

Minutes

DVD No. 259

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, June 20, 2011. Mayor Peggy Dunn presided.

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

Mayor/Councilmembers absent: Julie Cain

Staff present: Scott Lambers, City Administrator	Patty Bennett, City Attorney
Chief Ben Florance, Fire Department	Joe Johnson, Public Works Director
Chief John Meier, Police Department	Chris Claxton, P&R Director
Jack Reese, Info Systems Technician	Lovina Freeman, HR Director
Richard Coleman, Comm. Dev. Director	Dawn Long, Interim Finance Director
Mark Klein, Planning Official	Pam Gregory, Assistant City Clerk
Deb Harper, City Clerk	

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

A motion to approve the agenda was made by Councilmember Rawlings; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 7-0. (Councilmember Cain absent).

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.**

Gareth Matthews, 13241 High Drive, asked the City Council to review and possibly update the Solar Collector Ordinance. Mr. Matthews received permission from his home owners association [HOA] to install solar attic fans; however, the City rejected his request because of the white paper surface on the solar panel. The fans use sun rays to vent hot air in the attic and replace it by pulling air in from the outside, which can reduce the expense of air conditioning. The solar panel is a small unit for the attic fan. The manufacturer uses white to reduce the heat from the sun. This was not approved because of aesthetics; the City wants residential roofs to be as close to earth tone shades as possible. This is not visible from the ground.

Some of the surrounding homes have white PVC pipe and sheet metal furnace caps on the roofs, which are approximately 2 feet tall. With the advances in energy technologies, Leawood could lead and encourage homeowners to purchase these sorts of appliances to reduce energy use.

A motion to direct staff to review the Solar Collector Ordinance in light of advanced technology was made by Councilmember Bussing; seconded by Councilmember Osman.

Councilmember Osman noted there is currently nothing in the ordinance as it relates to energy efficient technology.

Mr. Lambers responded this is allowed in the ordinance in black or earth tone shades. As part of the review and since it is in Leawood Development Ordinance [LDO], it would be appropriate for the Planning Commission to be involved and work with staff to see if any changes would be appropriate.

The motion carried following a unanimous vote of 7-0. (Councilmember Cain absent).

4. **PROCLAMATIONS** - None

5. **PRESENTATIONS/RECOGNITIONS** - None

6. **SPECIAL BUSINESS**

A. Public Hearing Special Benefit District [SBD] Assessments for Park Place Development [CIP #80196]

Seeing no one present to speak, a motion to close the Public Hearing was made by Councilmember Rasmussen; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 7-0. (Councilmember Cain absent).

B. **Ordinance No. 2491** levying assessments on lots, pieces, and parcels of ground in the City of Leawood, Kansas, for the purpose of paying for the construction of improvements to Nall Avenue, 117th Street, Town Center Drive and Roe Avenue and construction of storm water improvements within the City of Leawood for establishment of an Improvement District, pursuant to K.S.A. § 12-6a01, ET. SEQ., located in Park Place Development [CIP # 83196] [Roll Call Vote]

A motion to pass the ordinance was made by Councilmember Rasmussen; seconded by Councilmember Rawlings. The motion carried following a unanimous roll call vote of 7-0. Nay: None. (Councilmember Cain absent).

C. **Resolution No. 3607** approving and authorizing the Mayor to execute a Real Estate Sales Contract in the amount of \$900,000 between the City and Citizens Bank & Trust Company, for the purchase of approximately 45 acres of real property located adjacent to the City's Ironwoods Park, located at 14800 Mission Road

Mayor Dunn stated approval of this sales contract was contingent upon any and all liens being removed and a survey being performed and reviewed by the City. The survey will determine all existing easements. Closing will not take place until all of this has been completed.

A motion to approve the resolution was made by Councilmember Bussing; seconded by Councilmember Rezac.

