

Regular Meeting

THE LEAWOOD CITY COUNCIL

February 17, 2014

Minutes

DVD No. 319

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, February 17, 2014. Mayor Peggy Dunn presided.

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

Councilmembers absent: None

Staff present: Scott Lambers, City Administrator
Chief Dave Williams, Fire Dept.
Chief John Meier, Police Dept.
Mark Andrasik, Info Systems Director
Richard Coleman, Comm Dev Director
Patty Bennett, City Attorney
Joe Johnson, PW Director
Chris Claxton, P&R Director
Deb Harper, City Clerk
Pam Gregory, Assistant City Clerk

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

A motion to approve the agenda was made by Councilmember Rawlings; seconded by Councilmember Robinett. 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 - 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 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. 2014-3, 2014-4, and 2014-5
- B. Accept minutes of the February 3, 2014 Governing Body meeting
- C. Accept minutes of the February 3, 2014 Governing Body Work Session
- D. Accept minutes of the January 14, 2014 Parks and Recreation Advisory Board meeting
- E. Accept minutes of the November 14, 2013 Leawood Foundation minutes
- F. Accept minutes of the October 30, 2013 Stormwater Management Committee meeting
- G. Accept minutes of the October 22, 2013 Arts Council meeting
- H. Approve payment in the amount of \$91,000.00 to Leawood Chamber of Commerce for the 2014 operations budget
- I. Approve purchase in the amount of \$19,197.67, from Coleman Implement for the purchase of heavy-duty Turf Utility Vehicle [Park Maintenance]
- J. Approve purchase in the amount of \$39,748.36, from Vermeer Great Plains for the purchase of a Mini-Skid Loader [Park Maintenance]
- K. Approve Change Order No. 12 in the amount of \$97,460.00, to Titan Built Construction, pertaining to the Leawood Justice Center Project to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76008]
- L. **Resolution No. 4173** amending the City of Leawood's Debt Management Policy and repealing Resolution No. 3931
- M. **Resolution No. 4174** calling for a Public Hearing to be held on Monday, March 17, 2014, regarding a First Amended and Restated Petition for the Community Improvement District [CID] for Camelot Court Shopping Center located at 119th and Roe Avenue
- N. **Resolution No. 4175** approving and authorizing the Mayor to execute a Construction Agreement for an amount not to exceed \$300,000, between the City and Vance Brothers, pertaining to the 2014 Slurry Seal Program [Project # 70015]
- O. **Resolution No. 4176** approving and authorizing the Mayor to execute a Second Amendment Amendment No. 2 to that certain Professional Service Agreement dated December 19, 2011, in the amount of \$16,871.00, between the City and Black & McDonald pertaining to Street Light and Traffic Maintenance
- P. Fire Department Monthly Report
- Q. Police Department Monthly Report
- R. Municipal Court Monthly Report

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. Tremendous appreciation is once again in order for Public Works Director Joe Johnson and his hard-working crews, along with assistance from our Parks and Recreation team for the outstanding job clearing our streets and trails during the recent winter storms.
- B. Thanks to Chairman Jim Rochel and the I-Lan Sister City Committee, and staff liaison Julie Berger for all of their work on the 2014 Lunar New Year celebration, the "Year of the Horse." There were over 100 attendees at Leawood's Blue Koi Restaurant who all enjoyed wonderful cuisine provided by owner Scott Chang. Thanks to City Council Liaisons Debra Filla and Jim Rawlings and all of the City Council members for attending.

9. COUNCILMEMBERS' REPORT - None

10. STAFF REPORT – City Administrator Scott Lambers

Human Resources Director Lovina Freeman will retire effective April 4th, 2014

COMMITTEE RECOMMENDATIONS

11. STORMWATER MANAGEMENT COMMITTEE

[From the January 29, 2014 Stormwater Management Committee meeting]

Committee Recommendation: Selection of Affinis Corporation for Design Engineer for the Leawood Heritage Stormwater Improvement Project [Project # 70014]

Councilmember Rawlings stated the Affinis Corporation was selected from a group of six proposals to complete this stormwater project in the area of 87th and Ensley and Cherokee.

Public Works Director Joe Johnson confirmed this is a SMAC project, which is scheduled in the 2014 Capital Improvement Program [C.I.P.] Plans are to begin construction this year, with completion in 2015. Estimated construction costs are \$2.8 Million with 75% being reimbursed by Johnson County.

A motion to approve the Stormwater Management Committee's recommendation was made by Councilmember Rawlings; seconded by Councilmember Rasmussen. The motion carried following a unanimous vote of 8-0.

