorney

Ben C. Florance, Fire Chief

Kathy Rogers, Finance Director

Randy Wiler, Police Planning Officer

Joe Johnson, Public Works Director

Mark Andrasik, Info. Services Director

Sid Mitchell, Chief of Police

Jeff Cantrell, Neighborhood Serv. Admin.

Chris Claxton, Director of Parks & Recreation Deb Harper, Deputy City Clerk

Julie Hakan, Human Resources Director

Martha Heizer, City Clerk

1. PLEDGE OF ALLEGIANCE.

2. APPROVAL OF AGENDA. Approved unanimously on motion of Dunn, seconded by Rasmussen, after the addition of Item 7.H., Council consideration of authorizing staff to work with Continental Consulting Engineers in an amount not to exceed \$50,000 to establish pumping facilities for wastewater effluent for use on the Ironhorse golf course.

3. PRESENTATION OF THE 1999 LIFE SAFETY ACHIEVEMENT AWARD TO THE LEAWOOD FIRE DEPARTMENT. Gale Haag, Kansas State Fire Marshal, presented the award to Chief Florance which represented no structural fire deaths in Leawood in 1999.

4. CITIZEN COMMENTS. G. Gordon Thomas, 10516 Mohawk Lane, questioned the authorization of additional expenditures for the City's golf course (agenda Item 7.H.); he also questioned a decrease in the 7% development fee (agenda Item 7.E.), feeling that the City should make money from developers.

5. CONSENT AGENDA.

Consent agenda items have been studied by the Governing Body and determined to be routine enough to be acted on in a single motion. If a Councilmember requests a separate discussion on an item, it can be removed from the consent agenda for further consideration.

A. Resolution recognizing Police Sergeant Tayne Smith for 20 years of service to the City

- B. Resolution recognizing Fire Battalion Chief Louis Dunham for 20 years of service to the City
- C. Resolution recognizing Public Works Heavy Equipment Operator Danny Turner for 20 years of service to the City
- D. Minutes of the November 20, 2000, Governing Body meeting
- E. Minutes of the November 1, 2000, Public Works Committee meeting
- F. Minutes of the November 8, 2000, Public Works Committee meeting
- G. Appointment of Selection Committee for a new City Administrator – Councilmembers Bussing and Gullledge
- H. Resolution approving and authorizing the execution of a Consulting Services Agreement with River Oaks Communications Corporation to provide telecommunication and cable television consulting services
- I. Resolution No. 1579 approving and authorizing the Mayor to execute a Financial Services Agreement with Gold Bank to provide certain banking services needs to the City
- J. Resolution No. 1580 approving and authorizing the Mayor to execute a First Addendum to the Personal Services Agreement dated October 6, 2000, with Orion Management Solutions, Inc., to manage and operate the Ironhorse Golf Club
- K. Resolution No. 1581 designating holidays for the year 2001 in accordance with the Personnel Rules and Regulations of the City
- L. Approve Police Department's \$25,000 purchase request for software development – BSE interface from ITI (Information Technologies, Inc.)
- M. Approve low bid of Peridian Group, Inc., in the amount of \$144,000, for 2001 Storm Sewer GPS Survey.

Consent Agenda Items 5.H. and 5.I. were removed for discussion. On motion of Rasmussen, seconded by Taylor, Council unanimously approved the remainder of the Consent Agenda.

- 5.H. On motion of Bussing, seconded by Rasmussen, Council voted unanimously to refer the item to the Technology Review Committee for their review.
- 5.I. Councilmember Gill recused himself to avoid the appearance of a conflict of interest. Councilmember Bussing recognized Marga Spangler, Vice President of Gold Bank, as outgoing President of the Leawood Chamber of Commerce, and thanked her for her help with Arts Council events at the Bank. On motion of Rasmussen, seconded by Bussing, Council unanimously adopted the resolution.

- 6. **MAYOR'S REPORT.** On behalf of the Mayor, Councilmember Gill reported on:
 - a. The Johnson & Wyandotte Counties Council of Mayors annual social dinner on December 12, 2000

- b. The Kansas Bullying Prevention Program created through the Leawood Police Department was nominated as the “most effective” crime prevention program in the State of Kansas
- c. Employee of the Year for 2000 was Julie Minegar, Administrative Assistant in the Public Works Department; runner-up was Alan Marstall, Special Events Coordinator for the Parks & Recreation Department. Three employees celebrated 20 years of service with the City (see Consent Agenda).

