

**Regular Meeting**

**THE LEAWOOD CITY COUNCIL**

**December 2, 2013**

**Minutes**

DVD No. 314

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, December 2, 2013. Mayor Peggy Dunn presided.

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

**Councilmembers absent:** None

<b>Staff present:</b> Patty Bennett, City Attorney	Dawn Long, Finance Director
John Meier, Police Chief	Chris Claxton, P&R Director
Dave Williams, Fire Chief	Joe Johnson, PW Director
Mark Andrasik, Director Info Systems	Deb Harper, City Clerk
Richard Coleman, Comm. Dev. Director	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 Rasmussen. 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**

A. Public Hearing- Amendments to the 2013 Fiscal Budget for the City of Leawood, Kansas

**Seeing no one present to speak, a motion to close the Public Hearing was made by Councilmember Rasmussen; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 8-0.**

- B. **Resolution No. 4151** adopting amendments to the 2013 Fiscal Budget for the City of Leawood, Kansas

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

## 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. 2013-44 and 2013-45
- B. Accept minutes of the November 18, 2013 Governing Body meeting
- C. Accept minutes of the October 10, 2013 Sustainability Advisory Board meeting
- D. Approve Mayoral Appointment of Curt Talcott to the Stormwater Committee
- E. Approve renewal of Cereal Malt Beverage [CMB] license to Walgreens Company, located at 4701 Town Center Drive
- F. Approve renewal of Cereal Malt Beverage [CMB] license to Cosentino Price Chopper, located at 3700 W. 95<sup>th</sup> Street
- G. **Resolution No. 4152** adopting the 2014 Fee Schedule for fees not specifically provided for in the Code of the City of Leawood, 2000, and rescinding Resolution Nos. 3950, in accordance with § 1-701 of the Code of the City of Leawood, 2000
- H. **Resolution No. 4153** approving the recommended distribution of alcohol taxes by Johnson County Drug and Alcoholism Council [DAC] for allocations of the 2014 alcohol tax fund for an amount not to exceed \$200,000; and an additional one time Alcohol Tax Fund Capacity Building Recommendation for an amount not to exceed \$150,000
- I. **Resolution No. 4154** approving and authorizing the Mayor to execute Supplemental Agreement No. 1, to that certain Professional Engineering Service Agreement, dated November 7, 2011, in the amount of \$7,997.00 between the City and Phelps Engineering, pertaining to the 87<sup>th</sup> Street & Mission Road Culvert Project [Project # 77011]
- J. **Resolution No. 4155** continuing the ban on Concealed Weapons at certain City owned buildings in the City of Leawood, Kansas
- K. Resolution approving a Revised Final Plan for Cornerstone – Talk of the Town Patio Enclosure (Retail: Restaurant), located south of 135<sup>th</sup> Street and east of Nall Avenue. (PC Case 120-13) *[from the November 26, 2013 Planning Commission meeting]* –**CONTINUED TO THE DECEMBER 16, 2013 GOVERNING BODY MEETING**
- L. Declaration of surplus property: 2003 Ford F-350 PU, last 6 VIN/D50199
- M. Declaration of surplus property: Warren Dump Body; last 6 VIN/C53058
- N. Declaration of surplus property: Precor Treadmill last 4 SER/M002 [Fire Dept.]

Mayor Dunn requested to pull Consent Agenda Item 7H.

**A motion to approve the remaining Consent Agenda items was made by Councilmember Filla; seconded by Councilmember Rezac. The motion carried following a unanimous vote of 8-0.**

- 7.H. **Resolution No. 4153** approving the recommended distribution of alcohol taxes by Johnson County Drug and Alcoholism Council [DAC] for allocations of the 2014 alcohol tax fund for an amount not to exceed \$200,000; and an additional one time Alcohol Tax Fund Capacity Building Recommendation for an amount not to exceed \$150,000

Mayor Dunn recognized Marya Schott, United Community Services of Johnson County [UCS], and Cathy Lawless, Representative for the City of Leawood for the Drug and Alcoholism Council of Johnson County [DAC].

