

Minutes

DVD No. 347

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, May 4, 2015. Mayor Peggy Dunn presided.

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

**Councilmembers Absent:** Julie Cain

<b>Staff Present:</b> Scott Lambers, City Administrator	Patty Bennett, City Attorney
Dawn Long, Finance Director	Mark Andrasik, Info. Services Director
Richard Coleman, Comm. Dev. Director	Chief Dave Williams, Fire Department
Chief John Meier, Police Department	Chris Claxton, Parks & Rec. Director
Joe Johnson, Public Works Director	Brian Anderson, Parks Superintendent
Chief John Meier, Police Department	Nic Sanders, Human Resources Director
Debra Harper, City Clerk	Cindy Jacobus, Assistant City Clerk

**Others Present:** Kaleb Lilly, Partner, Rubin Brown, LLP  
Kevin Jeffries, President, Leawood Chamber of Commerce

1. **PLEDGE OF ALLEGIANCE** – Led by a scout from Troop 10.
2. **APPROVAL OF AGENDA**

Mayor Dunn added Agenda Item 9.A., report from Councilmember Osman – Comments and concerns regarding a community garden.

**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 7-0.**

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

#### **Bike to Work Week, May 9-15, 2015 Municipal Clerks Week, May 3-9, 2015**

Mayor Dunn read the Bike to Work Week proclamation into the record and Brian Anderson, Parks Superintendent, accepted the proclamation. He stated the City would be coordinating with other Johnson County communities for various bike week events. The events include offering bike stops with light breakfast offerings at fire stations on Monday through Thursday, and a bike-and-breakfast ride before work starting at 7:00 A.M. for City staff on Friday, May 8. Councilmember Sipple, an avid cyclist, plans to participate in the staff event.

Mayor Dunn read the Municipal Clerks Week proclamation into the record and Debra Harper, City Clerk, accepted the proclamation.

#### 5. PRESENTATIONS/RECOGNITIONS – None

#### 6. SPECIAL BUSINESS

- A. **Ordinance No. 2727**, amending Ordinance No. 2693, extending the Temporary Moratorium until May 2, 2016, on the enforcement of the Leawood Development Ordinance [LDO] pertaining to containers designed to hold books or other media to be shared by members of the community [Little Libraries]

Mayor Dunn stated the staff report was part of the meeting documentation packet and also available on the City website. Mr. Lambers confirmed that one year from now, a decision would be made whether to conduct another Council Work Session on the topic or not. Mayor Dunn thanked Mr. Lambers and Ms. Bennett for their work.

**A motion to approve Agenda Item 6.A. was made by Councilmember Rasmussen; seconded by Councilmember Filla. The ordinance was passed with a unanimous roll call vote of 7-0.**

- B. Presentation of 2014 Annual Audit

Ms. Long stated copies of the audit report had been provided. She introduced auditor Mr. Kaleb Lilly, Rubin Brown, LLP.

Mr. Lilly stated the document “ViewPoints – Auditor Communications and Other Considerations Resulting from Financial Audit, City of Leawood, Kansas, For The Year Ended December 31, 2014” was required to be provided and he presented a brief summary of its contents.

He stated the audit had been conducted using generally accepted standards and their team had received excellent cooperation and assistance from City management and staff, with respect to record access, documentation and inquiries. No limitations were imposed on this clean audit.

Mr. Lilly pointed out Page 8 – New Accounting Pronouncements, specifically Governmental Accounting Standards Board [GASB] Statement 68, which would be applicable to the City’s December 31, 2015 financial statement. GASB Statement 68 requires state and local governmental employers to record, as a liability, their appropriate share of the unfunded position of the Kansas Public Employee Retirement System [KPERs]. Liability information for each year will roll-forward, providing historic data for decision-makers to use. Bond-rating companies have been aware of the pending implementation of GASB Statement 68 for more than four years, so no impact on ratings would be expected.

Councilmember Sipple inquired if the scope and hours required for future audits would increase in regard to GASB Statement 68. Mr. Lilly confirmed and estimated an additional 20 to 30 hours, a 5% to 10% increase, would be required.

Councilmembers Rasmussen and Azeltine questioned if the City would be required to disclose key auditing measures per the International Auditing and Assurance Standards Board [IAASB]. Mr. Lilly stated IAASB governs both GASB and the Financial Accounting Standards Board [FASB]. He stated the Electronic Municipal Market Access [EMMA] website can be used to provide such disclosures and report significant changes in revenue stream. City Management would need to decide whether to report or not, but Mr. Lilly stated there would probably be no need unless the City lost a lawsuit.