Councilmember Rasmussen referred to Section 7 of the sales contract stating 15 days was not enough time to conduct the Due Diligence Review and wanted it extended to 30 days. He was also concerned with the language on Page 9: "Buyer acknowledges and agrees that the provisions contained in Section 14 were a material factor in Seller's acceptance of the Purchase Price, and that the Seller was unwilling to sell the property to Buyer unless Seller was released as expressly set forth above." This is in regard to environmental conditions. He wanted to determine if the property is subject to wetlands, etc.

City Attorney Patty Bennett stated they had previously discussed the 15-day provision and she didn't feel the Seller would object to extending it to 30 days. This could be approved contingent upon this extension and would give the staff time to review any concerns and could return before the Council as late as the July 18th meeting. In regards to the wetlands and environmental issues, there are studies they could commission on environmental items, which were discussed with the City Administrator. Staff didn't see the importance in this since the City has owned land directly next to this property for several years. The reason for the provision is because the bank has not owned the property long so they don't feel comfortable making warranty's under those conditions. There is a provision that if they have actual knowledge and are not revealing it, the release is void.

Councilmember Azeltine confirmed with Ms. Bennett that the ALTA Boundary Survey would be at the Buyer's expense of approximately \$4,000 and would be in addition to the \$900,000. Mr. Lambers thought the survey would be the only additional cost at this time.

Councilmember Osman agreed they should extend the Due Diligence Review to at least 30 days. If something arises during this review there should be additional language in the contract giving them the option to extend. Ms. Bennett responded there is a provision that the Buyer can choose not to close and the Seller can walk away. This would also give the Buyer and Seller a chance to renegotiate and extend it. Mr. Osman asked if they would be required to turn over the ALTA Boundary Survey to the lender if they don't proceed and if they would get compensated for it. Ms. Bennett thought they could get compensation; however, she needed to review the contract.

Councilmember Rasmussen reiterated environmental concerns. Mr. Lambers stated the City has owned the land directly next to this property for over 15 years and has been unaware of any environmental issues. This property was purchased by a residential developer who went through a review process and was planning to market it as residential property. Staff is extremely confident there is nothing of any real concern and feels the seller would agree to extend it to 30 days. They can incorporate the language Councilmember Osman suggested in regards to extending if something should arise during the review. The survey should remain the property of the City.

Councilmember Rasmussen asked if there was any record of a previous buyer going through the review process regarding environmental conditions. Mr. Lambers replied he could check with the County's records.

Councilmember Azeltine referred to Page 4 of the sales contract and asked if site reviewing, engineering, environmental audits, inspections, photographing, rock borings, soil tests, and utility locating was included in the \$900,000. Ms. Bennett replied the cost would not be included if the City chooses to conduct these studies. The \$900,000 is the cost for purchasing the property. Mr. Lambers clarified some of these studies will be included in the survey. They do not intend to do any rock boring unless something indicates it needs to be done during the survey. Phelps Engineering will be conducting the survey and are very familiar with the property. They will also be doing the survey for the property owners to acquire the balance of the property north of the City.

Carolyn Long, 10400 High Drive, asked since 14-15 acres has already been deeded or dedicated to Leawood, why pay approximately \$30,000 per acre for the remaining 30 acres. Even if the City were paying for all 45 acres, it would still be \$20,000 per acre. This seems excessive. She thought the property would require a road and bridge for access and wanted to know the estimates of this cost. Because of the widespread interest of Leawood citizens and their parks, she thought it might be wise to ensure transparency in all aspects of the Council's decision spending \$900,000. She asked the Council to delay authorizing the sales contract for at least another month.

Mayor Dunn responded the road cost estimates would be done in the future when the park is developed.

Mayor Dunn noted the contract has been amended to extend the Due Diligence Review to 30 days and include the additional language suggested by Councilmember Osman.

The motion to approve the resolution carried following a unanimous vote of 7-0. (Councilmember Cain absent).

