

Minutes

Audio Tape Nos. 569

The City Council of the City of Leawood, Kansas, met in regular session in the Council Chamber, 4800 Town Center Drive, at 7:30 P.M., on Monday, January 6, 2003. Mayor Peggy J. Dunn presided.

Councilmembers present: Scott E. Gulledge, Gary L. Bussing, Jim Rawlings, Patrick L. Dunn, Louis Rasmussen, and James E. Taylor, Sr.

Councilmembers absent: Shelby Story and Mike Gill.

Staff present:

Scott Lambers, City Administrator
Kathy Rogers, Finance Director
Craig Hill, Police Major
Diane Binckley, Planning & Dev. Director
Colleen Browne, Human Resources Dir.
Mark Andrasik, IS Director
Deb Harper, City Clerk

Patricia A. Bennett, City Attorney
Ben C. Florance, Fire Chief
Chris Claxton, Parks & Recreation Director
Joe Johnson, Public Works Director
Jeff Cantrell, Neighborhood Serv. Adm.
Emily Watson, Deputy City Clerk

253 **1. PLEDGE OF ALLEGIANCE**

266 **2. APPROVAL OF AGENDA**

A motion was entered by Councilmember Gulledge, seconded by Councilmember Rasmussen to approve the agenda. The motion was carried by a unanimous vote.

318 **3. CITIZEN COMMENTS**

Mr. Gordon Henke, 8901 High Drive, made comments regarding Leawood Country Club. Mr. G. Gordon Thomas, 10516 Mohawk Lane, made comments regarding a non-agenda item.

683 **4. PROCLAMATIONS Martin Luther King Day, January 20, 2003**

5. PRESENTATIONS/RECOGNITIONS - None

6. SPECIAL BUSINESS- None

780 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. Approval of Appropriation Ordinance No. 962
- B. Minutes of the December 16, 2002, Governing Body meeting
- C. 9th and Final Payment in the amount of \$66,465.12, to the City of Overland Park, pertaining to the 151st Street Improvement Project [between Metcalf and Nall] [CIP # 167]
- D. Approve purchase in the amount of \$27,030.00, from Dell Computers, for the purchase of 30 computers
- E. Approve payment in the amount of \$7,760.00, to Employer Health Services, pertaining to the 2003 annual physicals for Firefighters
- F. Resolution No. 1881, approving and authorizing the execution of an Agreement in the amount of \$10,890.00, between the City and PowerLift Foundation & Repair, pertaining to the stabilization & underpinning of the west wall at the Leawood Police Department, 9617 Lee Boulevard
- G. Resolution No. 1882, approving and authorizing the Mayor to execute a Consulting Agreement for an amount not to exceed \$20,000.00, between the City and Public Finance Consultants [PFC], to provide financial consulting support [2003 Budgeted Item]
- H. Resolution No. 1883, approving and authorizing the Mayor to execute Addendum No. 1 to the Independent Contractor Agreement, dated September 3, 2002, between the City and Martha Heizer, pertaining to GASB34 Special Project
- I. Approve 2004 Budget and Capital Improvement Project [CIP] Schedules
- J. Extension of the Ali Kemp Reward Fund [Kansas City Metropolitan Crime Commission – Crime Stoppers]

A motion was made by Councilmember Taylor, seconded by Councilmember Rasmussen to approve the Consent Agenda. The motion carried by a unanimous vote.

Councilmember Gullede expressed his appreciation to the Governing Body and Staff for extending this agreement for the Reward Fund for Ms. Kemp, and hopes this will assist in solving this heinous crime.

860 8. **MAYOR'S REPORT**

- A. Acceptance of Monetary donation from the Cloisters Homes Association to Leawood Fire and Police Departments. Mayor Dunn extended the City's deep appreciation for the generous and gracious gift.
- B. Attended the kick-off to the Kansas Bullying Prevention Program conducted at Corinth Elementary School
- C. Reminder of the Council's Goal Setting Work Session on Monday, January 13, 2003

- D. Acknowledged the Leawood Lions collected approximately \$28,000, bell ringing for the Salvation Army
- E. Reminder to Councilmembers to forward known future absences for 2003 council meetings to City Clerk's Office

9. COUNCILMEMBERS' REPORT - None

10. STAFF REPORT- None

COMMITTEE RECOMMENDATIONS

1009 11. PLANNING COMMISSION

[from November 26, 2002, Planning Commission meeting]

- A. Resolution No. 1863, approving a preliminary plat for Leawood Pines, located at 103rd Street & Lee Boulevard [*Continued from December 16, 2002, Governing Body meeting*]

Mr. Rick Lincoln, Uhl Engineering, made a brief presentation.

