

Minutes

DVD No. 343

The City Council of the City of Leawood, Kansas, met in regular session in the Council Chambers, 4800 Town Center Drive, 7:30 P.M., on Monday, March 2, 2015. Mayor Peggy Dunn presided.

Councilmembers Present: Jim Rawlings, Julie Cain, Lou Rasmussen, Debra Filla, Carrie Rezac, Andrew Osman, James Azeltine and Chuck Sipple

Councilmembers Absent: None

Staff Present:	Scott Lambers, City Administrator	Patty Bennett, City Attorney
	Dawn Long, Finance Director	Mark Andrasik, Info. Services Director
	Mark Klein, Planning Official	Richard Coleman, Planning Director
	Chief John Meier, Police Department	Chief Dave Williams, Fire Department
	Joe Johnson, Public Works Director	Chris Claxton, Parks and Rec Director
	Nic Sanders, Human Res. Director	Sgt. Brad Robbins, P.D. Traffic Unit
	Deb Harper, City Clerk	

Others Present: Jamie West, Troon, General Manager

1. **PLEDGE OF ALLEGIANCE** – Led by Mayor Dunn
2. **APPROVAL OF AGENDA**

Mayor Dunn stated a Councilmember Report would be added to Agenda Item 9. and that a document from Councilmember Rezac had been provided in this regard.

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

3. **CITIZEN COMMENTS** – None
4. **PROCLAMATIONS** **Multiple Myeloma Awareness Month, March, 2015**

Mayor Dunn read a portion of the proclamation into the record. She proclaimed March 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 Presentation of AAA Safety Award

Police Chief John Meier introduced Mr. Bob Hamilton from the Kansas Department of Transportation to present a traffic safety award to the City. Sgt. Brad Robbins, head of Leawood's Police Traffic Unit, was also in attendance.

Mr. Hamilton presented the 2014 AAA Kansas Community Traffic Safety Award to the Leawood Police Department. Leawood is one of only 23 agencies receiving the award and one of only five receiving the platinum-level award, which is the highest. The Leawood Police Department received the AAA platinum-level award for the second time by demonstrating outstanding efforts in addressing local safety issues. The Kansas Department of Transportation [KDOT] works with AAA to identify potentially deserving law enforcement agencies, and awards are provided by AAA to encourage communities to address local traffic safety issues in a coordinated and cost-effective way.

The Leawood Police Department received points for having a community-based traffic Safety Committee that meets regularly to identify traffic safety problems and formulate solutions. Points were also received for their role in safe routes to schools, participation in the International Bike/Walk to School day, and "walking school buses" at Mission Trail, Brookwood and Leawood Elementary Schools, as well as the Leawood Middle School. In education, points were received for conducting bicycle rodeos for local schools and Cub Scout groups, and for safety presentations at youth day camps and at the Police Academy. The Police Department also operates a child passenger safety seat inspection fitting station for the public. In enforcement, points were received for their work in "Click It or Ticket" seat belt campaign and driving under the influence [DUI] saturation patrols. In engineering, Leawood received points for the extended jogging and cycling trail to connect with sidewalks at 119th and Tomahawk Creek Parkway, as well as for the addition of audible pedestrian crosswalk buttons and replacement of 116 sidewalk ramps to make pedestrian travel compliant with the Americans with Disabilities Act.

Chief Meier accepted the award and gave credit to the Public Works Department as well as a number of citizens that assist in the efforts. Mayor Dunn thanked Mr. Hamilton for the presentation, and congratulated Sgt. Robbins and Sgt. Kirt Yoder. Councilmember Filla pointed out the recognition would benefit Leawood's resubmission for the Bicycle Friendly Award.

6. SPECIAL BUSINESS

PUBLIC HEARING

Consider 2016-2020 Capital Improvement Program [C.I.P.] for the City of Leawood

As no one was present to speak, a motion to close the Public Hearing was made by Councilmember Rasmussen; seconded by Councilmember Filla. The motion was approved with 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. 2015-5 and 2015-6
- B. Accept minutes of February 16, 2015 Governing Body meeting

