

**Regular Meeting**

**THE LEAWOOD CITY COUNCIL**

**February 4, 2013**

**Minutes**

DVD No. 296

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, February 4, 2013. Mayor Peggy Dunn presided.

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

**Councilmembers absent:** None

**Staff present:** Scott Lambers, City Administrator  
Chief Dave Williams, Fire Dept.  
Chief John Meier, Police Dept.  
Mark Andrasik, Info Systems Director  
Karl Weinfurter, Info Systems Specialist  
Richard Coleman, Comm. Dev. Director  
Lovina Freeman, HR Director

Patty Bennett, City Attorney  
Joe Johnson, Public Works Director  
Dawn Long, Finance Director  
Mark Klein, Planning Official  
Deb Harper, City Clerk  
Pam Gregory, Assistant City Clerk

**1. PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF AGENDA**

Mayor Dunn noted the following amendments to the agenda:

- Addition of Item No. 9 – Report from Councilmember Lou Rasmussen
- Addition of Other Business – Reschedule work session agenda topic

A motion to approve the amended agenda was made by Councilmember Rawlings; seconded by Councilmember Osman. 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 - None**

**5. PRESENTATIONS/RECOGNITIONS - None**

**6. SPECIAL BUSINESS**

- A. Authorize Staff to proceed with Request for Qualifications [RFQ] for Master Plan for City Parks

Parks and Recreation Director Chris Claxton stated the RFQ would be posted on the City's website. Pending approval, staff will complete the timeline and issue the RFQ. After a consultant is selected, staff will detail the project description for the City Council.

A motion to authorize staff to proceed with the RFQ for the Master Plan for City Parks was made by Councilmember Filla; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 8-0.

- B. **Resolution No. 3968** approving and authorizing the Mayor to execute a Land Donation and Development Agreement between the City and Hallbrook Office Center, LLC, pertaining to real property located adjacent to City Park, 10601 Lee Boulevard

City Attorney Patty Bennett noted this agreement provides for donation of property and in return Hallbrook received confirmation that the donation will not be counted against them in the F.A.R. [Floor Area Ratio] calculations. This agreement identifies certain uses that are/are not appropriate for the land.

Fred Logan, Esq., Logan, Logan and Watson, stated the agreement required them to obtain a survey, which determined an additional one acre, for a total of 6.95 acres.

Mayor Dunn stated this donation from the Hall family is greatly appreciated.

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

**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. 2012-54, 2012-55, and 2013-2  
B. Accept minutes of the January 22, 2013 Governing Body meeting  
C. Accept minutes of the January 22, 2013 Governing Body Work Session  
D. Accept minutes of the November 8, 2012 Sustainability Advisory Board  
E. Approval of 2013 Governing Body Goals & Objectives  
F. Approve Pay Request in the amount of \$22,318.47, to City of Overland Park pertaining to the Intergraph Software System, which includes the computer-aided dispatch [CAD] system, records management and mobile operating systems

