

Minutes

DVD No. 258

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, June 6, 2011. Mayor Peggy Dunn presided.

Councilmembers present: Julie Cain, James Azeltine, Debra Filla, Carrie Rezac, Gary Bussing, Lou Rasmussen, and Andrew Osman

Mayor/Councilmembers absent: Jim Rawlings

Staff present: Scott Lambers, City Administrator	Patty Bennett, City Attorney
Chief Ben Florance, Fire Department	Joe Johnson, Public Works Director
Chief John Meier, Police Department	Chris Claxton, P&R Director
Mark Andrasik, Info Systems Director	Lovina Freeman, HR Director
Richard Coleman, Comm. Dev. Director	Dawn Long, Interim Finance Director
Deb Harper, City Clerk	Pam Gregory, Assistant City Clerk

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

A motion to approve the agenda was made by Councilmember Rasmussen; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 7-0. (Councilmember Rawlings absent).

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. **Ordinance No. 2490** finding as to the advisability and authorizing the construction of improvements to Nall Avenue, 117th Street, Town Center Drive and Roe Avenue and construction of storm water improvements within the City of Leawood, Kansas; and accepting a Third Amended Petition for establishment of an Improvement District pursuant to K.S.A. §12-6a01 et seq. and the City's Home Rule Authority of Article 12, Section 5 of the Kansas Constitution. [Park Place Development – CIP No. 83196] [Roll Call Vote]

This amended petition was discussed in an earlier work session that will change the method of assessment. Stormwater improvements will continue to be assessed on a square foot basis. Street improvements will be assessed on the value of the improvements on the land on each parcel at Park Place.

A motion to pass the ordinance was made by Councilmember Rasmussen; seconded by Councilmember Filla.

City Administrator Scott Lambers noted the City's policy was changed to allow this; therefore, it is possible other requests could be made as well. There are limitations on its applicability and the City Council would have to approve it.

City Attorney Patty Bennett clarified this authorizes the improvement district and the methodology and allows them to have a resolution to set a public hearing on the assessments.

City Clerk Deb Harper confirmed there will be a public hearing on June 20th and at that time the City Council will vote on an ordinance levying the assessments.

The motion carried following a unanimous roll call vote of 7-0. (Councilmember Rawlings absent).
Nay: None.

- B. **Resolution No. 3596** calling for a public hearing to be held on Monday, June 20, 2011 at 7:30 P.M., or as soon thereafter as may be heard on proposed assessments for construction of improvements to Nall Avenue, 117th Street, Town Center Drive and Roe Avenue and construction of storm water improvements within the City of Leawood for establishment of an Improvement District, pursuant to K.S.A. § 12-6a01 et seq., and the City Home Rule Authority of Article 12, Section 5 of the Kansas Constitution, located in Park Place Development [CIP # 83196]

A motion to approve the resolution was made by Councilmember Rasmussen; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 7-0. (Councilmember Rawlings absent).

- C. Approve Certified Cost Summary in the amount of \$5,155,000 for Park Place Development Improvement District [CIP # 83196]

A motion to approve the Certified Cost Summary in the amount of \$5,155,000 for the Park Place Development Improvement District was made by Councilmember Rasmussen; seconded by Councilmember Filla. The motion carried following a unanimous vote of 7-0. (Councilmember Rawlings absent).

- D. **Resolution No. 3597** accepting proposed assessments 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 119th Street Development District, within the City of Leawood, Kansas; and authorizing and directing 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 the resolution was made by Councilmember Azeltine; seconded by Councilmember Rasmussen.

Mayor Dunn noted this assessment amount is \$2,985,000, plus interest.

The motion carried following a unanimous vote of 7-0. (Councilmember Rawlings absent).

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. 2011-18, 2011-19, 2011-20, and 2011-21
- B. Accept minutes of the May 16, 2011 Governing Body meeting
- C. Accept minutes of the May 16, 2011 Governing Body Work Session
- D. Accept minutes of the February 23, 2011 Stormwater Management Committee
- E. Accept minutes of the March 3, 2011 Ironhorse Advisory Board meeting
- F. Accept minutes of the March 8, 2011 Historic Commission meeting
- G. Accept minutes of the March 15, 2011 Public Works Committee
- H. Accept minutes of the April 5, 2011 Bicycle Friendly Committee meeting
- I. Accept minutes of the April 21, 2011 Sustainability Advisory Board meeting
- J. Approve Mayoral Appointment of George Watermann to the Ironhorse Advisory Board for a three-year term ending in 2014
- K. **Resolution No. 3598** approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$4,895.00 between the City and C & C Group, Inc., pertaining to the emergency generator Service Agreement for city facilities

- L. **Resolution No. 3599** approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$4,145.00 between the City and SimplexGrinnell, LP pertaining to the fire alarm and sprinkler testing and inspections for city facilities
- M. **Resolution No. 3600** approving and authorizing the Mayor to execute an Inter-local Agreement in the amount of \$28,776.00 between the City and Board of Johnson County Commissioners [BOCC] pertaining to the preliminary engineering study for the Stormwater Management Project [Heritage Subdivision/Cherokee Lane Stormwater Improvements; DB-04-027] [Project # 77005]
- N. **Resolution No. 3601** approving and authorizing the Mayor to renew a Maintenance Agreement between the City and Intergraph Public Safety, Inc., in the amount of \$25,617.60, pertaining to the Intergraph Software System for the Police Department
- O. **Resolution No. 3602** approving a Final Sign Plan for Nall Valley Shops – Southern Blu Style Boutique (Retail: Women’s Apparel), located at the northeast corner of 151st Street and Nall Avenue (PC Case 43-11) [*from the May 24, 2011 Planning Commission meeting*]
- P. **Resolution No. 3603** approving a Final Sign Plan for Ironhorse Centre – Simmons First National Bank, located at the southeast corner of 151st Street and Nall Avenue (PC Case 45-11) [*from the May 24, 2011 Planning Commission meeting*]
- Q. **Resolution No. 3604** approving a Final Plan for a Tenant Finish for Park Place – Tallulahbelle’s, (Retail: Handcrafted Jewelry), located at 5255 W. 116th Place. (PC Case 46-11) [*from the May 24, 2011 Planning Commission meeting*]
- R. **Resolution No. 3605** approving a Final Sign Plan for One Nineteen – Flirt Boutique (Retail: Women’s Apparel), located at the southeast corner of 119th Street and Roe Avenue (PC Case 54-11) [*from the May 24, 2011 Planning Commission meeting*]
- S. **Resolution No. 3606** approving a Final Sign Plan for Town Center Plaza – Amore Dessert Café, located at the northeast corner of 119th Street and Nall Avenue (PC Case 55-11) [*from the May 24, 2011 Planning Commission meeting*]
- T. Declaration of surplus property [Ironwoods Lodge]