12. PLANNING COMMISSION

[From the January 28, 2014 Planning Commission meeting]

*A. Ordinance approving a Rezoning from RP-1 (Planned Single Family Residential District) to RP-3 (Planned Cluster Attached Residential District), Preliminary Plan, Final Plan, and Final Plat for Grace Gardens, located south of 143rd Street and east of Nall Avenue. (PC Case 09-14) [Roll Call Vote] – ***[CONTINUED TO THE MARCH 3, 2014 GOVERNING BODY MEETING]***

- B. **Resolution No. 4177** approving a Final Plan for a Tenant Finish for Town Center Crossing – Anthem Media (Marketing Firm), located south of 119th Street and east of Roe Avenue. (PC Case 136-13)

Megan Whitman, BRR Architecture, gave a presentation requesting approval to enclose a portion of the patio area on the south side of the main center on the 2nd level; installation of a railing consisting of tension cables along the south end of the entire 2nd level open space; and approval of a small canopy that would support signage at the employee entrance in the back. All materials for these items would match the existing construction.

Mayor Dunn noted there would be no signage approval with this proposal.

A motion to approve the resolution was made by Councilmember Filla; seconded by Councilmember Cain. The motion carried following a unanimous vote of 8-0.

- C. **Resolution No. 4178** approving a Revised Final Sign Plan for Nall Valley Shops – Revised Sign Criteria, located north of 151st Street and east of Nall Avenue. (PC 138-13)

Henry Klover, Klover Architects, requested approval of the revised sign criteria for Nall Valley Shops.

A motion to approve the resolution was made by Councilmember Rawlings; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 8-0.

- D. **Ordinance No. 2650** approving a Preliminary Plan and Preliminary Plat for Enclave at Cedar Pointe, located north of 133rd Street and west of State Line Road. (PC Case 141-13) [Roll Call Vote]

Brad Sonner, Olsson Associates, gave a presentation proposing 24 single-family, maintenance provided villa units. The final details on the community center are underway. Monument signage will be located at the entrance of 133rd Street. There will be five open space tracts throughout the community. They were in agreement with all Planning Commission stipulations.

Jim Lambie, Lambie Custom Homes, stated most of these are considered reverse story-and-a-half units with 2 bedrooms on the first floor and will have full basements. There will be some 3 bedroom units.

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

- E. **Ordinance No. 2651** approving a Preliminary Plan, Final Plan and Special Use Permit for Parkway Plaza – The Venue of Leawood, located north of 135th Street and west of Roe Avenue. (PC Case 01-14) [Roll Call Vote]

Daniel Foster, Schagel & Associates, requested approval to establish an assembly hall that will be an elegant dining and event space within lot 6 of the Parkway Plaza Development. They met with the adjacent neighbors and condominium owners to ensure they would be in support of this use before moving forward with the permit. The 'Venue of Leawood' will have several different seating options that will house up to 300 guests with a multipurpose room that can be divided for smaller events. There will be state-of-the-art audio/visual equipment that will be open to a select group of catering companies and operated by an experienced management team. The outdoor patio area and landscaping will be expanded to make it more appealing to customers. A fireplace will be installed inside for additional elegance. They were in agreement with all Planning Commission stipulations and hoped to be open by May, 2014.

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

- F. **Resolution No. 4179** approving a Final Plan for Cornerstone of Leawood – Charles Schwab, located south of 135th Street and east of Nall Avenue. (PC Case 07-14)

Kevin Campbell, Yaeger Architecture, requested approval of a Final Plan for a 6,800 single-story office building, located on Lot 4 within the Cornerstone of Leawood Development.

A motion to approve the resolution was made by Councilmember Filla; seconded by Councilmember Rawlings. The motion carried following a unanimous vote of 8-0.

- G. **Resolution No. 4180** approving a Final Sign Plan for Leawood Shops – Sign Criteria, located south of Somerset Drive and west of Lee Boulevard. (PC Case 12-14)

Councilmember Osman requested to be recused due to the appearance of a conflict of interest.

Scott Shultz, Luminous Neon Sign Company, requested Final Sign Plan approval for Leawood Shops to institute sign criteria for the development. Currently, Leawood Shops does not have approved sign criteria. They were in agreement with all Planning Commission stipulations.

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

Councilmember Osman rejoined the meeting.

- H. Ordinance approving a Preliminary Plan, Final Plan and Special Use Permit for City Park – Google Fiber Hut, located east of Mission Road and north of Lee Boulevard. (PC Case 14-14) [Roll Call Vote]-***CONTINUED TO THE MARCH 3, 2014 GOVERNING BODY MEETING***

13. OLD BUSINESS – Councilmember Debra Filla

Reminder of the 6th Annual Home Owners Association Meeting on Thursday, February 27th.
Social hour begins at 5:30 p.m.

14. OTHER BUSINESS -None

15. NEW BUSINESS - None

ADJOURN

There being no further business the meeting was adjourned at 8:20 P.M.

Debra Harper, CMC, City Clerk

Pam Gregory, Assistant City Clerk