A motion was then made by Councilmember Rasmussen, seconded by Councilmember Gullede to approve the Resolution.

Councilmember Taylor asked where the stormwater system would lay in relation to the development. Mr. Lincoln stated there are 2 different basins. The north half will go to Indian Creek. The south end of the project will be picked up at the southwest corner on the southern end of the lot and piped into an existing system at 103rd Street and Ensley. Mr. Taylor voiced concerns regarding the lot located north of the north watershed, due to an adjacent development previously having problems with their run-off flowing onto neighboring lots. Mr. Lincoln stated they would investigate that issue.

The motion carried following a unanimous vote.

12. OLD BUSINESS

- A. Item # 1, as described in Change Order No. 5, with Vanum Construction in an amount not to exceed \$19,080.00, pertaining to the construction of I-Lan Park located at 12601 Nall Avenue [CIP# 111] [*Continued from the December 16, 2002, Governing Body Meeting*] - **WITHDRAWN**

Staff Comment: *Staff has been advised by Theis Doolittle that the request for this additional work is covered under the City's contract and is therefore the responsibility of the Contractor.*

1130 **13. NEW BUSINESS**

- A. Approve Change Order No. 7, in the amount of \$37,516.00, to Vanum Construction pertaining to the Ironwoods Park Project [CIP # 116]

Staff Comment: These changes are required per revisions made to the plans by the Johnson County Unified Wastewater District [JCUWD]

A motion was made by Councilmember Taylor, seconded by Councilmember Rawlings to approve the Change Order. The motion carried following a unanimous vote.

- B. Resolution No. 1884, establishing a fee, not specifically provided for in the Code of the City of Leawood, 2000, specifically for IRONHORSE Golf Course Program Fees, in accordance with the Open Records Act, K.S.A. § 45-215, et seq.

A motion was made by Councilmember Rasmussen, seconded by Councilmember Taylor to approve the Resolution. The motion carried following a unanimous vote.

- C. Schedule Governing Body Work Session on Monday, February 3, 2003, at 6:00 P.M., to discuss IRONHORSE Golf Course Business Plan

A motion was made by Councilmember Rasmussen, seconded by Councilmember Gulledge to schedule the Work Session. The motion carried following a unanimous vote.

- D. Ordinance No. 1977, authorizing the issuance and delivery of temporary notes of the City of Leawood in the principal amount of \$10,800,000, to provide temporary financing of the cost of certain public improvement projects within the City of Leawood, Kansas [Roll Call Vote]

A motion was made by Councilmember Dunn, seconded by Councilmember Gulledge, to pass the ordinance.

Councilmember Taylor questioned the wording on Agenda Item No. 13.K. The wording should state 151 Street between Nall and Glenwood, instead of Nall and Mission Road. Ms. Rogers stated this has been corrected and is reflected in Agenda Item No. 13.P.

The ordinance was passed following a unanimous roll call vote.

- E. Resolution No. 1869, authorizing and providing for the issuance and delivery of temporary notes for the Roe Avenue Improvement Project [between 124th Street and 135th Street] [110] in the principal amount of \$100,000, to provide temporary financing of the cost of improvement

A motion was made by Councilmember Taylor, seconded by Councilmember Rasmussen, to approve the resolution. The motion carried by a unanimous vote.

- F. Resolution No. 1870, authorizing and providing for the issuance and delivery of temporary notes for the State Line, Phase IV Project [137] in the principal amount of \$600,000, to provide temporary financing of the cost of improvement

A motion was made by Councilmember Rasmussen, seconded by Councilmember Rawlings, to approve the resolution. The motion carried by a unanimous vote.