Ms. Schott thanked the Governing Body and the City of Leawood for their continued support of the Alcohol Tax Fund to help citizens of Johnson County with problems of substance abuse and working with school districts to help prevent substance abuse. A total of \$1,580,000 will go to 22 grantees, 18 of which are funded through the City of Leawood with its contribution of \$200,000 in the approved 2014 Budget, and for the additional one-time grant of \$150,000 for ATF Capacity Building Grants designed to build the capacity of substance abuse programs that are currently funded through the DAC process. There were 4 cities that contributed to the Capacity Building Grants for a total of \$396,000, in which Leawood contributed \$148,727. There will be 15 organizations funded with these dollars.

**A motion to approve Consent Agenda Item 7H was made by Councilmember Rawlings; seconded by Councilmember Rasmussen. The motion carried following a unanimous vote of 8-0.**

## **8. MAYOR'S REPORT**

- A. Attended the League of Kansas Municipalities Regional Supper hosted by Lenexa Mayor Michael Boehm. Discussion took place on the League's 2014 Action Agenda. They were in unanimous support of this, which focuses on local control.
- B. Attended the United Way Victory Celebration for the 2013 United Way Campaign. The projected total was \$37,501,704. This is an increase of \$200,000 over last year's total. Congratulations and appreciation to everyone involved in this very successful campaign.
- C. There were several adults and children who braved the bitter cold temperatures on Saturday, November 23<sup>rd</sup>, for the rededication of Brook Beatty Park. Mayor Dunn recognized Councilmembers Debra Filla, Andrew Osman, Lou Rasmussen, Jim Rawlings and Julie Cain in attendance; Parks and Recreation Advisory Board and Parks Director Chris Claxton and her team for all of their hard work. Fire Chief Dave Williams was also in attendance and provided remarks on the history of the first volunteer Fire Chief Brook Beatty, the namesake of the park.

- D. Congratulations are in order for the award winners of the “Battle of the Brains” at Union Station, sponsored by Burns & McDonnell. There were 501 entries with a total of 193 schools and 3,500 student participants. Leawood Elementary School won the Elementary Division Grand Prize of \$50,000. Olathe North High School won the Secondary Division Grand Prize of \$50,000.
- E. Thank you to Police Chief John Meier and his department, City Attorney Patty Bennett, and Information Systems Director Mark Andrasik for the great tour of the new Justice Center earlier this evening. There will be a Community Open House and ribbon cutting ceremony on Tuesday, December 10<sup>th</sup> from 5:00 – 7:00 P.M. This is a wonderful, beautiful facility. Mayor Dunn once again, thanked Councilmember Liaison Jim Rawlings for the time he dedicated to the success of this project.

**9. COUNCILMEMBERS’ REPORT - None**

**10. STAFF REPORT - None**

***COMMITTEE RECOMMENDATIONS***

**11. PLANNING COMMISSION - None**

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**12. OLD BUSINESS - None**

**13. OTHER BUSINESS - None**

**14. NEW BUSINESS**

- A. Schedule Governing Body Work Session to be held on Monday, January 6, 2014, at 6:00 P.M., to discuss Ironhorse Golf Clubhouse Expansion Project

**A motion to approve the work session was made by Councilmember Filla; seconded by Councilmember Rezac. The motion carried following a unanimous vote of 8-0.**

- B. Schedule Governing Body Work Session to be held on Tuesday, January 21, 2014, at 6:00 P.M., for Presentation of Park Master Plan- Phase I

**A motion to approve the work session was made by Councilmember Cain; seconded by Councilmember Robinett. The motion carried following a unanimous vote of 8-0.**

- C. Schedule Governing Body Work Session to be held on Monday, February 17, 2014, at 6:00 P.M., for Joint Governing Body/Planning Commission Work Session regarding 135<sup>th</sup> Street Corridor Presentation

**A motion to approve the work session was made by Councilmember Azeltine; seconded by Councilmember Rezac. The motion carried following a unanimous vote of 8-0.**

- D. Schedule Governing Body Work Session to be held on Monday, March 3, 2014, at 6:00 P.M., to discuss Public Art for Justice Center

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

**ADJOURN**

There being no further business the meeting was adjourned at 7:50 P.M.

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Debra Harper, CMC, City Clerk

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Pam Gregory, Assistant City Clerk