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. 2011-22 and 2011-23
- B. Accept minutes of the June 6, 2011 Governing Body meeting
- C. Accept minutes of the June 6, 2011 Governing Body Work Session
- D. Accept minutes of the May 10, 2011 Park and Recreation Advisory Board
- E. Approve renewal of Cereal Malt Beverage [CMB] license to Price Chopper # 500, located at 13351 Mission Road
- F. **Resolution No. 3608** approving and authorizing the Mayor to execute Service Agreements between the City and Regional Justice Information System [REJIS] for data processing and criminal record history for the Police Department and Municipal Court System

- G. **Resolution No. 3609** approving and authorizing the Mayor to execute 3 Permanent Utility Easements to the City of Leawood, Kansas for property located within Ironhorse Golf Course, 15400 Mission Road
- H. Declaration of surplus property [vehicles from Fire, P&R, PW, and Ironhorse Golf Course]
- I. **Resolution No. 3610** approving a Final Site Plan for Park Place, Carmen's Café Expansion, located at 11526 Ash Street [PC Case# 47-11] [*from the May 24, 2011 Planning Commission meeting*]
- J. **Resolution No. 3611** approving a Revised Final Plan for Park Place-Building J Revisions, located north of 117th Street and east of Nall Avenue [PC # Case # 50-11] [*from the May 24, 2011 Planning Commission meeting*]
- K. Fire Department Monthly Report
- L. Police Department Monthly Report
- M. Municipal Court Monthly Report

Councilmember Filla requested to pull Item No. 7D and Councilmember Rezac pulled Item No. 7F for discussion.

A motion to approve the remainder of the Consent Agenda was made by Councilmember Rawlings; seconded by Councilmember Rasmussen. The motion carried following a unanimous vote of 7-0. (Councilmember Cain absent).

- 7D. Accept minutes of the May 10, 2011 Park and Recreation Advisory Board

Councilmember Filla asked for clarification of a Wii League. Parks and Recreation Director Chris Claxton responded this is a league for seniors to participate in Wii video games. They are asking to challenge other parks and recreation agencies.

A motion to accept Item No. 7D was made by Councilmember Filla; seconded by Councilmember Rawlings. The motion carried following a unanimous vote of 7-0. (Councilmember Cain absent).

- 7F. **Resolution No. 3608** approving and authorizing the Mayor to execute Service Agreements between the City and Regional Justice Information System [REJIS] for data processing and criminal record history for the Police Department and Municipal Court System

Councilmember Rezac confirmed with Police Chief John Meier that the reason they were changing to the new REJIS system was because the ALERT system was becoming obsolete.

A motion to approve the resolution was made by Councilmember Rezac; seconded by Councilmember Filla. The motion carried following a unanimous vote of 7-0. (Councilmember Cain absent).

