

Minutes

DVD No. 136

The City Council of the City of Leawood, Kansas, met in regular session in the Council Chambers, 4800 Town Center Drive, at 7:30 P.M., on Tuesday, January 3, 2006. Mayor Peggy Dunn presided.

Councilmembers present: Jim Rawlings, Lou Rasmussen, Gary Bussing, Debra Filla, James E. Taylor, Sr., Gregory Peppes and Mike Gill.

Councilmembers absent: Scott Gulledge.

Staff present:

Scott Lambers, City Administrator
Chief Sid Mitchell, Police Department
Major John Meier, Police Department
Joe Johnson, Public Works Director
Jeff Cantrell, Neighborhood Serv. Admin.
Christy Wise, Deputy City Clerk

Patty Bennett, City Attorney
Chief Ben Florance, Fire Department
Kathy Rogers, Finance Director
Chris Claxton, P & R Director
Deb Harper, City Clerk
Mark Andrasik, IS Director

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

Mayor Dunn noted an amended agenda with a continuance for Item No. 12A. A motion to approve the agenda was made by Councilmember Peppes, seconded by Councilmember Taylor. The agenda was approved following a unanimous vote of 7-0.

3. CITIZEN COMMENTS

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. It is not appropriate to comment on pending litigation, municipal court matters or personnel issues. Comments about items that appear on the action agenda will be taken as each item is considered. **CITIZENS ARE REQUESTED TO KEEP THEIR COMMENTS UNDER 5 MINUTES.**

Alex Migliazzo, 9804 Wenonga, voiced disheartenment at the lack of peace and quiet in his neighborhood due to noise from I-435. He inquired if a plan was in place to address the issue and suggested that a special tax be levied in order to fund sound barriers.

Councilmember Rasmussen commended Mr. Migliazzo for publicly expressing his concerns. Active measures have been taken by authorizing the Mayor to request a sound study from the Kansas Department of Transportation [KDOT]. A response has not been received to date. He informed of possibly recommending pursuit of an injunction against existing construction along I-435, west of Metcalf Avenue, in order expedite a reply from KDOT.

Councilmember Rasmussen also reported that a south highway extending to approximately 200th Street is being encouraged by the Governing Body to both Missouri and Kansas in order to relieve the east-west traffic on I-435.

4. PROCLAMATIONS – None.

5. PRESENTATIONS/RECOGNITIONS City of Caring Award

Executive Director Jennifer Kennally and Director of Resource Development Joan Cabell from United Way of Johnson County presented the first annual City of Caring Award to Leawood. The award signifies the largest percentage increase in employee donations from the 2004 to the 2005 United Way Campaign. Leawood exhibited a 69% increase.

**Certificate of Achievement for Excellence
in Financial Reporting**

Mayor Dunn presented the award to Finance Director Kathy Rogers and extended congratulations to the entire Finance Department for their hard work. Ms. Rogers thanked the Governing Body and City Administrator for their support.

6. SPECIAL BUSINESS – None.

7. 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. Accept Appropriation Ordinance Nos. 1040B and 1041A
- B. Accept Minutes of the December 19, 2005 Governing Body meeting
- C. Accept Minutes of the December 5, 2005 Governing Body meeting
- D. Accept Minutes of the November 21, 2005 Governing Body Work Session meeting
- E. Approve Change Order No. 2 in the amount of \$3,690.00, to C & C Group, pertaining to City Hall HVAC Upgrade System
- F. Approve 3rd and Final Payment in the amount of \$1,000 to Brungardt Honomichl & Company, P.A. [BHC] pertaining to the 2006 Residential Street Project
- G. Approve bid in the amount of \$12,499 from Fitness Showcase, for the purchase of 3 treadmills for the Fire Department

- H. Resolution No. 2526 establishing a fee, not specifically provided for in the Code of the City of Leawood, 2000, specifically for the fee for Regular Ten Play Card for the IRONHORSE Golf Club, in accordance with the open Records Act, K.S.A. § 45-215, ET SEQ
- I. Resolution No. 2527 amending the City of Leawood's Investment Policy, and repealing Resolution No. 2324

On motion of Councilmember Rasmussen, seconded by Councilmember Peppes, the Consent Agenda was approved with a unanimous vote of 7-0.

