

Regular Meeting

THE LEAWOOD CITY COUNCIL

March 4, 2013

Minutes

DVD No. 298

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 18, 2013. Mayor Peggy Dunn presided.

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

Councilmembers absent: Andrew Osman

Staff present: Scott Lambers, City Administrator
Chief John Meier, Police Dept.
Richard Coleman, Comm Dev. Director
Mark Andrasik, Info Systems Director
Chris Claxton, Parks & Rec Director

Patty Bennett, City Attorney
Joe Johnson, Public Works Director
Dawn Long, Finance Director
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:

- Remove Item No. 14 – New Business

A motion to approve the amended agenda was made by Councilmember Filla; seconded by Councilmember Rawlings. The motion carried following a unanimous vote of 7-0. (Councilmember Osman 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.

Mary Tearney, Chair, Leawood Arts Council, thanked Public Works Director Joe Johnson and Parks and Recreation Director Chris Claxton and their departments for the wonderful work clearing the snow from the recent storms. Ms. Tearney also noted over 200 people auditioned for the “Sound of Music” and volunteers were in the process of reviewing call-backs.

Mayor Dunn thanked Ms. Tearney and the City’s volunteers for all of their hard work on this.

4. PROCLAMATIONS **Multiple Myeloma Awareness Month, March, 2013**

Mayor Dunn proclaimed the Month of March, 2013, as Multiple Myeloma Awareness Month in the City of Leawood, Kansas, and encouraged all residents to participate in voluntary activities to support Myeloma education and the funding of research programs to find a cure.

5. PRESENTATIONS/RECOGNITIONS - None

6. SPECIAL BUSINESS

- A. Authorize staff to move forward with Playground/Improvements to Brook Beatty Park, located at 8646 Lee Boulevard

A motion to authorize staff to move forward with the playground and improvements to Brook Beatty Park was made by Councilmember Filla; seconded by Councilmember Rasmussen.

Parks and Recreation Director Chris Claxton confirmed the \$12,000 for fencing may be estimated high. The total cost will be determined once they finish working with the abutting property owner on where it will be placed.

Mayor Dunn noted some recent additional communication from the abutting property owner expressing their belief that a split-rail fence will cause flooding on their property. Public Works Director Joe Johnson had stated at the last Governing Body meeting that an outside firm specializing in bio-engineering had reviewed the plan and determined that the fencing and landscaping would not cause an impact to water flow.

The motion carried following a vote of 6-1. Nay: Councilmember Bussing. (Councilmember Osman absent).

- B. **Resolution No. 3986** approving City Specific Terms of Social Media use by the Parks and Recreation Department

A motion to approve the resolution was made by Councilmember Rasmussen; seconded by Councilmember Cain.

City Attorney Patty Bennett confirmed this Social Media Pilot Project would be reviewed in 6 months (September, 2013). The “Terms of Use” will be stated on the Facebook page. Mr. Lambers confirmed City staff would provide a report at that review identifying additional personnel time associated with this project.

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

- C. **Resolution No. 3987** accepting Personnel Policy regarding Social Media use by the Parks and Recreation Department