- C. **Resolution No. 4443**, accepting the 2014 Comprehensive Annual Financial Report [Audit] for the City of Leawood, Kansas

In regard to Page 86, it was clarified that the City has 256 employees, but the addition of seasonal employees results in a full-time equivalent [FTE] of 292.

**A motion to approve Agenda Item 6.C. was made by Councilmember Rasmussen; seconded by Councilmember Sipple. The motion was approved with a unanimous vote of 7-0.**

- D. **Resolution No. 4444**, accepting proposed assessments for tax year 2016 for construction of certain public and private road and parking lot related improvements and other such transportation related improvements approved by the City, located within 119<sup>th</sup> Street Development District [TDD], within the City of Leawood, Kansas; and authorizing and directing the City Clerk to give Notice thereof to the owners of properties within the District by publishing notice thereof and providing written notice to owners of property of such proposed assessments [ONE NINETEEN TRANSPORTATION DEVELOPMENT DISTRICT] [CIP #80456]

**A motion to approve Agenda Item 6.D. was made by Councilmember Rasmussen; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 7-0.**

- E. **Resolution No. 4445**, accepting proposed assessments for tax year 2016 on lots, pieces, and parcels of ground in the City of Leawood, Kansas, for the purpose of paying for construction of improvements to Nall Avenue, 117<sup>th</sup> Street, Town Center Drive and Roe Avenue and construction of storm water improvements within the City of Leawood, Kansas; and authorizing and directing the City Clerk to give notice thereof to the owners of properties within the District by publishing notice thereof and providing written notice to owners of property of such proposed assessments [PARK PLACE DEVELOPMENT] [CIP #83196]

**A motion to approve Agenda Item 6.E. was made by Councilmember Azeltine; seconded by Councilmember Rasmussen. The motion was approved with a unanimous vote of 7-0.**

- F. **Resolution No. 4446**, ordering a Public Hearing to be conducted on June 1, 2015 on proposed assessments for Traffic Calming Improvements to 85<sup>th</sup> Terrace between State Line Road and Lee Boulevard within the City of Leawood, Kansas pursuant to K.S.A. § 12-6a09, and directing the City Clerk to publish notice thereof and provide notice to owners of property of such assessments [Project # 80408]

**A motion to approve Agenda Item 6.F. was made by Councilmember Filla; seconded by Councilmember Rezac. The motion was approved with a unanimous vote of 7-0.**

## **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. 2015-14 and 2015-15
- B. Accept minutes of April 20, 2015 Governing Body meeting
- C. Accept minutes of April 20, 2015 Governing Body Work Session
- D. Accept minutes of the March 5, 2015 Leawood Foundation meeting
- E. Accept minutes of the February 10, 2015 Leawood Historic Commission meeting
- F. Approve purchase in the amount of \$33,858.00 from Digital Ally for the purchase of 31 body cameras for Police Department
- G. Approve purchase in the amount of \$107,900.00, from Independent Salt for the purchase of salt for the 2015-2016 winter
- H. Approve purchase in the amount of \$34,300.00 Coleman Equipment, Inc., for Parks Maintenance mowing equipment
- I. Approve purchase in the amount of \$35,000 from Precision Small Engine Co., Inc., for the purchase of oscillating fans for the Ironhorse Golf Club, located at 15400 Mission Road
- J. **Resolution No. 4447**, approving a Special Event at Park Place at 116<sup>th</sup> Place and Ash Street for a Street Fair 'Paint the Night' to be conducted on Saturday, July 25, 2015, in Leawood, Kansas
- K. **Resolution No. 4448**, approving a Special Event at Park Place at 116<sup>th</sup> Place and Ash Street for a Street Fair 'Chick Event' to be conducted on Saturday, September 12<sup>th</sup>, and Sunday, September 13, 2015, in Leawood, Kansas

- L. **Resolution No. 4449**, accepting new Public Infrastructure [storm sewers, street lighting, and streets] in connection with the 2014 Residential Reconstruction Project, for property located in northern Leawood, in accordance with GASB-34 Guidelines of Reporting Inventory of Assets [Project Nos. 80214, 72045, and 80251]
- M. **Resolution No. 4450**, approving a Revised Final Plat for Centennial Park, Building 23 – Third Plat, located north of 143<sup>rd</sup> Street and east of Overbrook Road. (PC Case #46-15) [*From the April 28, 2015 Planning Commission meeting*]

Councilmember Rezac requested Consent Agenda Items 7.L. and 7.M. be pulled.  
Councilmember Filla requested Consent Agenda Item 7.L. be pulled.