- C. Accept minutes of the October 14, 2014 Historic Commission meeting
- D. Approve Mayoral Appointment of R. Andrew Van Der Laan to the Sustainability Advisory Board to fill unexpired term ending in May, 2017
- E. Approve 4th and Final Pay Request in the amount of \$471,088.94 to Miles Excavating, Inc., pertaining to the 2014 Residential Street Reconstruction Program [Project Nos. 80214, 72045, and 80251]
- F. Approve purchase in the amount of \$27,050.50 from VariTech Industries, Inc., to purchase a Brine Production System, used for snow removal operations
- G. Approve purchase in the amount of \$30,645 from Albert Tamm Lumber Company, pertaining to bridge repairs at Ironhorse Golf Club, located at 15400 Mission Road
- H. **Resolution No. 4410**, calling for a pre-budget Public Hearing to be heard on Monday, April 6, 2015, on the 2016 Fiscal Budget for the City of Leawood, Kansas
- I. **Resolution No. 4411**, accepting the Director of Finance's and Director of Community Development's 2014 Annual Statement regarding the Leawood South Transportation Impact Fee, pursuant to §13-609, entitled, 'Annual Review,' of the Code of the City of Leawood, Kansas, 2000
- J. **Resolution No. 4412**, accepting the Director of Finance's and Director of Community Development's 2014 Annual Statement regarding the 135th Street Corridor Transportation Impact Fee, pursuant to §13-506, entitled, 'Amount of Impact Fee,' and §13-509, entitled 'Annual Review,' of the Code of the City of Leawood, Kansas, 2000
- K. **Resolution No. 4413**, accepting the Director of Finance's and Director of Community Development's 2014 Annual Statement regarding the Public Art Impact Fee, pursuant to §12-609, entitled, 'Annual Review,' of the Code of the City of Leawood, Kansas, 2000
- L. **Resolution No. 4414**, accepting the Director of Finance's and Director of Community Development's 2014 Annual Statement regarding the Leawood Park Impact Fee, pursuant to §12-409, entitled, 'Annual Review,' of the Code of the City of Leawood, Kansas, 2000
- M. **Resolution No. 4415**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,018,000.00 between the City and Wiedenmann, Inc., pertaining to the 2015 89th and Mission Road Storm Drainage Improvement Project [Project 80550]
- N. **Resolution No. 4416**, approving and authorizing the Mayor to execute an Inter-local Agreement by and between the City of Leawood, the City of Overland Park, and the Board of County Commissioners of Johnson County [BOCC] pertaining to the Nall Avenue Improvement Project between College Boulevard and 119th Street [Arterial Street Program] [Project # 72046]
- O. Declaration of Surplus Property: **Public Works:** 2005 Ford F-350 Truck [Unit # 9430] last 4 VIN/5006; 2002 Ford F-450 Truck [Unit # 9436] last 4 VIN/6648; **Police Dept.:** 2011 Ford Crown Vic [Unit # 9140] last 4 VIN/8199; 2011 Ford Crown Vic [Unit # 9146] last 4 VIN/8202; and 2011 Ford Crown Vic [Unit # 9149] last 4 VIN/8205

Councilmember Osman requested Consent Agenda Item 7.M. be pulled.

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

- M. Resolution approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,018,000.00 between the City and Wiedenmann, Inc., pertaining to the 2015 89th and Mission Road Storm Drainage Improvement Project [Project 80550]

Councilmember Osman stated concern that many bids were very close in amount and this contractor's bid was 20% less than most others and the Engineer's Estimate. Mr. Johnson stated the City has had no issues with the contractor and is comfortable with their prior work for the City. Mayor Dunn agreed with Mr. Johnson's comments.

A motion to approve Consent Agenda Item 7.M. was made by Councilmember Osman; seconded by Councilmember Filla. The motion was approved with a unanimous vote of 8-0.

8. MAYOR'S REPORT

- A. Participated in the University of Missouri-Kansas City Village Square civility forum on immigration where Kansas Secretary of State Kris Kobach debated Washington D.C.'s Clarissa Martinez De-Castro, Vice President of the National Council of La Raza, the nation's largest Hispanic civil rights and advocacy organization. Leawood resident and economist Dr. Peter Eaton discussed bi-state impacts, and Leawood resident Nick Haines served as roving reporter. All was filmed by Kansas City Public Television [KCPT] for the "March 6, 2015 Week in Review" broadcast at 7:00 P.M. for an hour-long special.
- B. Many thanks to Leawood Foundation Chair Alice Hawk and her board, as well as Arts Council Chair Mary Tearney and her council members, for all of their hard work organizing the fourth annual Arti Gras Juried Art Show. Also thanks to Cultural Arts Coordinator April Bishop and Parks & Recreation Director Chris Claxton for their tremendous assistance. Corner Bakery was the "sweet sponsor". Councilmembers Jim Rawlings, Lou Rasmussen, Chuck Sipple and James Azeltine attended opening night, Friday, February 20th. Sixty-nine outstanding local artists, 18 from Leawood, submitted an impressive body of over 100 works, which were viewed by 400 attendees on Friday and 150 attendees over the weekend. A small exhibition of art from the Johnson County Developmental Supports Emerging Artists was shown in the Cedar Room. The entire sale price of those items went to the county's program.
- C. Joined Councilmembers Jim Rawlings and Leawood Police Chief John Meier at the Leawood Rotary's 20th anniversary celebration held at The Venue in Leawood. Congratulations on this tremendous milestone.
- D. Met with Finance Director Dawn Long, Budget Coordinator Kathy Byard, and Johnson County Appraiser Paul Welcome to review the 2015 Revaluation Report. For Leawood, the appraised value for all areas, including new construction, increased by 6.19% from 2014 to 2015, as compared to 4.86% from 2013 to 2014. Ninety-three percent of all properties will experience increases in appraised value, 83% of which will be 10% or less. Market values of northern Leawood residential properties increased by 5.46%, primarily due to great reinvestment taking place in the area. Average appraised value for a home in Leawood is \$455,172 in 2015 compared to \$433,496 in 2014. The complete report is provided for your review.

