

Minutes

Audio Tape No. 526

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, September 17, 2001. Mayor Peggy J. Dunn presided.

Councilmembers present: Scott E. Gullede, Gary L. Bussing, Jim Rawlings, Patrick L. Dunn, Shelby Story, Mike Gill, Louis Rasmussen, and James E. Taylor, Sr.

Staff present:

Patricia A. Bennett, City Attorney	Kathy Rogers, Finance Director
Diane Binckley, Planning/Develop. Dir.	Ben C. Florance, Fire Chief
Randy Wiler, Exec. Police Planning Officer	Bob Sadler, Internet Specialist
Sid Mitchell, Police Chief	Jeff Cantrell, Neighborhood Serv. Admin.
Chris Claxton, Parks & Recreation Director	Joe Johnson, Public Works Director
Deb Harper, Deputy City Clerk	

1. PLEDGE OF ALLEGIANCE

364 **2. APPROVAL OF AGENDA**

Consent Agenda Item 6.L. was removed and tabled to the October 1, 2001, Governing Body meeting. On motion of Taylor, seconded by Story, Council unanimously approved the agenda as amended.

426 **3. PRESENTATIONS**

Certificates of Appreciation were prepared to recognize companies for their commitment to and support with donations of the Leawood Arts Council and Leawood Stage Company in conjunction with the summer musical performances at City Hall – Schmitt Music Co., Glitters Jewelry, Coca Cola Bottling Co., Sir Knight, Well's Blue Bunny, Fitz Bottling Co., All Seasons Rental, and the Muriel McBrien Kauffman Foundation.

705 **4. SPECIAL BUSINESS**

- A. Second of Three Readings: An ordinance granting to and authorizing to Qwest Communications Corporation, a Franchise Agreement authorizing the right to construct, operate, and maintain a communications system using the rights-of-way in the City.**

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5. CITIZEN COMMENTS

G. Gordon Thomas, 10516 Mohawk Lane, made comments.

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6. 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. 927
- B. Minutes of the September 4, 2001, Governing Body meeting
- C. Minutes of the August 14, 2001, Parks & Recreation Advisory Board meeting
- D. Minutes of the August 29, 2001, Public Works Committee meeting
- E. Approve Massage Establishment License for the Women's Life Center located at 11401 Nall Avenue [in accordance with Leawood Code Section 5-520(12)(b)]
- F. Approve Kansas Development Finance Authority's [K DFA] issuance of Assisted Living Facility Health Care Revenue Bonds in the amount of \$7.5 million for Grace Gardens Assisted Living Facility located at 143rd St. and Nall Ave.
- G. Approve annual renewal of general liability insurance coverage for 2002 with St. Paul Insurance for a premium amount not to exceed \$284,014
- H. 19th & Final Pay Request in the amount of \$215.11 to Larkin & Associates for design engineering services for SMAC Project DB-04-015 [84th & State Line Road]
- I. Purchase of break resistant windows for the Police Communications Center from Carter Glass Co. in the amount of \$7,875
- J. Approve Federal Safe & Drug-Free Schools and Communities [SDFSC] Grant for an amount not to exceed \$35,000 in conjunction with the Kansas Bullying Prevention Project – for purchase of teacher handbooks
- K. Approve Governor's Discretionary Portion of the Federal Safe & Drug-Free Schools and Communities [SDFSC] Grant Program for an amount not to exceed \$13,988 in conjunction with the Kansas Bullying Prevention Project – for Leawood's Internet service connection fees
- L. Approve and authorize execution of a Property Usage Agreement between the City and the Board of County Commissioners of Johnson County to facilitate the City's withdrawal of water from Negro Creek for the irrigation of Ironhorse Golf Course – **TABLED TO OCTOBER 1, 2001, GOVERNING BODY MEETING**
- M. Declaration of surplus property no longer needed by the Municipal Court – 4 file cabinets and 1 sorter – to be auctioned
- N. Departmental reports

On motion of Rasmussen, seconded by Taylor, Council unanimously approved the Consent Agenda.

- 995 **7. MAYOR'S REPORT**
- ?? Thanked Finance Director Kathy Rogers and Fire Department Operations Chief Randy Hill for their leadership setting the Emergency Operating Center into action on September 11, 2001, the day of terrorist attacks on the World Trade Center in New York and the Pentagon in Washington, D.C., and thanked staff for remaining at City Hall and preserving some normalcy during the chaos
 - ?? Read a letter from the Taipei Economic and Cultural Office in Kansas City extending condolences from the government and people of the Republic of China on Taiwan; the Office decided to cancel the R.O.C. National Day of Celebration that was to be held on October 10th in Kansas City, Missouri
 - ?? Reported that Leawood Firefighters collected \$59,632.38 from citizens to go to families of New York firefighters who died at the World Trade Center
 - ?? Mayor asked for a moment of silence
 - ?? Recent Blue Valley Education Foundation Community Breakfast
 - ?? Recent Council of Mayors meeting in Gardner, Kansas, with an interim committee report on the telecom issue
 - ?? Dale Carnegie franchise recently purchased by a Leawood resident who would offer free workshops on education of customer service to Leawood Chamber of Commerce members
 - ?? Recent El Centro ribbon cutting at Metcalf South
 - ?? Prairie Village's 50th anniversary celebration based on a patriotic theme due to the September 11th tragic events in New York and Washington, D.C.
- 8. PLAN COMMISSION RECOMMENDATIONS**
[from August 28, 2001, Plan Commission meeting]
- A. Approve Plan Commission recommendation regarding street connection to Hills of Ironhorse subdivision from Blackthorne Estates, located at approximately 153rd Street & Mission Road. TABLED TO OCTOBER 1, 2001, GOVERNING BODY MEETING.**
- 1493 **9. NEW BUSINESS**
- A. Appointment of voting delegates to the League of Kansas Municipalities Annual Conference in Wichita, October 6-9, 2001.**
- On motion of Rasmussen, seconded by Gill, Council unanimously selected the Mayor to be the voting delegate.
- 1546 **10. OLD BUSINESS**
- A. Discussion of policy of pressing charges of trespassing & CDP incidents that occur at Ironhorse Golf Course.**

Parks & Recreation Director Claxton said it was staff's intent to continue to work with residents. Some residents were unclear about where their property lines were located and about what they could not do outside their property lines.

Councilmember Rasmussen appreciated Council's desire for the golf course to be a "good neighbor," but reminded Council that the City had tried to be sure that there were fences on the property lines so that the golf course property was well identified. The City, with the assistance of the press, publicly advised the residents near the golf course that the golf course property was not the private property of the neighbors, that they were not permitted to have their own type of landscaping/vegetation on City-owned property. The Council needed to reinforce the fact that the City would protect City-owned property in order to not have a disaster on the golf course.

Councilmember Gullede said that the problem area didn't have a fence and no property markers, and residents in that area thought that they were just trying to improve their properties.

There was Council consensus that staff should continue to handle the situation on a case-by-case basis and communicate more information to adjacent property owners, including an upcoming vegetation plan.

3200 **ADJOURN.** There being no further business, the meeting was adjourned at 8:25 P.M.

Martha Heizer, City Clerk