8. MAYOR'S REPORT

- A. Attended a breakfast update briefing with City Administrator Scott Lambers in Olathe with all Johnson & Wyandotte Counties Mayors, Administrators and Managers, with Secretary of Revenue Nick Jordan and Secretary of Commerce Pat George.
- B. Attended Specialty Fertilizer Products [SFP] launch of the Fertilizer Efficiency Network [FEN] they are beginning. Their international headquarters is located in Park Place. They are beginning a 10,000 mile, cross-country tour to market their new and emerging product lines. On May 25th, SFP won the "Mr. K" Award presented by the Greater Kansas City Chamber of Commerce. They were in competition with more than 1,000 nominees for this award. This is a great well-deserved honor and reason to celebrate. Congratulations SFP!
- C. Attended the Mid-America Regional Council's [MARC] 15th Annual Regional Assembly and Leadership Awards ceremony, along with City Administrator Scott Lambers, Councilmembers Debra Filla and Carrie Rezac, Community Development Director Richard Coleman and other members of the Planning Department. The keynote speaker was William Shutkin who spoke about "Pursuing Sustainable Communities in the Age of Ideology."
- D. Mayor Dunn thanked Councilmember Debra Filla for attending the Sustainability Advisory Board's Summit.
- E. There was 100% participation from the Governing Body along with spouses that attended the Leawood Chamber of Commerce "A Taste of Leawood" event. Congratulations and appreciation goes to Chamber President Kevin Jeffries, the Chamber Board of Directors and staff, Parks and Recreation staff, Public Works Director Joe Johnson and other Leawood professionals for their assistance. For the first time, this was held at Leawood City Park. There were over 600 in attendance and a waiting list, and 22 Restaurateurs from Leawood's Chamber that participated.
- F. Mayor Dunn was joined by Councilmembers Lou Rasmussen, James Azeltine and Jim Rawlings, along with other department heads and Public Works professionals, at the infamous Smokin' Joe Johnson's bar-b-que. It was excellent cuisine, as always. Thank you, Joe!
- G. Mayor Dunn participated with Councilmembers Lou Rasmussen, James Azeltine and Julie Cain, along with many others, in the Leawood Arts Council Art Exhibit and Reception, hosted by Eva Reynolds Fine Arts Leawood Gallery. Featured artists included: Babe Atha, Phelomene Bennett, Tom Corbin, Mark English, Lou Marak, Pam Peffer and others. Thank you to Mary Tearney, Chairman of the Leawood Arts Council, and all members of the Arts Council for their work on this. This was a fabulous venue to host a great show.

9. COUNCILMEMBERS' REPORT - None

10. STAFF REPORT - None

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[from the January 25, 2011 Planning Commission meeting]

- A. Resolution approving a Final Site Plan for a new restroom at Ironwoods Park, located at 3141 Ironwoods Court [PC Case # 17-11] – **[CONTINUED FROM THE MARCH 7, 2011 GOVERNING BODY MEETING]**

Staff Comment: Staff recommends that this application be withdrawn

Mr. Lambers stated as a result of the recent developments of the City acquiring additional property adjacent to Ironwoods Park, it is staff's position that there may be an opportunity for a better location for the proposed amphitheatre. Staff would like an opportunity to review this site for that possibility so the Council can then make an informed decision. For that reason, they do not believe it would be appropriate to move forward with the restrooms at this time as this review will take a considerable amount of time. Since the City is the applicant, they are requesting that the Council approve that the application be withdrawn.

A motion to withdraw the application for a Final Site Plan for restrooms at Ironwoods Park was made by Councilmember Bussing; seconded by Councilmember Filla.

Councilmember Azeltine suggested they continue this item rather than withdraw it in light of the earlier discussion regarding the real estate contract (Item No. 6C). He thought they should continue this until they are sure this new property will be suitable for the amphitheatre and a new Master Plan could be developed. If it is withdrawn and the new property is not suitable, they would have to begin everything again.

Mayor Dunn noted the night this was approved there was debate of using these dollars for parking. If this is withdrawn they would have that option.

Mr. Lambers responded the reason for the withdrawal recommendation was because it would take time to put together all the information for the Council to make a decision. A lot can happen within that timeframe. He felt the citizens would be better served by having them restart the entire process from the beginning and they would have the benefit of having all the information the Council made on how to proceed.

Councilmember Azeltine thought having gone through the process once; it would be unfair to the people that voted in the affirmative to begin again.

Councilmember Rasmussen was concerned about the staff's position. The planning of the amphitheatre included the restrooms. He didn't feel the recommendation for withdrawal was correct after they had spent years recommending this to the Council and spending taxpayer money.

Mayor Dunn noted when this was approved by the Planning Commission, the conversation regarded the restrooms being considered as Phase I of the future amphitheatre construction.

Councilmember Azeltine stated the sales contract is not final for another 30 days. Something could happen and this falls through and the application has been withdrawn. He reiterated they should continue this until the contract is final.

