

Minutes

DVD No. 249

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 18, 2011. Mayor Peggy Dunn presided.

Councilmembers present: Julie Cain, Andrew Osman, James Azeltine, Debra Filla, Jim Rawlings, Gary Bussing, Lou Rasmussen, and Carrie Rezac

Mayor/Councilmembers absent: None

Staff present: Scott Lambers, City Administrator	Patty Bennett, City Attorney
Chief John Meier, Police Department	Joe Johnson, Public Works Director
Richard Coleman, Comm. Dev. Director	Howard Mann, Fleet/Facilities Manager
Mark Andrasik, Info. Systems Director	Dawn Long, Interim Finance Director
Chris Claxton, P&R Director	Lovina Freeman, HR Director
Deb Harper, City Clerk	Pam Gregory, Assistant City Clerk

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

Mayor Dunn noted the following modifications to the agenda:

- Addition of Item No. 4 – Martin Luther King Day Proclamation
- Addition of Item No. 14 – New Business – Schedule a Governing Body Executive Session immediately following the regular Governing Body meeting

A motion to approve the amended agenda was made by Councilmember Rawlings; seconded by Councilmember Rasmussen. The motion carried following a unanimous vote of 8-0.

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 17, 2011

Mayor Dunn read the proclamation into the record.

5. PRESENTATIONS/RECOGNITIONS – None.

6. SPECIAL BUSINESS

Demonstration of the City's new webpage feature by Information Technology Director,
Mark Andrasik

The new website was developed in-house and was designed to be dynamic, warm, and easy to navigate. The menu structure is intuitive, allowing residents and businesses to find often used links more quickly. Web Master Scott Smith used over eight different programming languages to bring the designs to life. His work on this website has been instrumental. Overall, they hoped the new site would provide information about the community and help showcase the City's many assets, facilities, events, recreational opportunities, committees, and things that make the community special.

Mayor Dunn expressed her appreciation to Mr. Andrasik and his staff for their excellent work designing the website.

Councilmember Bussing also congratulated Mr. Andrasik and his staff and asked how they could ensure information from each department would remain current. Mr. Andrasik confirmed each department was responsible for updating their content and then forwarding it to them for review and publishing.

Councilmember Bussing confirmed with City Administrator Scott Lambers that maintaining the website would be included in the department heads performance criteria.

Councilmember Filla also complimented Mr. Andrasik and his staff and suggested they also include links to the homes associations and their maps.

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. 2010-52, and 2010-53
- B. Accept minutes of the January 3, 2011 Governing Body meeting
- C. Accept minutes of the December 14, 2010 Parks and Recreation Advisory Board meeting
- D. Approve Change Order No. 1 in the amount of \$18,907.72 to Pyramid Construction Company pertaining to the 97th & State Line Stormwater Project [Project # 76022]
- E. Approve 2nd and Final Pay Request in the amount of \$35,997.67, to Pyramid Construction Company, pertaining to the 97th & State Line Stormwater Project [Project # 76022]
- F. Approve 6th and Final Pay Request in the amount of \$56,015.23, to O'Donnell and Sons Construction pertaining to the 2010 Residential Mill & Overlay Project [Project # 70008]

- G. **Resolution No. 3532** accepting new Public Infrastructure for storm sewers located at 97th & State Line Road, in accordance with GASB-34 Guidelines of reporting Inventory of Assets
- H. **Resolution No. 3533** accepting new Public Infrastructure for storm sewers and streets located at 3200-3600 blocks of W. 87th Street; 9200 block of Cherokee Place; 3100-3200 blocks of W. 94th Terrace; 9200 block of Cherokee Court; 8600 block of Reinhardt Lane; 9300 block of Cherokee Place; 9300 block of Canterbury Street; 8600 block of Mohawk Road; and 9300 block of Cherokee Lane, in accordance with GASB-34 Guidelines of reporting Inventory of Assets, for the 2010 Street Reconstruction Project
- I. **Resolution No. 3534** accepting new Public Infrastructure for storm sewers located at 87th and Cherokee, in accordance with GASB-34 Guidelines of reporting Inventory of Assets
- J. **Resolution No. 3535** approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$63,487.29 between the City and Fry & Associates, Inc., pertaining to the purchase and installation of playground equipment at Gezer Park, located at 133rd & Mission Road
- K. **Resolution No. 3536** approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$126,272.00, between the City and Precision Construction & Contracting, LLC, pertaining to play area, garden shelter and fire pit at Gezer Park, located at 13300 Mission Road
- L. Fire Department Monthly Report
- M. Police Department Monthly Report
- N. Municipal Court Monthly Report

Councilmember Osman requested to pull Item No. 7K for discussion.

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

- 7K. **Resolution No. 3536** approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$126,272.00, between the City and Precision Construction & Contracting, LLC, pertaining to play area, garden shelter and fire pit at Gezer Park, located at 13300 Mission Road

Councilmember Osman noted there wasn't a default provision in the contract in the event the contractor doesn't complete the work within the 120-day timeframe. City Attorney Patty Bennett clarified this was the standard Public Works Contract Agreement and it included a default in remedy provision.