- G. Approve payment in the amount of \$91,000.00 to Leawood Chamber of Commerce for the 2013 operations budget
- H. Approval of Massage Therapy License for Eden Nails & Salon, located at 4860 W. 135<sup>th</sup> Street, in accordance with § 5-510 of the Code of the City of Leawood, Kansas, 2000
- I. **Resolution No. 3969** calling for a Public Hearing to be heard on Monday, March 18, 2013 at 7:30 P.M., or as soon thereafter as may be heard to consider the 2014-2018 Capital Improvement Program [C.I.P.] for the City of Leawood, Kansas
- J. **Resolution No. 3970** granting a Permanent Utility Easement to the City of Leawood, for a tract of land over a portion of Lots 1 and 2, Leawood Justice Center and all of Lots 11 through 15, Camelot Court Shopping Center located at 117th & Tomahawk Creek Parkway [Justice Center Project # 76008]
- K. **Resolution No. 3971** accepting a Permanent Sidewalk Easement from McDonald's Corporation, for property located at 119<sup>th</sup> Street and Roe Avenue, in Camelot Court Shopping Center, part of Lot 6
- L. **Resolution No. 3972** to approve a Final Sign Plan for Mission Farms – Rye Restaurant, located south of 105<sup>th</sup> Street and east of Mission Road. (PC Case 141-12)
- M. **Resolution No. 3973** approving a Final Sign Plan for Town Center Plaza – Crazy 8 (Retail: Children's Apparel), located north of 119<sup>th</sup> Street and east of Nall Avenue. (PC Case 02-13)
- N. **Resolution No. 3974** approving a Revised Final Plan for a Tenant Finish for Park Place – 801 Fish House (Restaurant), located south of Town Center Drive and east of Nall Avenue (PC Case 08-13)
- O. **Resolution No. 3975** approving a Revised Final Plan for a Tenant Finish for Park Place – Kansas City Fine Cabinetry (Retail: Cabinetry), located south of Town Center Drive and east of Nall Avenue (PC Case 09-13)
- P. **Resolution No. 3976** approving a Final Plan for a Tenant Finish for Park Place – Generic Storefront (G55), located south of Town Center Drive and east of Nall Avenue (PC Case 10-13)
- Q. **Resolution No. 3977** approving a Final Plan for a Tenant Finish for Park Place – Sweet Pea (Retail: Children's Apparel), located south of Town Center Drive and east of Nall Avenue (PC Case 11-13)
- R. **Resolution No. 3978** approving a Final Plan for a Tenant Finish for Park Place – Romanelli Sun Galleria (Retail: Sunglasses), located south of Town Center Drive and east of Nall Avenue (PC Case 12-13)
- S. **Resolution No. 3979** approving a Final Plan for a Tenant Finish for Park Place – Pinot's Palette (Entertainment Art Studio), located south of Town Center Drive and east of Nall Avenue (PC Case 13-13)
- T. **Resolution No. 3980** approving a Final Sign Plan for Leawood Fountain Plaza– Aesthetic Care (Medical Office), located north of Town Center Drive and east of Nall Avenue (PC Case 17-13)

Councilmembers Bussing and Rezac requested to pull Item No. 7E and Councilmember Osman pulled Item No. 7L for discussion.

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

7E. Approval of 2013 Governing Body Goals & Objectives

Councilmember Bussing confirmed with Mr. Lambers that they intend to complete Short-Term Goal No. 3 – ‘Complete Ward Redistricting’ this year.

Mayor Dunn stated the years noted in brackets indicate the year they are added to the list and have nothing to do with the completion date.

Councilmember Rezac asked if Long-Term Goal No. 4 – ‘Evaluate possible impact of placing hi-speed fiber along 135<sup>th</sup> Street’ could be moved to a Near-Term Goal since the evaluation would take some time to complete, and then if they move forward it could be placed in Long-Term Goals. Mr. Lambers thought it would be best to complete the 135<sup>th</sup> Street Corridor study first. Councilmember Bussing concurred with Councilmember Rezac and felt they should push ahead as rapidly as possible once they conclude the 135<sup>th</sup> Street Corridor study.

A motion to approve Item No. 7E with an amendment to move Long-Term Goal No. 4 to Near-Term Goal No. 10 was made by Councilmember Rezac; seconded by Councilmember Bussing. The motion carried following a unanimous vote of 8-0.

7L. **Resolution No. 3972** to approve a Final Sign Plan for Mission Farms – Rye Restaurant, located south of 105<sup>th</sup> Street and east of Mission Road. (PC Case 141-12)

Councilmember Osman recalled discussion of administrative approval for signage criteria if the tenant meets certain guidelines and asked when this would begin. Community Development Director Richard Coleman replied staff is in the process of outlining a start date, which would be brought before the Council for approval.

A motion to approve Item No. 7L was made by Councilmember Osman; seconded by Councilmember Filla.

Mr. Lambers noted the Leawood Development Ordinance [LDO] would need to be amended to accommodate this change. The change will be made without the sunset even though they will be doing the annual evaluation.

The motion carried following a unanimous vote of 8-0.

