

Minutes

DVD No. 405

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, December 18, 2017. Mayor Peggy Dunn presided.

Councilmembers Present: Jim Rawlings, Chuck Sipple, Debra Filla, Julie Cain, James Azeltine, Andrew Osman and Lisa Harrison

Councilmembers Absent: None

Staff Present: Patty Bennett, City Attorney	Chief Troy Rettig, Police Department
Ross Kurz, Info. Services Director	Chief Dave Williams, Fire Department
Chris Claxton, Parks & Recreation Director	Dawn Long, Finance Director
Mark Tepesch, Info. Services Specialist III	Nic Sanders, Human Resources Director
Richard Coleman, Community Dev. Director	April Bishop, Cultural Arts Coordinator
David Ley, Interim Public Works Director	Debra Harper, City Clerk
and City Engineer	Cindy Jacobus, Assistant City Clerk

Others Present: None

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

Mayor Dunn stated the agenda had been amended to add a resolution regarding artwork in 15. New Business, a report on WaterOne's 60th Anniversary Celebration by Councilmember Filla in 9. Councilmembers' Report, and an update on the College Boulevard retaining wall project by acting Public Works Director Mr. Ley in 11. Staff Report.

A motion to approve the amended agenda was made by Councilmember Rawlings; seconded by Councilmember Sipple. The motion was approved by a unanimous vote of 7-0.

3. CITIZEN COMMENTS – None

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 use profanity or 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** – None

7. **CONSENT AGENDA**

Consent agenda items have been studied by the Governing Body and determined to be routine enough to be acted upon 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. 2017-48 and 2017-49
- B. Accept minutes of the November 20, 2017 Governing Body meeting
- C. Accept minutes of the December 4, 2017 Governing Body Meeting
- D. Accept minutes of the October 25, 2017 Stormwater Management Committee meeting
- E. Accept minutes of the September 6, 2017 Bike/Walk Leawood Committee
- F. Accept minutes of the August 29, 2017 Leawood Arts Council meeting
- G. Accept minutes of the May 18, 2017 Ironhorse Advisory Board meeting
- H. Police Department Monthly Report
- I. Fire Department Monthly Report
- J. Municipal Court Monthly Report

Councilmember Filla requested Consent Agenda Item 7.E. be pulled for a typographical error.

Mayor Dunn requested Consent Agenda Item 7.H. be pulled for an acknowledgement.

A motion to approve the remainder of the Consent Agenda was made by Councilmember Cain; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 7-0.

- E. Accept minutes of the September 6, 2017 Bike/Walk Leawood Committee

Councilmember Filla pointed out the first bullet point under City Department Reports on the second page of the minutes should state “two flood events” rather than “a few flood events.” The minutes could be accepted as written.

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

- H. Police Department Monthly Report

Mayor Dunn pointed out that Officer Chris Hargis had received the Silver Award for Valor from the Kansas City Metro Chiefs and Sheriffs’ Association during their annual awards program on November 17, 2017. In March of this year, Officer Hargis defused and brought to a peaceful end a tense incident involving an armed and suicidal young man. Mayor Dunn stated she would not aware of this until having read the Police Department Monthly Report and she asked Chief Rettig to pass along appreciation, admiration and congratulations to Officer Hargis.

