

**Minutes**

DVD No. 172

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, September 17, 2007. Councilmember Gary Bussing led the meeting as Presiding Officer.

**Councilmembers present:** Gary Bussing, Lou Rasmussen, Gregory Peppes, Jim Rawlings, Debra Filla, James Azeltine, Mike Gill, and Scott Gulledge (via teleconference).

**Mayor/Councilmembers absent:** Mayor Peggy Dunn.

**Staff present:**

Patty Bennett, City Attorney

Chris Claxton, P&R Director

Mark Klein, Asst. to the Planning Director

Deb Harper, City Clerk

Mark Andrasik, IS Director

**1. PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF AGENDA**

A motion to approve the agenda was made by Councilmember Rawlings; seconded by Councilmember Azeltine. 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**

**Constitution Week, September 17 - 23, 2007**

**National Preparedness Month, September 2007**

Mr. Bussing stated the two proclamations will be entered into the record.

**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. 1085C and 1086A
- B. Accept Minutes of the August 20, 2007 Governing Body Work Session
- C. Resolution No. 2879 approving and authorizing the Mayor to execute a Service Agreement in the amount of \$59,920.00, to Quality Pools, pertaining to the painting of the Aquatic Center Pool
- D. Resolution No. 2880 accepting a Deed of Dedication from Hallbrook Office Center, LLC, for property located at approximately College and Overbrook Road, pertaining to the Overbrook Road Extension Project
- E. Resolution No. 2881 approving and authorizing the Mayor to execute a Construction Contract in the amount of \$84,815.00, between the City and Barge-Turley Construction Company, pertaining to the 8745 High Drive Storm Sewer Replacement Project
- F. Resolution No. 2882 approving a Final Site Plan for a tenant finish for The Residences at Park Place, located at the northwest corner of 117<sup>th</sup> Street and Nall Avenue [*from the August 28, 2007, Planning Commission meeting*]
- G. Resolution No. 2883 approving a Final Site Plan for a tenant finish for the Park Place Gallery, located at the northwest corner of 117<sup>th</sup> Street and Nall Avenue [*from the August 28, 2007, Planning Commission meeting*]
- H. Resolution No. 2884 approving a Final Site Plan for a tenant finish for Park Place Space B-03, located at the northwest corner of 117<sup>th</sup> Street and Nall Avenue [*from the August 28, 2007, Planning Commission meeting*]
- I. Approve Change Order No. 3, in the amount of \$19,720.00, to Wiedenmann & Godfrey Construction, pertaining to Phase II, Dykes Branch Channel Improvement Project, [SMAC Project DB-04-024] between 83<sup>rd</sup> Street and Wenonga Road south to 86<sup>th</sup> Street and Overhill Road [#76009]

On motion of Councilmember Rasmussen, seconded by Councilmember Rawlings, the Consent Agenda was approved following a unanimous vote of 8-0.

**8. MAYOR'S REPORT – None.**

**9. COUNCILMEMBERS' REPORT – None.**

**10. STAFF REPORT – None.**

***COMMITTEE RECOMMENDATIONS***

**11. PLANNING COMMISSION – None.**

**12. OLD BUSINESS – None.**

**13. OTHER BUSINESS – None.**

**14. NEW BUSINESS**

- A. Ordinance No. 2266 authorizing the issuance and delivery of \$7,040,000 principal amount of General Obligation Improvement Bonds, Series 2007-A, of the City of Leawood, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the Bonds as they become due; and making certain covenants with respect thereto, and repealing Ordinance No. 2260 [Roll Call Vote]

A motion to pass the ordinance was made by Councilmember Rasmussen; seconded by Councilmember Azeltine. The motion carried with the following unanimous roll call vote of 8-0: Yea: Councilmembers Gulledge, Rawlings, Peppes, Rasmussen, Bussing, Filla, Azeltine, and Gill. Nay: None.

- B. Resolution No. 2878 amending Resolution No. 2868, prescribing the form and details of and authorizing the delivery of \$7,040,000 principal amount of General Obligation Improvement Bonds, Series 2007-A, of the City of Leawood, Kansas; authorized by Ordinance No. 2260, of the City; providing certain covenants and agreements with respect thereto; and providing for execution of certain agreements in connection therewith

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

- C. Ordinance No. 2267 amending Ordinance No. 2261 authorizing and providing for the issuance and delivery of \$29,375,000 principal amount of General Obligation Temporary Notes of the City of Leawood, Kansas, to provide funds to finance the cost of certain public improvement projects within the City; and making certain covenants with respect thereto [Roll Call Vote]

A motion to pass the ordinance was made by Councilmember Azeltine; seconded by Councilmember Filla. The ordinance passed with the following unanimous roll call vote of 8-0: Yea: Councilmembers Azeltine, Bussing, Gulledge, Peppes, Rasmussen, Gill, Filla, and Rawlings. Nay: None.

**ADJOURN**

Mr. Bussing adjourned the meeting at 7:37 P.M.

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Debra Harper, CMC, City Clerk

Christy Wise  
Recording Deputy City Clerk