

Regular Meeting

THE LEAWOOD CITY COUNCIL

November 4, 2013

Minutes

DVD No. 312

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, November 4, 2013. Mayor Peggy Dunn presided.

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

Councilmembers absent: None

Staff present: Scott Lambers, City Administrator	Patty Bennett, City Attorney
John Meier, Police Chief	Dawn Long, Finance Director
Jack Reece, Info Systems Specialist	Chris Claxton, P&R Director
Richard Coleman, Comm. Dev. Director	Joe Johnson, PW Director
Lovina Freeman, HR Director	Pam Gregory, Assistant City Clerk

1. PLEDGE OF ALLEGIANCE

Councilmember Filla joined the meeting at 7:33 P.M.

2. APPROVAL OF AGENDA

Mayor Dunn noted the following additions to the agenda:

- Addition of Item No. 14B – New Business
- Addition of Item No. 14C – New Business

A motion to approve the Amended Agenda was made by Councilmember Rasmussen; seconded by Councilmember Rawlings. 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

**Turn on Porch Lights for Veterans Day,
November 11, 2013**

Mayor Dunn proclaimed November 11, 2013, as “Turn on Porch Lights for Veterans Day” in the City of Leawood to show support for Veterans of all ages.

**National American Indian Heritage
Month, November, 2013**

Mayor Dunn proclaimed November, 2013, as “National American Indian Heritage Month” in the City of Leawood and urged citizens to observe this month with appropriate programs, ceremonies and activities.

5. PRESENTATIONS/RECOGNITIONS - None

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. 2013-4
- B. Accept minutes of the October 21, 2013 Governing Body meeting
- C. Accept minutes of the September 10, 2013 Parks & Recreation Advisory Board meeting
- D. Accept minutes of the August 27, 2013 Arts Council meeting
- E. Accept minutes of the July 24, 2013 Ironhorse Advisory Board meeting
- F. Approve renewal of Cereal Malt Beverage [CMB] License to Hy-Vee, located 12200 State Line Road
- G. Approve Final Pay Request in the amount of \$11,948.85 to Martin Underground pertaining to the Fiber Optic Ring Project for the Justice Center [Project # 76029]
- H. **Resolution No. 4141** calling for a Public Hearing to be heard on Monday, December 2, 2013 at 7:30 P.M., or as soon thereafter as may be heard, regarding amendments to the 2013 Fiscal Budget for the City of Leawood, Kansas
- I. **Resolution No. 4142** approving and authorizing the Mayor to execute a Letter of Engagement between the City and Rubin Brown, LLP, for an amount not to exceed \$34,000, pertaining to 2013 audit services
- J. **Resolution No. 4143** accepting a Permanent Storm Sewer Easement from Paul H. and Paula K. Wilson, for property located at 12305 Alhambra, Berkshire Subdivision, 2nd Plat, Lot 8, pertaining to the Trail Improvement Project on 119th Street at City Park, south to 123rd Street & Mission Road [Project # 71012]
- K. **Resolution No. 4144** approving a Revised Final Plan for a Tenant Finish for Park Place – Carmen’s Café (Retail: Restaurant), located south of Town Center Drive and east of Nall Avenue (PC Case 122-13) [from the October 22, 2013 Planning Commission meeting]

- L. **Resolution No. 4145** approving a Final Plan for a Tenant Finish for Park Place – BurgerFi (Retail: Restaurant), located south of Town Center Drive and east of Nall Avenue (PC Case 123-13) *[from the October 22, 2013 Planning Commission meeting]*
- M. **Resolution No. 4146** approving a Final Sign Plan for Leawood Homes Association – Monument Sign, located south of 89th Street and east of Mission Road (PC Case 127-13) *[from the October 22, 2013 Planning Commission meeting]*
- N. **Resolution No. 4147** approving a Revised Final Plan for a Tenant Finish for Town Center Plaza – On the Border, (Retail: Restaurant) located north of 119th Street and east of Nall Avenue (PC Case 129-13) *[from the October 22, 2013 Planning Commission meeting]*
- O. Declaration of Surplus Property; various Golf Course Maintenance items

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

8. MAYOR'S REPORT

- A. The AMC Theatre Support Center, located in the Park Place Development, hosted the Leawood Chamber of Commerce Annual Board Retreat this past week. Mayor Dunn thanked them for their gracious hospitality.
- B. Congratulations are in order for the City of Leawood's very successful United Way Campaign. The number of participants and dollars raised were the highest to date in the City's years of participation. Thank you to all of the donors for their generosity and especially to Human Resources Director Lovina Freeman for her leadership. A Special thanks to City Administrator Scott Lambers for his outstanding support.
- C. Reminder that the Leawood Stage Company will present "Harvey" at the Ironwoods Lodge, located in Ironwoods Park, at 8:00 P.M. on November 8th and 9th, and at 2:00 P.M. on November 10th.
- D. Reminder of the "new" Brook Beatty Park dedication on Saturday, November 9th, at 11:30 A.M.
- E. Reminder of the City Hall Lighting ceremony on Monday, November 18th, at 6:00 P.M., just prior to the City Council meeting that evening at 7:30 P.M.

9. COUNCILMEMBERS' REPORT - None

10. STAFF REPORT - None

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION - None

12. OLD BUSINESS - None

13. OTHER BUSINESS - None

14. NEW BUSINESS

- A. **Ordinance No. 2642** appropriating the amounts set up in each fund in the budget for fiscal year 2014, 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 [Roll Call Vote]

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

City Administrator Scott Lambers clarified this ordinance provides authority for City staff to make budgeted payments that are due for 2014, provided there is no Council meeting. These payments will then be affirmed at the next meeting.

The motion carried following a unanimous roll call vote of 8-0. Nay: None.

- *B. **Ordinance No. 2643C** amending § 3-115, of the Code of the City of Leawood, 2000, entitled, 'Exemptions,' pertaining to the possession or consumption of Cereal Malt Beverage [CMB] on property owned or leased by the City and repealing existing § 3-115 [Roll Call Vote]

A motion to pass the ordinance was made by Councilmember Rasmussen; seconded by Councilmember Osman. The motion carried following a unanimous roll call vote of 8-0. Nay: None.

- *C. **Ordinance No. 2644C** amending § 3-208, of the Code of the City of Leawood, 2000, entitled, 'Exemptions,' pertaining to the permitting of alcoholic liquor on certain property owned or leased by the City and repealing existing § 3-208 amending § 3-208, of the Code of the City of Leawood, 2000, entitled, '[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 8-0. Nay: None.

ADJOURN

There being no further business the meeting was adjourned at 7:43 P.M.

Debra Harper, CMC, City Clerk

Pam Gregory, Assistant City Clerk