- G. Resolution No. 1871, authorizing and providing for the issuance and delivery of temporary notes for the Nall Avenue Improvement Project [between 135th Street and 143rd Street] [139] in the principal amount of \$100,000, to provide temporary financing of the cost of improvement

A motion was made by Councilmember Gullede, seconded by Councilmember Rasmussen, to approve the resolution. The motion carried by a unanimous vote.

- H. Resolution No. 1872, authorizing and providing for the issuance and delivery of temporary notes for the Fire Station No. 2 Remodeling Project, [150] in the principal amount of \$1,100,000, to provide temporary financing of the cost of improvement

A motion was made by Councilmember Dunn, seconded by Councilmember Rawlings, to approve the resolution. The motion carried by a unanimous vote.

- I. Resolution No. 1873, authorizing and providing for the issuance and delivery of temporary notes for the 92nd Street and State Line Road Intersection Signalization Improvement Project [157] in the principal amount of \$300,000, to provide temporary financing of the cost of improvement

A motion was made by Councilmember Dunn, seconded by Councilmember Gullede, to approve the resolution. The motion carried by the following vote: Yea: Councilmembers Gullede, Bussing, Rawlings, Dunn, Taylor; Nay: Councilmember Rasmussen. Mr. Rasmussen stated the reason for his negative vote has been stated in the record previously.

- J. Resolution No. 1874, authorizing and providing for the issuance and delivery of temporary notes for the 119th & Mission Road Intersection Improvement Project [159] in the principal amount of \$1,100,000, to provide temporary financing of the cost of improvement

A motion was made by Councilmember Dunn, seconded by Councilmember Taylor, to approve the resolution. The motion carried by a unanimous vote.

- K. Resolution No. 1875, authorizing and providing for the issuance and delivery of temporary notes for the 151st Street [between Nall and Glenwood] Project [167] in the principal amount of \$1,000,000, to provide temporary financing of the cost of improvement

A motion was made by Councilmember Taylor, seconded by Councilmember Rasmussen, to approve the resolution. The motion carried by a unanimous vote.

- L. Resolution No. 1876, authorizing and providing for the issuance and delivery of temporary notes for the Roe Avenue [between 135th and 137th Street] Intersection Improvement Project [174] in the principal amount of \$1,000,000, to provide temporary financing of the cost of improvement

A motion was made by Councilmember Taylor, seconded by Councilmember Rawlings, to approve the resolution. The motion carried by a unanimous vote.

- M. Resolution No. 1877, authorizing and providing for the issuance and delivery of temporary notes for the Lee Boulevard Improvement Project [177] in the principal amount of \$600,000, to provide temporary financing of the cost of improvement

A motion was made by Councilmember Dunn, seconded by Councilmember Rawlings, to approve the resolution. The motion carried by a unanimous vote.

- N. Resolution No. 1878, authorizing and providing for the issuance and delivery of temporary notes for the 133rd Street [between State Line and Mission Road] Improvement Project [178] in the principal amount of \$3,500,000, to provide temporary financing of the cost of improvement

A motion was made by Councilmember Dunn, seconded by Councilmember Gullede, to approve the resolution. The motion carried by a unanimous vote.

- O. Resolution No. 1879, authorizing and providing for the issuance and delivery of temporary notes for the 133rd Street [between Mission Road and Roe Avenue] Improvement Project [179] in the principal amount of \$1,400,000, to provide temporary financing of the cost of improvement

A motion was made by Councilmember Gullede, seconded by Councilmember Taylor, to approve the resolution. The motion carried by a unanimous vote.

- P. Resolution No. 1880, amending Resolution No. 1506, as heretofore amended, authorizing the improvement of a certain section of 151st Street, a main trafficway, between Nall Avenue and Glenwood, and authorizing and improving certain related matters and actions

A motion was made by Councilmember Taylor, seconded by Councilmember Dunn, to approve the resolution. The motion carried by a unanimous vote.

14. OTHER BUSINESS - None

ADJOURN

There being no further business, the meeting was adjourned at 8:22 P.M.

Debra Harper, City Clerk