A motion to approve the resolution was made by Councilmember Cain; seconded by Councilmember Rasmussen. The motion carried following a unanimous vote of 7-0. (Councilmember Osman 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. 2013-6, and 2013-7
- B. Accept minutes of the February 18, 2013 Governing Body meeting
- C. Accept minutes of the February 18, 2013 Governing Body Work Session
- D. Accept minutes of the January 10, 2013 Sustainability Advisory Board meeting
- E. Accept minutes of the October 3, 2012 Bicycle Friendly Committee
- F. Approve purchase and installation in the amount of \$20,891.71, from Commercial Floorworks, Inc., for carpeting at Ironhorse Clubhouse, located at 15400 Mission Road
- G. Approve Co-op Bid in the amount of \$31,610.00 from Roberts Chevrolet Buick for the purchase of [1] 2013 Chevrolet Tahoe for Fire Dept.
- H. Approve Co-op Bid in the amount of \$77,080.00 from Shawnee Mission Ford for the purchase of [3] 2013 F-250 pick-up trucks for Parks & Recreation
- I. Approve Co-op Bid in the amount of \$128,480.00 from Shawnee Mission Ford for the purchase of [1] 2013 Ford Explorer; [1] 2013 F-350 Pick-up Truck; [2] 2013 F-250 Pick-up Trucks; and [1] 2013 Ford Escape for Public Works
- J. Approve Co-op Bid in the amount of \$26,255.00 from Shawnee Mission Ford for the purchase of [1] 2013 Ford Explorer for Community Development
- K. Approve Co-op Bid in the amount of \$21,180.00 from Shawnee Mission Ford for the purchase of [1] 2013 Ford Taurus for Police Department
- L. **Resolution No. 3988** calling for a pre-budget Public Hearing to be heard on Monday, April 1, 2013, on the 2014 Fiscal Budget for the City of Leawood, Kansas
- M. **Resolution No. 3989** approving and authorizing the Mayor to execute an Information Technology Services Agreement between the City and the Board of County Commissioners of Johnson County [BOCC], in the amount of \$2,500.00, pertaining to the Fiber Optic Ring Project for the Justice Center [Project # 76029
- N. **Resolution No. 3990** approving and authorizing the Mayor to execute an Inter-local Agreement between the City of Leawood, the City of Prairie Village, and the Board of County Commissioners of Johnson County, pertaining to the Improvement Project of Somerset Drive between Belinder and Reinhardt Lane [Project # 72035]

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

8. MAYOR'S REPORT

- A. Attended the Johnson County Republican Party Elephant Club's luncheon at the Hereford House in Leawood. Secretary of Revenue Nick Jordan was the guest speaker providing remarks regarding the 2013 Tax Reform Proposal.
- B. Attended a Leawood Chamber of Commerce Ribbon Cutting Ceremony for Vision Professionals of Leawood, located in Parkway Plaza. They provide vision care and eyewear for children as young as six months of age through geriatric years. Mayor Dunn wished them much success.
- C. Attended a Leawood Chamber of Commerce Ribbon Cutting Ceremony for Marv's Delicatessen, located in Park Place. This restaurant features Chicago North Shore deli-style cuisine and honors Marv Kerner, the father of owner Steve Kerner. Mayor Dunn wished them much success.
- D. Participated in "Read Across America" at Prairie Star Elementary School and celebrated the birthday of Dr. Seuss.
- E. Extended her appreciation to Public Works Director Joe Johnson and the Public Works crews for their excellent work in snow removal from the two storms the City experienced within a five-day timeframe. A good leader never asks his team to do anything he would not be willing to do. Joe himself drove a plow for 16 hours. City Administrator Scott Lambers was also spotted in a City vehicle doing road checks. This was a collaborative effort with many thanks to Parks and Recreation Director Chris Claxton for Parks crew assistance and to Police Chief John Meier and Fire Chief Dave Williams as the Police and Fire Departments were also called on to aid in the effort. Great job done by all on the most challenging storms in decades.
- F. Appreciation to Leawood Foundation Chair Alice Hawk and the Leawood Foundation Board members as well as Arts Council Chair Mary Tearney, for hosting the Second Annual Arti Gras event. Councilmembers Jim Rawlings, Carrie Rezac, James Azeltine and Julie Cain were in attendance with approximately 300 guests. Special thanks to Parks and Recreation Director Chris Claxton and Cultural Arts Coordinator April Bishop for their hard work on the preparations during the snow storm.
- G. Attended a meeting with Johnson County Appraiser Paul Welcome, City Administrator Scott Lambers, Finance Director Dawn Long and Budget Manager Kathy Byard regarding Leawood's 2013 appraisal statistics. Residential growth year-over-year was approximately 1%; commercial growth was approximately 6%; the overall total was a 1.30% increase. These are excellent numbers indicating we have turned the corner and are in a good recovery mode.

