

Minutes

Audio Tape No. 656

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 17, 2006. Mayor Peggy Dunn presided.

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

Councilmembers absent: Mike Gill.

Staff present:

Scott Lambers, City Administrator
Deb Harper, City Clerk

Patty Bennett, City Attorney

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

Mayor Dunn noted an amended agenda with the addition of a proclamation to recognize Martin Luther King Day and a report given by Councilmember Rasmussen under Item No. 9, Councilmembers' Report. She noted a continuance for Item No. 12A to the February 6th Governing Body meeting and for Item No. 12B to the February 20th Governing Body meeting.

A motion to approve the agenda was made by Councilmember Filla, 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.

4. PROCLAMATIONS

**Martin Luther King Day, January 16,
2006**

Mayor Dunn read the Martin Luther King Day Proclamation.

5. PRESENTATIONS/RECOGNITIONS – None.

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. 1041B, 1042A, 1043A
- B. Accept Minutes of the January 3, 2006 Governing Body meeting
- C. Accept Minutes of the December 13, 2005 Parks and Recreation Advisory Board meeting
- D. Accept Minutes of the November 8, 2005 Historic Commission meeting
- E. Approve waiving of Rental Fees at The Lodge at Ironwoods for January 22, 2006 Unity Dinner
- F. Approve Change Order No. 2 in the reduced amount of \$21,247.61 to Miller Paving Company pertaining to the 2005 Residential Street Improvement Project
- G. Approve payment in the amount of \$23,583.09 to the League of Kansas Municipalities pertaining to membership dues and other related expenses
- H. Approve payment in the amount of \$10,730.00 to Concentra Health Services pertaining to the annual firefighters' physicals
- I. Resolution No. 2528 approving and authorizing certain employees of the City of Leawood to establish credit card accounts with Commerce Bank, N.A., for city purchases, and repealing Resolution No. 2487
- J. Fire Department Monthly Report
- K. Municipal Court Monthly Report
- L. Police Department Monthly Report

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

8. MAYOR'S REPORT

- A. Hosted the Johnson/Wyandotte County Council of Mayors meeting in the Oak Room of the Community Center at Leawood City Hall. A presentation was given by members of a committee sponsored by Johnson County on the possibility of a 'wi-fi' system for city and county governments. They provided information regarding the Philadelphia model, a community access model, a city open-access model, and a utility model. Partnerships with private industries and the fact that 'wi-fi' would not replace but tremendously enhance service that is available today were also points of discussion. The committee will continue their efforts of study and ideas of possible cooperation between Johnson County and cities. In addition, David Warm of Mid-America Regional Council [MARC] spoke about the Public Transit System and possible future taxing for the system, the need for enabling legislation first and foremost, how regional transit agencies function, and how a ballot question would perhaps look.

- B. Attended the Legacy Award Banquet, hosted by the Olathe Chapter of the Kansas NAACP. Fabulous student essays were delivered by contest finalists who addressed the question, "If you looked at schools today, what would Dr. Martin Luther King, Jr., say about his dream of diversity?"
- C. Presented the 5th Annual State of the City Address. Extended her appreciation to Councilmembers Filla, Rasmussen, Rawlings, and Taylor, City Administrator Scott Lambers, Department Heads, and non-Department Heads for their attendance. There were 260 guests present. Mayor Dunn expressed a special thank-you to Leawood Chamber of Commerce President Kevin Jeffries and his staff as well as the Board of Directors for their hard work in hosting the event.
- D. Advised that Leawood will be hosting the Salaam Shalom Celebration on Sunday, January 22nd. The event is being led by an interfaith celebration committee co-chaired by Gayle Krigel, Nick Awad, and Mahnaz Shabbir. Last year's celebration included 500 Muslims, Christians, and Jews. It is anticipated that 600 will attend the 2006 event. Samir Dabit, restaurateur from Ramla, Israel, has arrived to once again prepare the meal along with David Leichman and Fouad Salman.
- E. Reminder for the Kansas Day celebration event at 7:00 P.M. on Thursday, January 26th, in the Oak Room of the Community Center at Leawood City Hall. The Leawood Historic Commission is hosting the event which will feature, "An Evening with Alexander Majors and stories from the Santa Fe Trail." There is no admission charge.
- F. Reminder for the Lunar New Year Celebration in honor of Leawood's sister-city, I-Lan, Taiwan, at 6:00 P.M. on Monday, January 30th, at Fortune Star Restaurant in Rosana Square. Mayor Dunn urged those planning to attend the dinner to make reservations by Friday.

9. COUNCILMEMBERS' REPORT – Councilmember Rasmussen's report

Councilmember Rasmussen reviewed that the City adopted a mileage rate from the Internal Revenue Service [IRS] of \$.31 per mile in 1999. The rate was applicable to all City employees and councilmembers for mileage reimbursement. Subsequently, employees have received mileage rate increases, however councilmembers have not. Currently, the 2006 federal mileage rate is \$.445 per mile. An expense allowance increase of \$44 per month would occur if the rate is updated for councilmembers.

Councilmember Rasmussen moved to increase the expense allowance for councilmembers by \$44 per month beginning on April 5, 2006. Councilmember Taylor seconded the motion.

Councilmember Bussing requested to defer voting on the matter in order to post the issue on the next agenda and allow opportunity for public comment.

City Clerk Deb Harper informed the issue will be a revision to the City Code and will require an ordinance.

Mr. Lambers advised that Staff could draft an appropriate ordinance for the February 6th meeting.

Councilmember Filla suggested a friendly amendment to include an annual review of the item in synchronicity with mileage increases for Staff.

Councilmember Rasmussen amended his motion in order to request that Staff prepare an ordinance relating to a mileage rate increase for councilmembers including an annual update for the February 6th Governing Body meeting. Councilmember Taylor seconded the amendment.

Regarding the effective date of the revision, Ms. Harper advised it should coincide with the payroll schedule of the Finance Department.

Mayor Dunn confirmed the intent of the motion with Councilmember Rasmussen and Councilmember Taylor, to have an ordinance prepared for discussion at the February 6th Governing Body meeting.

The motion was approved following a unanimous vote of 7-0.

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 and January 3, 2006 Governing Body Meetings] - CONTINUED TO THE FEBRUARY 6, 2006 GOVERNING BODY MEETING***

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 and January 3, 2006 Governing Body meetings] - CONTINUED TO THE FEBRUARY 20, 2006 GOVERNING BODY MEETING***

13. NEW BUSINESS

- A. Schedule Governing Body Work Session on Monday, February 6, 2006, at 6:00 P.M., pertaining to CIP Presentation

Councilmember Peppes moved to approve the Work Session, seconded by Councilmember Filla. The motion carried following a unanimous vote of 7-0.

14. OTHER BUSINESS – Mayor Dunn announced the Governing Body would return to the Main Conference Room following the meeting in order to continue with the 2006 Goals and Objectives Work Session.

Councilmember Bussing confirmed with Mayor Dunn that setting a date for a Work Session regarding a Master Park Plan and community center should be postponed.

ADJOURN

There being no further business, the Governing Body meeting adjourned at 7:55 P.M.

Debra Harper, CMC, City Clerk

Christy Wise
Recording Deputy City Clerk