Mayor Dunn noted the reason this was on the agenda this evening was because the Council had continued it to this date. This doesn't prevent them from continuing it again.

Councilmember Bussing commented in spite of the good questions and concerns about the acquisition of this land, it will go through. They will double the size of the park and the prudent course of action is to take the time to adequately review the new acquisition in conjunction with the land the City currently owns and properly plan its use. He didn't think they should proceed with the construction of the restrooms until they are certain of their location.

Councilmember Osman commented in the real estate business, nothing is final until the contract is signed. He agreed with Councilmember Azeltine to continue this until that time.

Councilmember Rezac stated one of the intents of the land purchase was to seek opportunities to relocate or re-plan the amphitheatre because the current location seemed inappropriate. She was not in favor of moving forward with restrooms for a temporary amphitheatre and agreed they should withdraw the application.

Councilmember Rasmussen couldn't recall that the location of the amphitheatre was ever considered temporary. There are maps in the City's history showing this as the location of the amphitheatre. Councilmember Rezac disagreed and stated the amphitheatre was not to the scale that is currently shown. Mr. Rasmussen responded since 2001 the amphitheatre was laid out and put before the people; the criteria has not changed.

Mayor Dunn clarified this was a 1998 park bond issue that was put before the voters. She was not in favor of spending a lot of money on a new park plan at this time. They are purchasing the land for future use, which the Council will have work sessions on and they will be open to the public. They will meet with the Parks and Recreation Advisory Board with citizens being invited. She did not object to continuing this until they close on the property; however, she didn't want to leave it in limbo until decisions are made to determine the uses of the new property.

The motion to accept the recommendation that this application be withdrawn failed by a vote of 3-4. Yay: Councilmembers Bussing, Rezac and Filla. Nay: Councilmembers Rasmussen, Osman, Azeltine and Rawlings. (Councilmember Cain absent).

A motion to continue this until August 4, 2011, was made by Councilmember Bussing; seconded by Councilmember Azeltine.

Mr. Lambers clarified this date will tie into the Due Diligence Review being completed and back before the Council at the July 18, 2011, Governing Body meeting. If there are issues that require the review to be continued, this will be continued accordingly.

The motion carried following a vote of 5-2. Nay: Councilmembers Rasmussen and Rezac. (Councilmember Cain absent).

[from the May 24, 2011 Planning Commission meeting]

- B. **Ordinance No. 2492** approving a Revised Preliminary Site Plan and Revised Final Site Plan for Bi-State/Centennial Park - Central States Beverage (Beer Distributor), located at 1900 West 143rd Street (PC Case # 52-11) [Roll Call Vote]

Stan Hernly, Hernly Associates, stated they were in agreement with all staff and Planning Commission recommendations.

A motion to pass the ordinance was made by Councilmember Bussing; seconded by Councilmember Rawlings.

Mayor Dunn asked the timeline for construction and the total square footage of the facility. Mr. Hernly responded they would begin construction once they submit their building permits to Leawood and Kansas City, Missouri. The total square footage will be 163,186.

The motion carried following a unanimous roll call vote of 7-0. Nay: None. (Councilmember Cain absent).

- C. **Resolution No. 3612** approving a Final Plan for a Tenant Finish for Park Place - 801 Chophouse (Retail: Restaurant), located on the northeast corner of 117th Street and Nall Avenue (PC Case # 48-11)

Jeffrey Alpert, Park Place Village, stated the 801 Chophouse Restaurant is originally from Des Moines, Iowa, with locations in Omaha, Nebraska, and the Power and Light District in Kansas City, Missouri. This will be their 4th location. The restaurant is an upscale quality steakhouse and plans to open in November.

Mayor Dunn asked if Mr. Alpert would agree to an additional stipulation regarding the cast stone cornice along the top of the storefront. Mr. Alpert agreed to the additional stipulation and confirmed this was a part of their plans.