A motion to approve Item No. 7K was made by Councilmember Osman; seconded by Councilmember Rasmussen. The motion carried following a unanimous vote of 8-0.

8. MAYOR'S REPORT

- A. Attended the Corinth Elementary School D.A.R.E. [Drug Abuse Resistance Education] graduation with Police Chief John Meier and D.A.R.E. Officer Randy Wiler. Mayor Dunn thanked Officer Wiler for doing such a fabulous job conducting the program and Chief Meier and his department for their support.
- B. Attended the Leawood Chamber of Commerce 2011 Kansas Legislative Priorities luncheon with City Administrator Scott Lambers, Councilmembers Rasmussen, Rawlings and Azeltine. Panelists included Senators John Vratil and Terrie Huntington, and Representative Pat Colloton. It was very informative and interesting.
- C. Attended a Leawood Chamber of Commerce ribbon cutting ceremony for Laser Sharp Fitness, located at 134th and Briar in the Parkway Plaza Development. Mayor Dunn wished them much success.
- D. The Johnson & Wyandotte Counties Council of Mayors' meeting, hosted by Gardner Mayor Dave Drovetta, was held at the Coleman Company, which is 1,100,000 square feet. The tour of the new facility was very interesting and impressive. Three representatives from the Council of Mayors were elected to serve on the new Charter Commission: Mission Hills Mayor Rick Boeshaar, Lenexa Mayor Michael Boehm and Olathe Mayor Michael Copeland.
- E. Attended the 2011 Legislative Breakfast at St. Luke's South Hospital with a large group of Johnson County legislators and other health care professionals. The topics focused primarily on budgetary constraints and how they will affect health care in the coming year.
- F. The Conveners Reception for our legislative delegation and others throughout the state was once again co-sponsored by the City of Leawood. City Administrator Scott Lambers, Councilmembers Rasmussen, Rawlings, Filla and Azeltine were in attendance.
- G. Attended the Inaugural Ball of Governor Sam Brownback and Lieutenant Governor Jeff Collyer, held at Topeka's Expo Center. There were approximately 2,200 people in attendance.
- H. Mayor Dunn expressed her appreciation to the Leawood Chamber of Commerce for hosting the Annual State of the City Address luncheon. There were over 300 attendees. Thank you to everyone for coming and hearing about some of the great resident and City accomplishments during 2010.
- I. Attended the Martin Luther King dinner, hosted by the Olathe Branch Chapter of the NAACP. This was an awards banquet with student essays read. Congratulations to Olathe Mayor Michael Copeland for receiving the "Dr. Martin Luther King, Jr. Legacy" award.
- J. Reminder of the Lunar New Year celebration, hosted by the I-Lan Sister City Committee, to be held at the Blue Koi Restaurant on Sunday, January 30th at 6:00 P.M. Reservations are required.
- K. Reminder of the City Council Goal Setting meeting on Monday, January 31st at 6:00 P.M.

- L. Reminder of the Annual Homeowners Association meeting, sponsored by the Sustainability Advisory Board, to be held at the Ironwoods Park Lodge on Thursday, February 3rd. Social Hour will begin at 5:30 P.M., with dinner at 6:00 P.M. Reservations are required.

9. COUNCILMEMBERS' REPORT

Councilmember Azeltine's recommendation to Public Works Committee to review replacing traffic signals along State Line Road north of 95th Street

A motion to recommend that the Public Works Committee review the condition of the traffic signals along State Line Road, north of 95th Street and report the findings to the Council was made by Councilmember Azeltine; seconded by Councilmember Bussing. The motion carried following a unanimous vote of 8-0.

10. STAFF REPORT – None.

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION – None.

12. OLD BUSINESS

[from the January 3, 2010 Governing Body meeting]

Resolution No. 3537 approving and authorizing the Mayor to execute a Service Agreement in the amount of \$33,000.00 between the City and The Fagan Company, for the installation of an HVAC unit at Ironhorse Golf Course Clubhouse, located at 15400 Mission Road

A motion to approve the resolution was made by Councilmember Rawlings; seconded by Councilmember Bussing. The motion carried following a unanimous vote of 7-1. Nay: Councilmember Osman. Mr. Osman reiterated he was not against The Fagan Company performing the work or the HVAC installation; however, he was against the bidding process for the HVAC.

13. OTHER BUSINESS – None.

***14. NEW BUSINESS**

Schedule a Governing Body Executive Session immediately following the regular Governing Body meeting to discuss matters relating to the acquisition of real property

A motion to recess into Executive Session at 8:05 P.M. for a period of 20 minutes was made by Councilmember Azeltine; seconded by Councilmember Cain. The motion carried following a unanimous vote of 8-0.

The Governing Body reconvened into regular session at 8:25 P.M.

A motion to extend the Executive Session for a period of 5 minutes was made by Councilmember Azeltine; seconded by Councilmember Filla. The motion carried following a unanimous vote of 8-0.

The Governing Body reconvened into regular session at 8:30 P.M.

A motion to adjourn the regular session was made by Councilmember Bussing; seconded by Councilmember Rawlings.

ADJOURN

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

Debra Harper, CMC, City Clerk

Pam Gregory
Recording Assistant City Clerk