**8. MAYOR'S REPORT**

- A. Mayor Dunn extended her sincere appreciation to the I-Lan Sister City Committee and Chairman Jim Rochel and his committee, as well as staff liaison Nancy Kelly, for orchestrating a wonderful Lunar New Year dinner celebrating the 'Year of the Snake'. This event nearly maxed out Leawood's Blue Koi restaurant with everyone enjoying the delicious meal and festivities. Taipei Economic and Cultural Office [TECO] in Kansas City Director General Jack Yang and his wife were honored guests.
- B. Attended a private reception with Congressman Kevin Yoder and Congressman Emanuel Cleaver, hosted by the Jewish Community Relations Bureau/American Jewish Committee for His Excellency, the Honorable Michael Oren, Ambassador of Israel to the United States. There was a great turnout of approximately 1,000 people to hear some of the history of Israel over the last 2,000 years and their hopes for the future.
- C. Mayor Dunn extended her appreciation to the City Council, City Administrator Scott Lambers, department heads and other City staff for attending the State of the City Address, sponsored by the Leawood Chamber of Commerce. It was nice to have a sold-out crowd, and all seemed interested in hearing about the 2012 accomplishments and the 2013 forecast.
- D. Attended a Leawood Chamber of Commerce ribbon-cutting ceremony with Councilmember Jim Rawlings for Rye Restaurant in Mission Farms. Owners and Chefs Colby and Megan Garrelts are sure to be successful if the enormous crowds-to-date are indicators.
- E. Attended a Leawood Chamber of Commerce ribbon-cutting ceremony for Romanelli Optix, an exclusive high-end eyewear establishment, located at Parkway Plaza. This is their second location with larger space for them at that center. They credit their success to the great demographics in the area.
- F. Congratulations to Information Services Director Mark Andrasik for his 2012 Year-End Report on items accomplished. This is an amazing executive summary that gives a sense of why his department is so busy.
- G. Congratulations to Community Development Director Richard Coleman and Planning Official Mark Klein for the 2012 Site Inspection Report, which is always a very good informative report.
- H. Reminder of the annual Home Owners Association [HOA] event on Thursday, February 7<sup>th</sup> at 5:30 P.M., at Ironwoods Lodge, hosted by the Sustainability Advisory Board, Chaired by Councilmembers Debra Filla and Julie Cain.

**9. COUNCILMEMBERS' REPORT – Lou Rasmussen**

- A. Authorize staff to proceed with design of dog park to be located on donated land, located adjacent to City Park, 10601 Lee Boulevard; establish funding source; and time frames, for the total cost not to exceed \$300,000

A motion to authorize staff to proceed with the design of a dog park on recently acquired land and to establish financing and timing of the project at a cost not to exceed \$300,000 was made by Councilmember Rasmussen; seconded by Councilmember Azeltine.

Mr. Lambers stated a work session could be scheduled in April for discussion.

The motion carried following a unanimous vote of 8-0.

- B. Direct staff to proceed with feasibility study for proposed Ironhorse Clubhouse expansion project and schedule Governing Body Work Session on this issue at 6:00 P.M., on Monday, June 17, 2013

A motion to direct staff to proceed with a feasibility study for proposed Ironhorse Clubhouse expansion and determine the marketability, annual cost, and revenue potential of this expansion was made by Councilmember Rasmussen; seconded by Councilmember Azeltine.

Mr. Lambers confirmed this would be done in conjunction with the Capital Improvements Program [CIP] meeting on June 17<sup>th</sup>.

The motion carried following a unanimous vote of 8-0.

**10. STAFF REPORT- Scott Lambers, City Administrator**

Mr. Lambers distributed a “draft” Request for Qualifications [RFQ] for the Justice Center Art Project for the Council to review.

Reschedule Monday, April 1, 2013 Work Session Topic of Discussion of Proposed Utilization of Social Media to Monday, February 18, 2013 and schedule Governing Body Work Session to discuss Dog Park to be located at 10601 Lee Boulevard at 6:00 P.M., on Monday, April 1, 2013

A motion to reschedule the April 1, 2013 work session topic of discussion to proposed utilization of Social Media to February 18, 2013 was made by Councilmember Filla; seconded by Councilmember Cain. The motion carried following a unanimous vote of 8-0.

A motion to schedule a work session on April 1, 2013, to discuss a potential Dog Park to be located at 10601 Lee Boulevard was made by Councilmember Rasmussen; seconded by Councilmember Cain. The motion carried following a unanimous vote of 8-0.

***COMMITTEE RECOMMENDATIONS***

**11. PLANNING COMMISSION - None**

**12. OLD BUSINESS - None**

**13. OTHER BUSINESS - None**

**14. NEW BUSINESS - None**

There being no further business, the meeting was adjourned at 8:12 P.M.

**ADJOURN**

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Debra Harper, CMC, City Clerk

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Pam Gregory, Assistant City Clerk