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

8. MAYOR'S REPORT

- A. Attended United Community Services of Johnson County's 50th Anniversary celebration where I was joined by Councilmembers Debra Filla, Jim Rawlings, Chuck Sipple and James Azeltine as well as Police Chief Troy Rettig and Corporal Ken Whiteside. The City of Leawood and the Leawood Police Department received Excellence in Community Service awards for our partnership with the Johnson County Mental Health Center Co-Responder Program. The award was passed for viewing by the Council.
- B. My thanks to Councilmembers Debra Filla, Jim Rawlings, Lisa Harrison, Chuck Sipple and James Azeltine for joining me at the Johnson & Wyandotte Counties Council of Mayors Holiday Social at the Lake Quivira Clubhouse.
- C. Thank you to Human Resources Director Nic Sanders along with all Department Heads for organizing a lovely Employee Appreciation and Time and Service Awards luncheon. Councilmembers Debra Filla, Andrew Osman, Jim Rawlings, Chuck Sipple and James Azeltine were also in attendance. The 2017 Employee of the Year award went to Officer Mike Pelger - a very-well deserved recognition.
- D. Councilmembers Jim Rawlings, Chuck Sipple and James Azeltine joined me and nearly all Department Heads at the Leawood Chamber of Commerce's Annual Meeting where former Councilmember Lou Rasmussen was inducted into the Hall of Fame. Lou's son was also in attendance. Congratulations to Lou on this tremendous honor.
- E. Attended the Kansas Legislative Forecast breakfast sponsored by Lathrop Gage. Panelists included Senators Jeff Longbine and Dinah Sykes along with Representatives Nancy Lusk and Ron Ryckman. Conversation focused on avenues for coming up with an additional \$600 Million more for education in order to meet the Supreme Court's ruling without raising taxes.
- F. Police Chief Troy Rettig along with others from his leadership team joined me at the Corinth Elementary School D.A.R.E. [Drug Abuse Resistance Education] graduation. Officer Phil Goff is leading the program once again after being assigned to other duties for a number of years. He does a great job with the students.
- G. Attended the Greater Kansas City Chamber of Commerce's Public Policy forecast breakfast sponsored by Polsinelli featuring political strategist Neil Newhouse. Mr. Newhouse mentioned the many errors made in forecasting during the recent Presidential election.
- H. Handouts distributed to the Council present the Leawood Chamber of Commerce's legislative platform and the Johnson County platform. These platforms were adopted today by the Chamber's Board of Directors and have been provided for information.
- I. Wish one and all the happiest of holidays and many blessings in 2018.

9. COUNCILMEMBERS' REPORT

Councilmember Filla – WaterOne's 60th Anniversary Celebration; 20th Service Anniversary for Mayor Dunn

Councilmember Filla pointed out another significant anniversary had occurred—the 20th Service Anniversary for Mayor Dunn.

Councilmember Filla stated she and Councilmember Rawlings had attended WaterOne's 60th Anniversary breakfast meeting that started at 7:00 a.m. at the Sylvester Powell Jr. Community Center. She was very impressed with the vast amount of information presented at the meeting. The three-sided table centerpieces constructed of brochures provided an additional opportunity to share facts about water usage and WaterOne. Some of the information included statements that WaterOne provides two gallons of easily accessible, quality water for a penny and that the massive eight-alarm fire in Overland Park this summer used 3 million gallons of water and pumping did not impact water pressure. WaterOne has received high marks for water taste, platinum awards for management, is AAA-bonded, has over a 90% customer satisfaction rating and operates with a 40-year Master Plan and a 20-year Fiscal Plan. One-half of WaterOne's revenue is used for infrastructure and one-half is used for operations. The new ozone system project costing \$35 Million at the Hansen Water Treatment Plant Facility will be the latest in disinfecting technology, eliminating chemicals and reducing testing. A new water tower is planned for western Shawnee in 2018-2019 and they are reviewing a \$20 Million automation project. WaterOne offers a great educational program comparing tap water and bottled water, "I Love Tap," which they present on request and free of charge at area schools.

Councilmember Filla stated the area is fortunate to have WaterOne to supply quality water, leadership and great planning.

Mayor Dunn thanked Councilmembers Filla and Rawlings for attending the event.

10. CITY ADMINISTRATOR REPORT – None

11. STAFF REPORT

David Ley – Update on College Boulevard Retaining Wall

Mr. Ley stated that two eastbound lanes of traffic on College were opened for rush hour today. A fence remains to be installed on the right-of-way line under the GBA contract. The City will also need to hire a landscaper or use the Parks & Recreation Department for sod and irrigation.

Mayor Dunn stated the exposed ground appearing diagonally above the wall appears to need work and perhaps another retaining wall. Mr. Ley stated the retaining wall was designed at a two-to-one slope and the soil would be planted with natural vegetation. Decorative rock would be installed in a 15 ft. area between the wall and the black chain link fence. The rock will not be very visible since the wall is about 20 ft. above College Boulevard. Parks and Recreation Department Staff will provide input in this regard.

Councilmember Sipple asked for clarification regarding the location of the fence. Mr. Ley stated a fence had existed approximately 1 ft. away from the wall in the right-of-way on private property. Where the fence was disturbed by the project, the City will replace with the same style of fence east of Brookwood as you move along the golf course.