A motion to approve the resolution including the additional stipulation to include a cast stone cornice along the top of the storefront was made by Councilmember Rasmussen; seconded by Councilmember Rawlings.

Mayor Dunn noted this will override the Planning Commission's recommendation, which will require a super majority vote.

The motion carried following a unanimous vote of 7-0. (Councilmember Cain absent).

- D. **Resolution No. 3613** approving a Final Plan for a Tenant Finish for Park Place - Building I (Undesignated Tenant), located on the northeast corner of 117th Street and Nall Avenue (PC Case # 49-11)

Mayor Dunn wanted to include the same additional stipulation regarding the cast stone cornice along the top of the storefront in this tenant finish as well.

Mr. Alpert stated this was intended to be a two-story retail space for a specific tenant; however, due to the recession, that tenant decided not to proceed. They currently have an office tenant wanting that space and will need to create a first floor lobby on the north end to access the second level and install windows to make it a more desirable office space.

Mayor Dunn asked if this was the same space they had contemplated using as a celebration event space. Mr. Alpert replied there is currently no other event space located in Park Place at this time; however, it is something they would still like to consider in the future.

A motion to approve the resolution including the additional stipulation to include a cast stone cornice along the top of the storefront was made by Councilmember Rasmussen; seconded by Councilmember Azeltine.

Mayor Dunn noted this will override the Planning Commission's recommendation, which will require a super majority vote.

The motion carried following a unanimous vote of 7-0. (Councilmember Cain absent).

- E. **Resolution No. 3614** approving a Final Site Plan for Camelot Court - Oklahoma Joe's BBQ Restaurant, located east of Roe Avenue and south of 117th Street (PC Case #51-11)

Henry Klover, Klover Architects, stated he represented the tenant and developer. The report is thorough with simple remodeling to the building. The marble on the front of the building has been replaced with natural stone. The rear enclosure is being extended to the west to accommodate three smokers. The smoke vents run through the building and will run through either the existing or new exhaust system. A patio is being added to the southwest corner that is covered with a pergola and additional lighting. Wood shutters are being added to enhance the sides and front of the building.

Councilmember Rasmussen was concerned the exhaust system may not be equipped to handle three smokers. Mr. Klover stated they had not yet designed the new system. A bar-b-que restaurant does not have the same requirements as a traditional restaurant in terms of hood requirements, etc. Plans are to open after a few details have been worked out.

Councilmember Rasmussen confirmed with Mr. Klover that the grease receptacle would be adequately maintained within the existing enclosure. Community Development Director Richard Coleman stated this has been reviewed on the development plans; however, there will be a subsequent review when they issue the building permit.

A motion to approve the resolution was made by Councilmember Rawlings; seconded by Councilmember Filla. The motion carried following a unanimous vote of 7-0. (Councilmember Cain absent).

- F. **Ordinance No. 2493** amending Section 16-9-156 of the Leawood Development Ordinance, entitled 'Kennel,' pertaining to types of kennels (PC Case # 57-11) [Roll Call Vote]

Mr. Coleman stated because of some issues with kennels being located in shopping centers, staff reviewed the ordinance and have divided it into the following three categories:

1. Kennel - Veterinary
2. Kennel - General
3. Kennel - Commercial

Subsequently, they discussed the issuance of a Special Use Permit [SUP] to cover all of them with the City Administrator and he agreed it would be appropriate.

Mayor Dunn confirmed with Mr. Coleman if there are more than 25 dogs, it would be considered Kennel-Commercial.

Councilmember Azeltine asked why there were two ordinances. Mr. Coleman replied since they were changing the LDO, they needed to update both the "Table of Uses" and the "Definitions, pertaining to Kennels" ordinances.

Mayor Dunn confirmed with Mr. Klein the issuance of the SUP would be addressed next, under Item 11G.

