

Minutes

Audio Tape No. 551

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, June 3, 2002. Mayor Peggy J. Dunn presided.

Councilmembers present: Scott E. Gulledge, Gary L. Bussing, Jim Rawlings, Mike Gill, Louis Rasmussen, and ***James E. Taylor, Sr. (arrived at 8:20 P.M.). **Councilmembers absent:** Shelby Story and Patrick L. Dunn.

Staff present:

Scott M. Lambers, City Administrator
Patricia A. Bennett, City Attorney
Ben C. Florance, Fire Chief
Kathy Rogers, Finance Director
Sid Mitchell, Chief of Police
Jeff Cantrell, Neighborhood Serv. Admin.
Martha Heizer, City Clerk

Joe Johnson, Public Works Director
Diane Binckley, Planning/Development Dir.
Chris Claxton, Parks & Recreation Dir.
Cindy Pitts, Human Resources Specialist
Mark Andrasik, Info. Systems Director
Deb Harper, Deputy City Clerk

1. PLEDGE OF ALLEGIANCE

300 **2. APPROVAL OF AGENDA**

The Mayor noted that Item 12.D. would be continued to the June 17, 2002, Governing Body meeting. On motion of Gulledge, seconded by Bussing, Council unanimously approved the agenda.

420 **3. CITIZEN COMMENTS**

Heather and Aaron Whiteside, 2008 W. 85th Terr., and Ashley Kirby, 2000 W. 85th Terr., expressed concerns about increased crime and traffic on 85th Terr. once a new Target store was opened at the Ward Parkway Shopping Center across the street from them, and asked if there was anything the City could do to help alleviate the situation. The Mayor said that the Council could refer the matter to the Public Works Committee for review if they chose to do so. (The matter was added to the Consent Agenda, tape meter #1015.)

G. Gordon Thomas, 10516 Mohawk Lane, made comments about reducing City expenditures.

4. **PROCLAMATIONS** – None.
5. **PRESENTATIONS/RECOGNITIONS** – None.
6. **SPECIAL BUSINESS** – None.

1015

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. Appropriation Ordinance No. 947
- B. Minutes of the May 20, 2002, Governing Body meeting
- C. Minutes of the April 9, 2002, Parks and Recreation Advisory Board meeting
- D. Renewal of Retail Liquor License for Wolff's Fine Wines & Spirits, 11841 Roe Avenue
- E. Purchase of 10 portable police radios in the amount of \$11,000.00 from M/A-COM Private Radio Systems, Inc.
- F. Resolution No. 1731 approving the conveyance of personal property from H & S Builders to the City, pertaining to the relocation of the Historic Stone Railroad Bridge to IRONHORSE Golf Course
- G. Resolution No. 1732 approving the conveyance of personal property from Joseph & Brenda Vrable to the City, pertaining to the relocation of the Historic Stone Railroad Bridge to IRONHORSE Golf Course
- H. Resolution No. 1733 approving and authorizing the Mayor to execute a Special Event Lease Agreement between the City and M & M Golf Cars, L.L.C, in the amount of \$5,538.72, pertaining to additional golf carts needed during the time period of June through October 2002
- I. Referral to the Public Works Committee for review of citizen concerns about 85th Terr. brought up under Citizen Comments

Councilmember Gill asked that the 85th St. issue brought up under Citizen Comments be referred to the Public Works Committee for review. Their next meeting would be June 26th at 7:30 a.m. On motion of Rasmussen, seconded by Gullede, Council unanimously approved the Consent Agenda with the referral to the Public Works Committee.

1125

8. **MAYOR'S REPORT**

- A. Participated in recent event sponsored by Kansas City Commercial Real Estate Women and Society for Marketing Professional Services of Kansas City at which she spoke about Leawood's growth and development opportunities.

- B. The Leawood Woman's Club donated \$2,000 to the Fire Department for 2 pulse oximeters for 2 ambulances, \$2,000 to the Police Department for reflective vests, and \$1,000 to the Parks & Recreation Department for a park bench to be located at City Park.
- C. Attended the Libery Memorial rededication ceremony.
- D. Attended the groundbreaking ceremony for Ironwoods Park, 146th & Mission Rd.
- E. Taste of Leawood at City Hall on June 1st sponsored by the Leawood Chamber of Commerce.
- F. DARE graduations at Brookwood Elementary School, Cure of Ars Elementary School, and Church of the Nativity School.

9. COUNCILMEMBERS' REPORTS – None.

1415 **10. STAFF REPORT**

Public Works Director Johnson gave an update on the cleanup of debris from the January 2002 winter ice storm. He said there were about 250 more trees to trim than the 3500 originally anticipated. He said that Marrs Tree Service indicated after the last increase in the number of trees that if the City went beyond 3500, they would reduce their price for additional tree trimming down from \$125 per tree to \$90 per tree. City Administrator Lambers suggested that the Council authorize staff to commit to the balance of trees remaining, to allow Marrs to continue with that additional trimming this week, and that they bring an addendum to the June 17th Governing Body meeting to close out the contract with Marrs. Councilmember Rasmussen so moved, seconded by Gill. Motion carried unanimously. Mr. Johnson said that staff would also try to have an agreement regarding the golf course cleanup at that meeting for consideration.

