

**Minutes**

DVD No. 205

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 Monday, December 15, 2008. Mayor Peggy Dunn presided.

**Councilmembers present:** Gregory Peppes, Jim Rawlings, Julie Cain, James Azeltine, Mike Gill, Gary Bussing, Lou Rasmussen, and Debra Filla.

**Mayor/Councilmembers absent:** None.

**Staff present:**

Scott Lambers, City Administrator  
John Meier, Police Department  
Chief Ben Florance, Fire Department  
Mark Andrasik, Info. Systems Director  
Patty Bennett, City Attorney  
Deb Mansfield, City Clerk

Kathy Rogers, Finance Director  
Chris Claxton, P&R Director  
Lovina Freeman, HR Director  
Joe Johnson, Public Works Director  
Pam Gregory, Deputy City Clerk

**1. PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF AGENDA**

Mayor Dunn noted the following modifications to the Amended Agenda:

**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 – None.**

**5. PRESENTATIONS/RECOGNITIONS**

**Recognition of Kevin Jeffries, 10 years as President and CEO of Leawood Chamber of Commerce**

**Recognition of Alice & Mel Hawk, dedicated service; City's 60<sup>th</sup> Anniversary Celebration 1948-2008**

**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. 1116B and 1117A
- B. Accept Minutes of the November 17, 2008 Governing Body meeting
- C. Accept Minutes of the October 10, 2008 Stormwater Management Committee meeting
- D. Accept Minutes of the September 16, 2008 Public Works Committee
- E. Accept Minutes of the October 16, 2008 Green Initiative Citizens Task Force Committee
- F. Approve renewal of Cereal Malt Beverage [CMB] license for Conoco # 445 located at 4821 W. 135<sup>th</sup> Street
- G. Approve renewal of Cereal Malt Beverage [CMB] license for Cosentino Price Chopper located at 3700 W. 95<sup>th</sup> Street
- H. Approve Mayoral appointment of Councilmembers Julie Cain and Mike Gill as Co-Chairmen on the Gezer Region Sister City Committee, until May 2010
- I. Approve Mayoral appointment of James Pateidl to the Planning Commission to fill unexpired 3-year term ending May 2010
- J. Approve Change Order No. 2 [3<sup>rd</sup> and Final Payment] in the amount of \$5,233.90 to Kevin Cowan Architects pertaining to the Master Plan of Amphitheatre Area at Ironwoods Park, 14701 Mission Road
- K. Approve 12<sup>th</sup> and Final Payment in the amount of \$75,873.83, to Rosehill Gardens, Inc., pertaining to the Villaggio Landscaping Project [CIP # 83197]
- L. Approve Change Order No. 7 in the amount of \$48,761.68 to Miller Paving Construction, LLC, pertaining to the Nall Avenue and Town Center Drive Improvement Public Benefit District Project [CIP # 196] [Park Place Phase 3]
- M. Approve 10<sup>th</sup> and Final Pay Request in the amount of \$70,600.00 to Miller Paving Construction, LLC, pertaining to the Nall Avenue and Town Center Drive Improvement Public Benefit District Project [CIP # 196] [Park Place Phase 3]
- N. Approve expenditure in the amount of \$35,803 to Water One, pertaining to development fees for Gezer Park
- O. Resolution authorizing the acceptance of a Gift of artwork from Todd Haenisch
- P. Resolution to approve a Final Site Plan for Mission Farms Building E, located approximately at 105th Street and Mission Road (PC Case 90-08) *From the November 25, 2008 Planning Commission meeting*
- Q. Resolution to approve a Final Plat for LeaBrooke Enclave 1st Plat, located at approximately 145th Street and Kenneth Road (PC Case 91-08) *From the November 25, 2008 Planning Commission meeting*

- R. Resolution to approve a Final Site Plan for Villaggio M&I Bank at the Villaggio - Utility Box, located at the southwest corner of 135th Street and Fontana (PC Case 93-08) *From the November 25, 2008 Planning Commission meeting*
- S. Resolution to approve a Final Site Plan for Parkway Plaza - Pizza Fusion Tenant Finish, located at the northwest corner of 135th Street and Roe Avenue (PC Case 95-08) *From the November 25, 2008 Planning Commission meeting*
- T. Resolution to approve a Final Site Plan for Sabates Eye Center Utility Box, located south of 112th Street and east of Nall Avenue (PC Case 97-08) *From the November 25, 2008 Planning Commission meeting*
- U Police Department Monthly Report
- V. Fire Department Monthly Report
- W. Municipal Court Monthly Report

Councilmember Bussing requested to pull Item No. 70 for discussion.

A motion to approve the remaining Consent Agenda items was made by Councilmember Gill; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 8-0.

- O. Resolution authorizing the acceptance of a Gift of artwork from Todd Haenisch

Councilmember Bussing

A motion to approve Item No. 70 was made by Councilmember Bussing; seconded by Councilmember Rawlings. The motion carried following a unanimous vote of 8-0.