- E. Congratulations and appreciation to Chair Debra Filla, Vice-Chair Julie Cain and their Sustainability Advisory Board for a terrific 7th Annual Sustainability Summit with Leawood Homeowner Associations [HOAs]. We had nearly 100% City Council participation; City Administrator Scott Lambers and most Department Heads provided assistance, making the summit another great success. Thanks to all for their hard work.
- F. The Kansas Election bill discussed at our February 16th Council meeting prompted communication to be sent to Senators Jeff Melcher and Kay Wolf in opposition to Senate Bill 171. The Kansas Senate passed this bill on February 26th by a vote of 21-18. This bill would move city elections to the fall of odd-numbered years, and allow cities to choose whether their elections are partisan or nonpartisan, and it included a few amendments. Thanks to Senator Wolf for voting in opposition, per our request. Unfortunately, Senator Melcher voted in favor.
- G. Joined Councilmembers James Azeltine and Chuck Sipple at the groundbreaking ceremony led by Reverend Adam Hamilton for the Church of the Resurrection's new Sanctuary. Thousands of worshipers were on hand to witness this historic day. Congressman Kevin Yoder, State Senator Jeff Melcher and State Representative Jerry Lunn were also participants.
- H. Had the pleasure of celebrating Dr. Seuss' birthday by participating in "Read Across America" week at Leawood Elementary. Thanks to members of our Fire and Police Departments who are also taking time this week to be visiting readers.

In regard to the Kansas Election bill, Mayor Dunn added the City's letter to House Representatives had not yet been drafted, as the House may assign its own number to the bill. Mr. Lambers agreed and stated the House may keep the Senate bill number and act upon the bill, or it could be incorporated into another bill. The League of Kansas Municipalities is closely following this bill.

9. COUNCILMEMBERS' REPORT

A. Councilmember Rezac – Report on P3C Conference

Councilmember Rezac attended the 2015 P3C three-day conference in Dallas, Texas, with Mr. Lambers, to gain additional knowledge about public private partnerships and to determine if these may or may not be suitable for 135th Street Corridor development. The conference was well attended by a cross-section of industry leaders and people involved in public private partnerships including developers, contractors, architects, attorneys and financial experts.

Public private partnerships are a means for all levels of government to deliver standard infrastructure projects and also social infrastructure projects to communities. The goal is to create opportunities for innovative approaches to financing, developing and maintaining projects. These relationships have been utilized in Canada [over 200 projects] and the United Kingdom for some time, with limited use in the United States. In general, more collaboration occurs between government and the private sector in projects of a certain scale, so public entities are reaching out to the private sector for innovative ideas.

Public private partnerships may not be suitable for Leawood as many of the projects discussed at the conference involved public entities that owned the land they wanted to develop. Leawood does not own the land along 135th Street. In addition, the partnership agreements usually span 25 to 30 years because ultimately, the public entity might want to own and operate the infrastructure in the future, which is not something the City would look to do.

Items that could be applicable include utilizing a financially strong national developer to team with local developers, and the use of form-based codes.

While at the conference, Mr. Lambers asked about a good number for minimum project cost to benefit from public private partnerships. Responses ranged from \$25M to \$100M, but it was evident that projects of \$100M to \$500M were best suited due to the immense effort and analysis for bid preparation, and the operations and maintenance cost of a building or infrastructure through a 25 to 30 year lifecycle. Public private partnerships have been used for toll roads and water works projects. Applicability to Leawood projects would be limited, at best.

10. STAFF REPORT

Mr. Lambers stated three Councilmember will be unable to attend the March 16, 2016 Council, so no Work Session has been scheduled for that day. To ensure a quorum is present for the Council meeting, he asked that City Clerk Debra Harper be notified of any other absences.

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION – None

12. OLD BUSINESS – None

13. OTHER BUSINESS – None

14. NEW BUSINESS

- A. **Ordinance No. 2722C**, amending § 13-102 of the Code of the City of Leawood, 2000, entitled ‘Incorporating Specifications and Standards’, regarding Public Improvement Construction Standards and repealing existing § 13-102 and other sections in conflict herewith [Roll Call Vote]

Mayor Dunn advised that this revision was basically for housekeeping. Mr. Johnson stated the standard width of a primary collector street had been 36 ft., but the City had been building to 40 ft. to accommodate left turn lanes. This is similar to Overland Park, Lenexa and Prairie Village.

A motion to pass Ordinance No. 2722C was made by Councilmember Rasmussen; seconded by Councilmember Filla. The motion was approved with a unanimous roll call vote of 8-0.

- B. Schedule a Governing Body Executive Session at 6:00 P.M., on Monday, March 30, 2015 for City Administrator's Annual Review

A motion to approve Agenda Item 14.B. was made by Councilmember Filla; seconded by Councilmember Rasmussen. The motion was approved with a unanimous vote of 8-0.

ADJOURN

There being no further business, the meeting was adjourned at 8:10 P.M.

Debra Harper, CMC, City Clerk

Cindy Jacobus, Assistant City Clerk