COMMITTEE RECOMMENDATIONS

1650 **11. PUBLIC WORKS COMMITTEE**

[from March 13, 2002, Public Works Committee meeting]

- A. **Resolution No. 1734 approving and authorizing the execution of a Professional Services Agreement for an amount not to exceed \$84,000.00 between the City and DeGasperi & Associates, Inc., for architectural services related to the Fire Station No. 2 Remodeling Project located at 12701 Mission Road** *[Continued from the April 1, 2002, Governing Body meeting]*

Resolution adopted unanimously on motion of Gullledge, seconded by Gill.

1800 **12. PLANNING COMMISSION**

[from May 14, 2002, Planning Commission meeting]

A. Approve Special Use Permit [SUP] to Southwestern Bell for a DSL utility box site to be located at approximately 129th Street and Roe Avenue

The applicant had requested a continuance to the June 17, 2002, Governing Body meeting. Councilmember Rasmussen referred to page 2 of the staff report, the section regarding elevations. The fourth item indicated that there would be a commercial AC power supply, meter and emergency switch located on a concrete pad which were needed to provide external power in the event of a commercial power failure. The unit would be 58" high, 12" deep, and 22" wide. He wanted to know 1) what and who was the alternative commercial power supply – if a franchise outfit, what was the purpose of the meter, and would the City receive franchise taxes; 2) if the existing commercial power supply would be underground; that wasn't mentioned in the staff report, so he didn't know how they expected to get even one supply in that location; and 3) how the dimensions of the unit compared to those that Council discussed earlier in the year when negotiating to establish boxes on City rights-of-way for all utilities. The Mayor said that Mr. Rasmussen's questions would be passed on to the applicant.

Councilmember Gill asked that a 4th issue be passed on – there was a comment that the City Administrator didn't concur with the Planning Commission's decision to issue a SUP for an unlimited time period. City Administrator Lambers said that if the Council was to disagree with the Commission's recommendation, he believed that Council's discussion would be to provide some direction in terms of a time frame; he was concerned with a precedent of an unlimited SUP for this type of use that really wasn't consistent with what was provided unlimited SUPs in the past.

On motion of Gill, seconded by Rawlings, Council voted unanimously to continue the matter to the June 17, 2002, Governing Body meeting.

[from April 23, 2002, Planning Commission meeting]

2050

B. Resolution No. 1735 adopting the 2003-2008 Capital Improvement Program [C.I.P.] for the City of Leawood, Kansas

In response to Councilmember Gill, Public Works Director Johnson said that the widening of Nall south of 135st Street was scheduled for 2005 when federal funds would be received. Mr. Gill felt that the need for the widening existed today, and the City should continue to be diligent in pursuing acceleration of the federal funds, and if the funds became available, he wouldn't hesitate to re-prioritize other CIP items to move the Nall widening up on the list of improvements. Mr. Johnson said that Leawood and Overland Park were trying to set themselves up with the project to have the ability to move the widening up to 2004 if an improvement opening occurred. On motion of Rawlings, seconded by Bussing, Council unanimously adopted the resolution.

- 2270 **C. Resolution No. 1736 approving the preliminary site plan for the Dermatology and Skin Cancer Center office building located south of 115th Street and East of Roe Avenue [Continued from the May 20, 2002, Governing Body meeting]**

Ron Davido gave a presentation and answered questions about the parking garage. Councilmember Gulledge moved to adopt the resolution, seconded by Rasmussen.

*** 8:20 P.M. Councilmember Taylor arrived.

There was clarification about the number of parking spaces. Councilmember Bussing asked that the applicant pay careful attention to erosion control because of the extreme grade of the land. The motion to approve carried unanimously.

- D. Resolution approving the Final Plat for Tuscany Reserve-residential, located at approximately 137th & Pawnee [Continued from the May 20, 2002, Governing Body meeting] CONTINUED TO THE JUNE 17, 2002, GOVERNING BODY MEETING**

13. **OLD BUSINESS** – None.

3100 14. **NEW BUSINESS**

- A. Schedule Joint Governing Body/ Budget & Finance Committee Work Session on Tuesday, June 18, 2002, at 5:30 P.M.**

So scheduled unanimously on motion of Bussing, seconded by Rasmussen.

- B. Schedule Joint Governing Body/ Budget & Finance Committee Work Session on Wednesday, June 19, 2002, at 5:30 P.M.**

So scheduled unanimously on motion of Gulledge, seconded by Gill.

- C. Schedule Joint Governing Body/ Budget & Finance Committee Work Session on Thursday, June 20, 2002, at 5:30 P.M.**

So scheduled unanimously on motion of Bussing, seconded by Rawlings.

- D. Schedule Tentative Joint Governing Body/Budget & Finance Committee Work Session on Monday, June 24, 2002, at 5:30 P.M.**

So scheduled unanimously on motion of Bussing, seconded by Gill.

15. **OTHER BUSINESS** – None.

3385 **ADJOURN**

There being no further business before the Council, the meeting was adjourned at 8:25 P.M.

Martha Heizer, City Clerk