## **8. MAYOR'S REPORT**

- A. Attended the Council of Mayors' December Social, hosted by Mission Mayor Laura McConwell, who is also Chair for the Council of Mayors'. Mayor Dunn thanked the City Council for nearly 100% participation.
- B. Attended the United Community Services [UCS] of Johnson County's Annual Meeting and Community Awards Ceremony. Mayor Dunn expressed congratulations to Congressman Dennis Moore who received the "2008 Distinguished Public Service Award".
- C. Attended the Leawood Employee Appreciation Luncheon along with Councilmember James Azeltine and hosted by the City's department heads. Mayor Dunn noted special appreciation to Public Works Director and "Chef" Joe Johnson for getting up early to do the cooking. There were certificates of recognition handed out for some milestone anniversaries, with two 25-year service employees that were worthy of great recognition: Police Officer Gary Polter and Information Systems Director Mark Andrasik. Mayor Dunn noted special recognition to Assistant Planning Director Mark Klein for receiving the "2008 Employee of the Year" award. Mayor Dunn also recognized Councilmember Gary Bussing for his 10 years of outstanding service to the City.
- D. Attended the Lathrop & Gage Annual Kansas Legislative Forecast Breakfast along with City Administrator Scott Lambers. There were presentations from Senator John Vratil and Representatives Jeff King and Arlen Siegfried. They

spoke on the State General Funds Receipts, Expenditures and Balances from 2008 through 2012. They agreed this would be the age of uncertainty. The Legislative Session would be dominated by the budget. Senator Vratil stated that we had been spending more than what was brought in. He remarked they now regretted the over \$600 Million in tax cuts and predicted they would be over \$1 Billion short by June, 2010. Mayor Dunn noted that overall it was a very dismal presentation. Mr. Lambers had spoken with Representative Siegfried who confirmed that the deficits didn't include any contingency fund for the state. Mr. Siegfried informed Mr. Lambers they needed another \$300 - \$400 Million to provide for disasters.

- E. Attended a Leawood Chamber of Commerce ribbon cutting ceremony for the Gaslight Grill located at Cornerstone. They will be featuring jazz and fine dining. Mayor Dunn wished them much success.
- F. Mayor Dunn noted some Blue Valley schools were recognized with the "Governor's Achievement Award." This is an honor recognizing top performing schools in the state of Kansas. Prairie Star Middle School and Blue Valley North School were among those honored for the Standard of Excellence in both reading and math in 2008. Mayor Dunn congratulated these schools for receiving such an honor.
- G. Three area high schools received silver medals in a nationwide analysis by U.S. News and World Report. One of these was the Blue Valley North High School in Overland Park, Kansas, and was joined by 600 schools receiving either gold or silver medals, out of more than 21,000 high schools. Mayor Dunn congratulated them on receiving such high recognition.
- H. Mayor Dunn congratulated Leawood resident and Ironhorse Golf Course Advisory Board member Leo Morton who was named as permanent Chancellor of the University of Missouri- Kansas City [UMKC].
- I. Mayor Dunn wished a "Happy Holiday" and a "Happy New Year" to all.

**9. COUNCILMEMBERS REPORT – Councilmember Gill**

**10. STAFF REPORT – None.**

***COMMITTEE RECOMMENDATIONS***

**11. STORMWATER MANAGEMENT COMMITTEE MEETING**

***[from the November 14, 2008 Stormwater Management Committee meeting]***

- A. Recommendation concerning drainage concern in Edgewood subdivision [behind City Hall] – ***CONTINUED FROM THE DECEMBER 1, 2008 GOVERNING BODY MEETING***

**12. PLANNING COMMISSION**

**13. OLD BUSINESS**

**14. OTHER BUSINESS**

**15 NEW BUSINESS**

- A. Ordinance appropriating the amounts set up in each fund in the budget for fiscal year 2009, providing for the payment of all claims and charges against the accounts provided for therein; and approving and ratifying the payment of all claims against the accounts
- B. Resolution amending Resolution No. 2840, authorizing the improvement of a certain section of Nall Avenue, a main trafficway, between 143<sup>rd</sup> Street and 159<sup>th</sup> Street within the City of Leawood. [CIP #80143]
- C. Schedule a Governing Body Work Session meeting at 6:00 P.M. on Monday, January 5, 2009 to discuss Transportation Development District [TDD] for Village of Seville [133<sup>rd</sup> & State Line]
- D. Schedule a Governing Body Work Session meeting at 6:00 P.M. on Monday, January 12, 2009, to discuss 2009 Governing Body Near and Long Term Goals and Objectives

There being no further business, Mayor Dunn adjourned the meeting at 8:30 P.M.

**ADJOURN**

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Debra Mansfield, CMC, City Clerk

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Pam Gregory  
Recording Deputy City Clerk