Councilmember Cain inquired about the contract schedule and cost. Mr. Ley stated the project is right at the \$875,000 contract amount and the original contract was to end November 5 or 6, 2017. The project encountered some unexpected redesign of utilities and two heavy storm events resulting in a one month delay.

Mayor Dunn thanked Mr. Ley for the update, stating she had recently received questions about the project.

Mr. Ley shared that WaterOne has indicated they may need to install another water line between Tomahawk Creek Parkway and Brookwood in March 2018. If this occurs, traffic lanes on College Boulevard would need to be closed for a couple weeks.

COMMITTEE RECOMMENDATIONS

12. PLANNING COMMISSION

[from the December 12, 2017, Planning Commission meeting]

Resolution No. 4866, approving a Final Plan and Revised Final Plat for the City of Leawood Public Art – Dancers, located north of Town Center Drive and west of Roe Avenue [PC Case 127-17]

Ms. Bishop, Cultural Arts Coordinator, 13200 Fontana, stated the Revised Final Plat would allow the “Dancers” art piece to be located within an area defined as a “no build” view corridor for the City Hall. No other changes to the project have been proposed, except location, since the art piece was discussed at a prior Governing Body Work Session.

Councilmember Cain congratulated the Arts Council, Arts in Public Places Initiative [APPI] and the Selection Committee on the proposed piece and the highly visible location. She has viewed the piece on temporary display at the Kansas City Art Institute. The work is quite stunning and not as large as it may seem. She thanked the Arts Council, APPI and the Selection Committee for their expertise and a job well-done.

Mayor Dunn asked for a project timeline. Ms. Bishop stated that if approved, the contract would be executed as soon as possible. HarenLaughlin Construction, who has installed other art pieces for the City, would install this piece. The base of the piece is 3 ft. deep and 10 ft. square to safely hold the weight and height of the structure. Weather could impact pouring of necessary concrete base, but it is desired that the piece be installed as soon as possible. If the weather cooperates, “Dancers” might be installed in two months.

Councilmember Sipple asked for an update on the “Walking Woman” art piece that had been discussed in the same Governing Body Work Session as “Dancers.” Ms. Bishop stated proposed approval for “Walking Woman” has been placed on the agenda of the January 2, 2018 Governing Body meeting. If approved, the artist would begin construction and the piece would not be available for six or nine months, Fall 2018. Mayor Dunn noted that the Planning Commission had already recommended approval for “Walking Woman” by the Governing Body.

Councilmember Osman inquired about illumination of the piece, since Edgewood residents are located directly behind the proposed location for “Dancers.” Ms. Bishop stated lighting is planned for the base corners, with illumination to be projected straight up. A Public Interact Meeting held with Edgewood residents adjacent to the site had no concerns about the project or lighting.

Mayor Dunn recognized APPI Chair Ms. Anne Blessing, Arts Council and APPI member Ms. Julia Steinberg and Selection Committee member Mr. Sean Kelley.

A motion to approve Agenda Item 12. was made by Councilmember Rawlings; seconded by Councilmember Sipple. The motion was approved with a unanimous vote of 7-0.

Ms. Bishop thanked the Governing Body for adding the topic to tonight’s meeting agenda, so that work can move forward. Mayor Dunn thanked Ms. Bishop, Ms. Blessing, Ms. Steinberg and Mr. Kelley for their attendance.

13. OLD BUSINESS – None

14. OTHER BUSINESS – None

15. NEW BUSINESS

Resolution No. 4867, approving and authorizing the Mayor to execute an Agreement to Purchase the art Piece known as Dancers, by the Artist Ewerdt Hilgemann, for a purchase amount not to exceed \$170,000.00

Mayor Dunn pointed out the proposed resolution was for the purchase of “Dancers” art piece. If approved, Ms. Bennett would work on the contract. She thanked Ms. Bennett for her preparation of the agenda item documentation for tonight’s meeting.

A motion to approve Agenda Item 15. was made by Councilmember Filla; seconded by Councilmember Cain. The motion was approved with a unanimous vote of 7-0.

ADJOURN

There being no further business, the meeting was adjourned at 7:55 P.M.

Debra Harper, CMC, City Clerk

Cindy Jacobus, Assistant City Clerk