- H. Congratulations to Leawood Judge Renee Gurney's husband, Paul Gurney, for being appointed by Governor Sam Brownback as the newest Johnson County District Court Judge. He will be replacing Tom Bornholdt, who is retiring. Paul Gurney is a senior trial counsel for an Overland Park law office and was one of three finalists for the position. He is a very experienced civil litigation attorney who was noted for having a "unique skill set" to bring to this position.

9. COUNCILMEMBERS' REPORT

- A. Councilmember Lou Rasmussen Discussion of possible sale of art piece titled Koinonia by Reilly Hoffman

Councilmember Rasmussen stated after one-year as a temporary art piece, the City Council purchased it on July 2, 2007, for approximately \$12,000, which was funded by the Capital Art Fund. Since then, this art piece has been placed in a corner at the Lodge. Efforts were made to find a suitable location, but to no avail. There has been discussion to make this art suitable for outdoor use; however, he felt this would be destructive to the piece. Due to no specific site suitable for the art, he suggested the City sell it and deposit the proceeds back into the Capital Art Fund.

A motion to place this on the April 1, 2013, Governing Body meeting agenda for discussion to allow input from the Art in Public Places Initiative [APPI] and Arts Council was made by Councilmember Rasmussen; seconded by Councilmember Filla.

Councilmember Azeltine suggested this be referred to APPI and the Arts Council for discussion and return to the Council with suggestions. Councilmember Cain concurred.

Councilmember Cain noted the artist was not opposed to applying an additional coating on this art piece for outdoor use. She proposed it be placed at the Justice Center.

Mayor Dunn recalled their last report from Dr. Ann Kenney estimated the art to be worth \$39,000.

Councilmember Bussing felt they should follow standard procedure and refer this to the volunteer committees for input. Councilmember Azeltine concurred stating they need to respect the time and input from their volunteers.

Councilmember Filla removed her second from the motion.

Motion died for lack of a second.

Mayor Dunn stated this subject was discussed at their Council Goal Setting meeting; however, it did not receive consensus to be a part of their goals. Written communication of that discussion was given to APPI and Arts Council Chair Mary Tearney.

A motion to refer the possible sale of the art piece to the APPI and the Arts Council for their recommendation to the Council at the April 15, 2013, Governing Body meeting was made by Councilmember Rasmussen; seconded by Councilmember Filla. The motion carried following a unanimous vote of 7-0. (Councilmember Osman absent).

B. Councilmember Lou Rasmussen Report regarding Ironhorse Golf Course Clubhouse Expansion study

Councilmember Rasmussen recalled discussion of the need for a feasibility study on expansion of the Ironhorse Golf Clubhouse and asked if there would be concern if Troon provides the study at no cost to the City as opposed to hiring an outside consultant. Mr. Lambers replied given the limited nature of this expansion, Troon would be more than competent to provide an objective estimate expansion study. Troon can identify the requests they've had to turn away because of their limited space; however, it may be difficult to identify potential users until the project is completed. Troon should be able to determine a timeframe to recoup the proposed \$800,000 investment. This cost is based upon an expansion of 3,000 square feet. The results from the study would be discussed at the June 17, 2013, Governing Body work session.

Councilmember Bussing wanted to ensure Troon and City staff considers all of their needs in order to maximize clubhouse facility space.

Mayor Dunn stated it was her understanding since this discussion began that Troon would provide a professional unbiased report.

10. STAFF REPORT - None

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

12. OLD BUSINESS - None

13. OTHER BUSINESS - None

14. NEW BUSINESS - None

There being no further business, the meeting was adjourned at 8:25 P.M.

ADJOURN

Debra Harper, CMC, City Clerk

Pam Gregory, Assistant City Clerk