8. MAYOR'S REPORT

- A. Attended the Annual Employee Appreciation Luncheon at City Hall where service recognition awards were presented. Mayor Dunn congratulated Police Officer Mark Chudik for being selected by peers as Employee of the Year. Standing ovations were given to Police Chief Sid Mitchell in honor of 30 years of service as well as to Public Works Director Joe Johnson for 10 years of service.
- B. Cloisters Homes Association residents once again this year donated a check to be split between the Fire Department and Police Department. Residents voluntarily contributed \$1,740 in appreciation of solid service both rendered and available. Mayor Dunn expressed gratitude to President Jack Rowe and other members of the Cloisters Homes Association for the annual gift.
- C. Extended congratulations to the Leawood Lions Club for surpassing their goal of dollars collected for the Salvation Army. There were 41 members and 30 nonmembers who collected \$30,604.04 by serving as bell ringers for a total of 304 hours. The Lions Club collects the largest amount of money as a group for the Salvation Army as bell ringers on a yearly basis.
- D. Reminder that the next Governing Body meeting will be held on Tuesday, January 17th due to observance of Martin Luther King Day on Monday, January 16th. The State of the City Address will also take place on January 17th at Ironwoods Park. Councilmember reservations should be given to City Clerk Deb Harper by January 9th.
- E. Announced that Kansas City Star reporter C.J. Jackson will be leaving for a new venture. Mayor Dunn expressed personal appreciation to Mr. Jackson for his commitment to accuracy and factual reporting, his genuine interest in the community, and his desire to seek out and feature outstanding residents. She wished him well with new endeavors.
- F. Wished a Happy New Year to all.

9. COUNCILMEMBERS' REPORT – None.

10. STAFF REPORT – None.

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION – None.

12. OLD BUSINESS

- A. Resolution No. 2521, amending Resolution No. 1683 authorizing the improvement of a certain section of State Line Road, a main trafficway, at the intersection of 92nd Street located with the City of Leawood, Kansas [CIP # 157]-
CONTINUED FROM THE DECEMBER 19, 2005 GOVERNING BODY MEETING

13. NEW BUSINESS

- A. Ordinance No. 2149C amending Section 11-103 of the of the Code of the City of Leawood 2000, pertaining to anti-scavenger provisions [Roll Call Vote]

Councilmember Rasmussen moved for approval, seconded by Councilmember Gill.

Councilmember Gill stated the adopted provision is an important piece of legislation in identity theft prevention. He commended Councilmember Rasmussen for taking a proactive stance on the issue. Mayor Dunn concurred.

The ordinance passed with the following unanimous roll call vote of 7-0: Yea: Councilmembers Taylor, Gill, Peppes, Rasmussen, Rawlings, Filla, and Bussing. Nay: None (Councilmember Gullledge absent).

- B. Ordinance authorizing the creation of a Transportation Development District [TDD] in the City of Leawood, Kansas; authorizing the development of certain transportation project improvements relating thereto; approving the estimated costs of such transportation project improvements; and providing for the method of financing therefore and accepting a petition for the creation of the Transportation Development District [TDD] for the Villaggio Development [Roll Call Vote] [*Continued from the December 19, 2005 Governing Body meeting*] – **CONTINUED TO THE JANUARY 17, 2006 GOVERNING BODY MEETING**

14. OTHER BUSINESS

- A. Discussion regarding restroom/bathhouse facilities at Ironwoods Park

Parks and Recreation Director Chris Claxton presented historical information related to the issue including minute excerpts from past meetings, original design schematics, and cost estimates. A strong need for showers has been indicated by clients upon exit interviews. She asked the Council to provide direction on whether to include showers as part of the restroom facilities by the cabin area.

Councilmember Gill stated showers would be appropriate for the cabin area restrooms.

Councilmember Bussing confirmed with City Administrator Scott Lambers the two facilities being considered for 2006 are a restroom/bathhouse by the cabin area and a restroom only by the playground. A determination regarding an amphitheater restroom will occur at a later date.

Councilmember Peppes moved to proceed with the restroom and bathhouse facilities at Ironwoods Park as requested by Ms. Claxton. The motion was seconded by Councilmember Bussing.

Parks and Recreation Advisory Board member Dick Fuller, 10309 Sagamore Road, voiced support for the facilities. He stated the bathhouse was part of the Master Plan, however was set aside due to budget constraints. After a full year of use by boy scouts, families, and corporate events, a high need for showers in the cabin area has been determined. He asked the Governing Body to approve the request.

The motion was approved with a vote of 6-1 (Nay: Councilmember Rasmussen). Councilmember Rasmussen stated the shower facilities would create other concerns and were not envisioned upon the original conception of the park.

ADJOURN

There being no further business, the Governing Body meeting adjourned at 8:10 P.M.

Debra Harper, CMC, City Clerk

Christy Wise
Recording Deputy City Clerk