

Regular Meeting

THE LEAWOOD CITY COUNCIL

January 21, 2014

Minutes

DVD No. 317

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 Tuesday, January 21, 2014. Mayor Peggy Dunn presided.

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

Councilmembers absent: Debra Filla

Staff present: Scott Lambers, City Administrator	Patty Bennett, City Attorney
Troy Rettig, Deputy Police Chief	Chris Claxton, P&R Director
Dave Williams, Fire Chief	Joe Johnson, PW Director
Karl Weinfurter, Info Systems Specialist	Dawn Long, Finance Director
Richard Coleman, Comm. Dev. Director	Deb Harper, City Clerk
Lovina Freeman, HR Director	Pam Gregory, Assistant City Clerk

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

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

4. PROCLAMATIONS - None

***5. PRESENTATIONS/RECOGNITIONS** **AWARD OF VALOR PRESENTED TO:**
Fire Captain Joe Sullivan
Master Firefighter Eric Peterson
Master Firefighter Curtis Newman
Firefighter Mark Estopare

Fire Chief Dave Williams recognized the 4 firefighters that risked their lives to bring a female homeowner out of a fire. Initially, she was not breathing and the firefighters administered CPR to regain her pulse. Sadly, she succumbed to her injuries 2 days following the fire.

**Recognition of winners of Art Contest
sponsored by Sustainability Advisory
Board Committee**

Mayor Dunn recognized Mission Trail Elementary School Principal Debbie Bond and Art Instructor Sarah Flaherty for their encouragement for participation in the 4th Grade Sustainability Art Contest. She thanked Sustainability Advisory Board member Gareth Matthews for inviting her to Mission Trail to announce the winners. The theme of the contest was: “What Can We Do To Improve Sustainability In Leawood?”

Mr. Matthews thanked Principal Debbie Bond for her support of the various activities they do at the school. All of the contestants entered very creative work, which made it difficult to select the winners.

Mayor Dunn recognized art contest winner, Alex Tagg, and runners up, Olivia Dilley and Bellamy Heinonen, and encouraged them to continue educating and inspiring the community to do more to make the world better for our generation and generations to come.

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. 2013-52, 2013-53, and 2014-1
- B. Accept minutes of the January 6, 2014 Governing Body meeting
- C. Accept minutes of the January 6, 2014 Governing Body Work Session
- D. Accept minutes of the October 8, 2013 Historic Commission meeting
- E. Approve Massage Establishment License for Life Spring Med Spa & Yoga, located at 3601 W. 133rd Street, in accordance with Code § 5-510
- F. Approve renewal of Cereal Malt Beverage [CMB] license for Hen House, located at 11721 Roe Avenue
- G. **Resolution No. 4159** waiving the bidding process in accordance with Charter Ordinance No. 39, pertaining to the Design/Build Project for the 2014 Curb Replacement Program [Project # 80251]; the 2014 Residential Overlay Program [Project # 70016]; and the Overlay of Briar Street between 133rd & 135th Street Program [Project # 72050]
- H. Fire Department Monthly Report
- I. Police Department Monthly Report
- J. Police Department 2013 Year End Report
- K. Municipal Court Monthly Report

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

8. MAYOR'S REPORT

- A. Kansas Secretary of Commerce Pat George hosted a meeting with the Johnson & Wyandotte Counties Council of Mayors with Governor Sam Brownback in attendance. The purpose of the meeting was to solicit input regarding the movement of companies across State Line from Missouri to Kansas and vice versa.
- B. Attended the Leawood Chamber of Commerce legislative luncheon hosted by the Chambers Legislative Public Policy Committee. There was great attendance with panel participation from our legislators. Councilmembers Andrew Osman, Lou Rasmussen, Jim Rawlings, Carrie Rezac and Tom Robinett were also in attendance.
- C. Attended the Conveners Reception, which the City has historically co-hosted along with area Chambers for legislators prior to their session beginning. Councilmembers Lou Rasmussen and Tom Robinett were in attendance as well.
- D. Attended two Leawood Chamber of Commerce ribbon cutting ceremonies: First was for Lotus Yoga Wellness Center, located in the Nall Valley Shops. This is owned by a husband and wife team and is a beautiful facility; second was for a grand re-opening of On the Border Mexican Café, which has wonderful new décor and surroundings. They plan to renovate all of their nine locations in Missouri and Kansas. Mayor Dunn wished both of these businesses much success.
- E. Mayor Dunn was joined by Councilmember Rasmussen at the Leawood Chamber of Commerce After-Hours event hosted by Parks and Recreation Director Chris Claxton and her team in the City Hall Community Center Oak Room. This was a lovely event with a great turnout.
- F. Attended the Martin Luther King Legacy and Scholarship Awards Committee dinner sponsored by the Olathe Kansas Unit of the NAACP and organized by Leawood resident Henry Lyons. Major Troy Rettig, Captain Dale Finger and Captain Kevin Cauley of the Leawood Police Department were also in attendance.
- G. Attended the Town Hall meeting for Congressman Kevin Yoder in the City Hall Community Center Oak Room. Councilmembers Andrew Osman, Lou Rasmussen, Tom Robinett and Julie Cain were also in attendance. There was great conversation and discussion held by those present.

9. COUNCILMEMBERS' REPORT - None

10. STAFF REPORT - None

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the November 26, 2013 Planning Commission meeting]

- A. **Ordinance No. 2649** approving a Preliminary Plan and Special Use Permit for packaged liquor sales for Plaza Pointe – Par 4 Liquor, located south of 135th Street and east of Briar Street. (PC Case 145-13) [Roll Call Vote]

Joel Harrity, Par 4 Liquor, requested approval of the Preliminary Plan and Special Use Permit [SUP] to allow continued use of packaged liquor sales under new ownership.

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 7-0. Nay: None. (Councilmember Filla absent).

[From the January 14, 2014 Planning Commission meeting]

- B. **Resolution No. 4160** approving a Final Plan for Plaza Pointe - Par 4 Liquor, located south of 135th Street and east of Briar Street. (PC Case 145 (B) -13

A motion to approve the resolution was made by Councilmember Rezac; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 7-0. (Councilmember Filla absent).

12. OLD BUSINESS - None

13. OTHER BUSINESS

- Resolution No. 4161** approving and authorizing the Mayor to execute a Construction Agreement for an amount not to exceed \$558,661.00 between the City and Combes Construction, LLC, pertaining to the Ironwoods Park Rest Station Facility [restrooms] located at 14701 Mission Road [Project # 80118]

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

14. NEW BUSINESS - None

ADJOURN

There being no further business the meeting was adjourned at 8:00 P.M.

Debra Harper, CMC, City Clerk

Pam Gregory, Assistant City Clerk