Councilmember Osman asked what precipitated this and if there were any applicants coming forward in the foreseeable future. Mr. Coleman replied not for large kennels; however, they have had a few complaints regarding smaller kennels. Mr. Coleman confirmed that the Kennel-Commercial category would be allowed outdoor dog runs, whereas, this would not be allowed with the other two categories.

Mayor Dunn commented they had previously approved a kennel at Market Square; however, it never materialized. There were concerns regarding the outdoor activity from some of the neighboring tenants. Mr. Coleman replied they had an outdoor play area to take the dogs out individually. With the passage of this ordinance, that would not be allowed there. Mayor Dunn noted the Planning Commission had some language modifications that were mainly for clarification purposes.

Mr. Coleman was unaware of any kennel currently operating that would not be in compliance with the new LDO definitions.

A motion to pass the ordinance was made by Councilmember Rasmussen; seconded by Councilmember Azeltine. The motion carried following a unanimous roll call vote of 7-0. Nay: None. (Councilmember Cain absent).

- G. **Ordinance No. 2494** amending Section 16-2-7, Table of Uses, of the Leawood Development Ordinance, pertaining to kennels (PC Case # 119-10) [Roll Call Vote]

A motion to pass the ordinance with the additional requirement of a SUP was made by Councilmember Rasmussen; seconded by Councilmember Rawlings. The motion carried following a unanimous roll call vote of 7-0. Nay: None. (Councilmember Cain absent).

12. **OLD BUSINESS** - None

13. **OTHER BUSINESS** - None

14. **NEW BUSINESS**

- A. **Ordinance No. 2495C** amending Chapter XIV, Article 6 of the Code of the City of Leawood, 2000, entitled 'Parade Regulations,' pertaining to Parades, Runs, Walks and Similar Events, by amending § 14-601, entitled 'Definitions'; amending § 14-603, entitled 'Procedure'; and amending § 14-604, entitled 'Standards for Issuance,' and repealing existing Sections 14-601, 14-603, and 14-604 [Roll Call Vote]

A motion to pass the ordinance was made by Councilmember Rasmussen; seconded by Councilmember Filla.

Councilmember Osman thought changing from 48 hours to 30 days to get approval for a parade permit seemed long. Police Chief John Meier stated approval was not the issue; however, depending upon the size of the event, they need enough notice to schedule officers to work and 30 days should be sufficient. Mr. Osman asked when it becomes necessary to provide insurance coverage. City Attorney Patty Bennett stated this is determined on a case-by-case basis and is dependent upon how many people are in the event and where it is taking place. Chief Meier clarified most large non-profit groups have some type of umbrella coverage.

The motion carried following a unanimous roll call vote of 7-0. Nay: None. (Councilmember Cain absent).

- B. **Ordinance No. 2496C** amending Chapter XIV, Article 5 of the Code of the City of Leawood, 2000, entitled 'Impoundment of Motor Vehicles,' pertaining to the Towing of Vehicles, by amending § 14-503, entitled 'Notice After Removal'; and amending § 14-508, entitled 'Surrender of Towed Vehicle to Owner,' and repealing existing Sections 14-503 and 14-508 [Roll Call Vote]

A motion to pass the ordinance was made by Councilmember Bussing; seconded by Councilmember Azeltine. The motion carried following a unanimous roll call vote of 7-0. Nay: None. (Councilmember Cain absent).

- C. Schedule a Governing Body Work Session at 5:30 P.M. on Monday, August 15, 2011, to further discuss 2011 Governing Body Goals and Objectives

A motion to approve the work session was made by Councilmember Rawlings; seconded by Councilmember Rezac. The motion carried following a unanimous vote of 7-0. (Councilmember Cain absent).

Councilmember Bussing stated he could not hear some of the Councilmembers and citizens speaking and asked if they could have someone work on improving the sound system.

ADJOURN

There being no further business, the meeting was adjourned at 9:10 P.M.

Debra Harper, CMC, City Clerk

Pam Gregory
Recording Assistant City Clerk