7. NEW BUSINESS.

A. Approval of Appropriation Ordinance No. 905. On motion of Rasmussen, seconded by Story, Council unanimously passed the ordinance on roll call vote.

B. Ordinance No. 1879C amending Section 1-406 of the Code of the City of Leawood, 2000, pertaining to the duties of the City Treasurer – to give the Finance Director purchasing authority up to and including \$5,000 or less and for emergency repair or maintenance items exceeding \$5,000. On motion of Rasmussen, seconded by Bussing, Council unanimously passed the ordinance on roll call vote.

C. Ordinance No. 1880C amending Section 1-303 of the Code of the City of Leawood, 2000, pertaining to the qualifications of the City Administrator – to give the Council authority to appoint interim administrator(s) who might not meet Johnson County residency requirements. Councilmember Story suggested omitting “Co-“ from Interim Co-City Administrator(s) in 1-303 B. On motion of Rasmussen, seconded by Taylor, Council unanimously passed the ordinance with the wording change on roll call vote.

D. Resolution No. 1582 approving and authorizing the appointment of Interim Co-Administrators for the City – Patricia A. Bennett, City Attorney, and Kathy Rogers, Finance Director. Adopted unanimously on motion of Dunn, seconded by Rawlings.

E. Approve Public Works Committee’s recommendation on the 7% development fee established in 1999 to cover the City’s cost for plan review and inspection of public improvements for commercial and residential development. The Committee recommended reducing the fee to 5% for the year 2001 and reviewing it on an annual basis, looking at the last three years’ construction cost and labor cost to make sure the fee was in line with the work performed. Councilmember Taylor moved to approve the recommendation, seconded by Dunn. Mr. Dunn, Chairman of the Committee, gave an explanation of the Committee’s review of the fee.

Councilmember Rasmussen was concerned about reducing the fee to 5% based on the information in Council packets; reduction to 5% didn’t accommodate what he felt was the true cost to the City in handling improvements. City Attorney Bennett said that the purpose of the fee as stated when it was originally passed was for Public Works to recoup the construction observation and plan review time; it was not for other departments’ time. If Council wanted to

make the fee broader, they probably should call it something different with a different intent. Mr. Rasmussen moved that the fee be reduced to 6%. Motion died for lack of a second.

Mr. Taylor's motion carried; Gulledge, Bussing, Rawlings, Dunn, Story, Gill, Taylor in favor; Rasmussen opposed.

F. Resolution No. 1583 establishing the 2001 Fee Schedule for fees not specifically provided for in the Code of the City of Leawood, 2000, and rescinding Resolution No. 1495. Councilmember Rasmussen moved to adopt the resolution, seconded by Gulledge. On recommendation of Public Works Director Johnson, Councilmember Rasmussen moved to amend a fee on page 8 of the resolution so that 50% of the cost to develop a major collector street (primary collector) would be established at \$200 per foot rather than \$130 per foot. Motion seconded by Gulledge and carried unanimously. Mr. Johnson said \$200 was in keeping with what current construction costs were and with other cities in the area.

The main motion as amended carried unanimously.

G. Approve and authorize the Mayor to execute a Design Engineering Agreement with Olsson & Company for an amount not to exceed \$18,650.00 to provide professional design engineering services for a non-SMAC project located at 12211 Sagamore (Pembroke Lane & State Line Road). On motion of Rasmussen, seconded by Taylor, Council unanimously approved the agreement.

H. Discussion of expenditure to establish pumping facilities for Ironhorse golf course. Councilmember Rasmussen moved to authorize staff to proceed with plans, specifications and construction with Continental Consulting Engineers in an amount up to \$50,000 for completion by May 2001 of portable pumping facilities for wastewater effluent to accommodate the needs of the golf course for water during drought periods, but since payment would be in 2001, have staff return to the City Council with a recommendation as to where the funding would come from in 2001. Motion seconded by Taylor. Mr. Rasmussen explained that a portable pump could also be used in other areas of the City. Councilmember Bussing said he would support Mr. Rasmussen's recommendation, but expressed concern about funding for continuous needs at the golf course; he would feel more comfortable if he saw a priority list of projects at the golf course. Mr. Rasmussen's motion carried unanimously.

8. OTHER BUSINESS. None.

ADJOURN. There being no further business before the Council, the meeting was adjourned at 8:20 P.M.