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

- L. **Resolution No. 4449**, accepting new Public Infrastructure [storm sewers, street lighting, and streets] in connection with the 2014 Residential Reconstruction Project, for property located in northern Leawood, in accordance with GASB-34 Guidelines of Reporting Inventory of Assets [Project Nos. 80214, 72045, and 80251]

It was clarified that new public infrastructure values listed on the Staff Review Memo include construction, design and inspection costs, and these values match the totals highlighted in yellow on Page 1 of the “Contributions Tracking Form.” Asset cost includes construction, design and inspection costs. The GASB Worksheet lists only the construction costs.

Councilmember Filla stated how much she enjoys the improvements.

**A motion to Consent Agenda Item 7.L. was made by Councilmember Rezac; seconded by Councilmember Rasmussen. The motion was approved with a unanimous vote of 7-0.**

- M. **Resolution No. 4450**, approving a Revised Final Plat for Centennial Park, Building 23 – Third Plat, located north of 143<sup>rd</sup> Street and east of Overbrook Road. (PC Case #46-15) [*From the April 28, 2015 Planning Commission meeting*]

Councilmember Rezac pointed out the request related to an existing bathroom within the building, and questioned how this came to the City’s attention. Mr. Coleman stated it was due to a change of ownership.

**A motion to Consent Agenda Item 7.M. was made by Councilmember Rezac; seconded by Councilmember Rasmussen. The motion was approved with a unanimous vote of 7-0.**

## **8. Mayor’s Report**

- A. Sincere sympathies to Leawood residents and active volunteers Mel and Alice Hawk and their family on the passing of Mel’s mother, Edith Anna Clark Hawk, who would have turned 100 in October.
- B. Condolences also to the family of Honorary Arts Council Member Loretta Allebach, who passed away at age 85.

- C. We extend sympathies to the family of William Brownfield, former Mayor of Leawood in 1959 through 1961. He was 91 years old.  
All of these individuals lived long and very productive lives, giving back to their community in many positive ways.
- D. Attended two Leawood Chamber of Commerce ribbon-cuttings. Councilmember James Azeltine joined me at Iron Tribe Fitness. The second ribbon-cutting was for Van Nice Design, where City Administrator Scott Lambers also attended. Both of these Chamber members are located in Parkway Plaza at 135<sup>th</sup> and Roe.
- E. Presented an abbreviated State of the City address at the Leawood Lions' 61<sup>st</sup> anniversary celebration. Police Major Troy Rettig, who is also a Lion, provided my introduction. Lion Bill Phillipi, member of the Marysville Lions Club and candidate for International Director, was also in attendance.
- F. Participated in the Greater Kansas City Chamber of Commerce Public Policy "Up Close" Speaker Series with Colorado Governor John Hickenlooper, sponsored by Polsinelli. This program was followed by a Regionalism Event convened by Rockhurst University President Father Tom Curran with mayors from both Kansas and Missouri. It was the consensus of the group to meet again on this topic.
- G. Attended the 2015 MOCSA [Metropolitan Organization to Counter Sexual Assault] Community Luncheon with Leawood Police Department leadership and City Administrator Scott Lambers.
- H. Attended the annual United Community Services of Johnson County Council of Advisors Meeting at the Johnson County Youth and Family Service Center in Olathe. Presentations focused on "Reducing Poverty & Creating Opportunity: Criminal Justice System Strategies". One notable achievement announced was that Johnson County was named as one of eight jurisdictions in the country by the John and Catherine MacArthur Foundation as a "Highly Functioning Criminal Justice System". Johnson County served as a site for case study in an effort to develop a blueprint for other jurisdictions.
- I. Councilmember Carrie Rezac attended the Urban Land Institute [ULI] Kansas City Developments of Distinction Awards where Park Place received one of ULI's 2015 awards of recognition. The awards are presented to projects and people who exemplify leadership in the responsible use of land, and in creating and sustaining thriving communities worldwide. A video shown the evening of the award was shared. Congratulations to developers Jeff Alpert and Melanie Mann.

## **9. COUNCILMEMBERS' REPORT**

Councilmember Osman – Comments and concerns regarding a community garden

- A. Councilmember Osman stated for the record citizen concerns regarding the community garden which was Agenda Item 1. of the Council Work Session just prior to the Governing Body Meeting. These residents are supportive, but are concerned about garden hours, parking, public versus private access, light and general nuisance, as they live nearby.

Mr. Lambers stated there will be posted rules, such as hours limited to 7:00 A.M. to 7:00 P.M. There would be no lighting and ample parking.

## **10. STAFF REPORT – None**

***COMMITTEE RECOMMENDATIONS***

**11. PLANNING COMMISSION**

**12. OLD BUSINESS – None**

**13. OTHER BUSINESS – None**

**14. NEW BUSINESS – None**

**ADJOURN**

There being no further business, the meeting was adjourned at 8:30 P.M.

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Debra Harper, CMC, City Clerk

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Cindy Jacobus, Assistant City Clerk