Councilmember Azeltine requested to pull Item No. 7M and Councilmember Osman pulled Item No. 7S for discussion.

A motion to approve the remainder of the Consent Agenda was made by Councilmember Bussing; seconded by Councilmember Rasmussen. The motion carried following a unanimous vote of 7-0. (Councilmember Rawlings absent).

- 7M. **Resolution No. 3600** approving and authorizing the Mayor to execute an Inter-local Agreement in the amount of \$28,776.00 between the City and Board of Johnson County Commissioners [BOCC] pertaining to the preliminary engineering study for the Stormwater Management Project [Heritage Subdivision/Cherokee Lane Stormwater Improvements; DB-04-027] [Project # 77005]

Councilmember Azeltine wanted clarification of the costs pertaining to the engineering study. Public Works Director Joe Johnson replied the work being done meets the standards of Johnson County for a potential SMAC project; therefore, they were able to request reimbursement of funds already being spent. There are no additional costs for Leawood.

A motion to approve Item No. 7M was made by Councilmember Azeltine; seconded by Councilmember Filla. The motion carried following a unanimous vote of 7-0. (Councilmember Rawlings absent).

- 7S. **Resolution No. 3606** approving a Final Sign Plan for Town Center Plaza – Amore Dessert Café, located at the northeast corner of 119th Street and Nall Avenue (PC Case 55-11) *[from the May 24, 2011 Planning Commission meeting]*

Councilmember Osman commended staff for getting this final sign approval processed. He thought the applicant had a temporary banner in place for close to a year. Community Development Director Richard Coleman replied staff had been working with the applicant on their sign since December. Mr. Osman asked the status on Vintage Market. Planning Official Mark Klein responded they are scheduled to be on the June 28th Planning Commission agenda.

A motion to approve Item No. 7S was made by Councilmember Osman; seconded by Councilmember Filla. The motion carried following a unanimous vote of 7-0. (Councilmember Rawlings absent).

8. **MAYOR'S REPORT**

- A. Mayor Dunn extended sincere sympathies on behalf of the City of Leawood to the people in Reading, Kansas, Joplin, Missouri and other cities throughout the Country regarding the horrific deaths, injuries and damage caused from the recent tornadoes. She expressed appreciation to the people within the area that have volunteered to help and/or made monetary contributions.
- B. Attended two Drug Abuse Resistance Education [D.A.R.E.] graduations; the first at St. Michael's the Archangel Catholic School with Officer Brett Leathers as the instructor; the second was at Brookwood Elementary School with Officer Randy Wiler instructing. Thank you to both officers who do an outstanding job with the students, Police Chief John Meier and his department.
- C. Attended a luncheon hosted by the Johnson County Republican Party at Leawood's Hereford House with Congressman Kevin Yoder as the presenter. His topic was on the budget and its challenges. He serves on the House Appropriations Committee and gave updates on all of the good work they are attempting to accomplish.
- D. Attended a Leawood Chamber of Commerce ribbon cutting for CrossFirst Bank, located in Plaza Point. They were extremely complimentary about the City's staff and strict procedures. Mayor Dunn wished them much success.
- E. Mayor Dunn served as the "Official Starter" for the Girls on the Run [GOTR] of Johnson County. This was a 5K Run that was held at Town Center Plaza with 340 girls in 3rd through 8th grade who had to have running buddies, totaling over 800 participants. Their mission is to educate and prepare girls for a lifetime of self-respect and healthy living.

- F. Attended the dedication of the Oxford Township Historic Sign, which was a collaborative project by the Leawood Historic Commission, Oxford Township Board and Leawood resident and Eagle Scout Cade Rutledge. Thank you to Janine Joslin, Chair of the Leawood Historic Commission and the entire commission and Cultural Arts Coordinator April Bishop for the wonderful job they did. The three-sided historic sign, located in Ironwoods Park, gives a great deal of wonderful history of the area.
- G. The Leawood Woman's Club hosted their Philanthropic Luncheon at which they presented their philanthropic donations of the monies they've raised throughout the year. Once again, the Leawood Police and Fire Departments were two of the recipients with Police Chief John Meier and Fire Chief Ben Florance in attendance. Thank you to the immediate past President Kathy Wininger and Philanthropic Chair Mary Tearney, along with all of the Leawood Woman's Club members, for their generosity and public display of appreciation to Leawood's excellent public safety departments. Each department received over \$2,200.
- H. The Law Enforcement Torch Run took place on May 31, 2011, benefiting Special Olympics. The runners stopped in the courtyard at City Hall for lunch on the way. This was a 28-mile run that began in Olathe, Kansas, and ended in Kansas City, Kansas. Leawood Police Officer Shawn Farris spearheads this run. There were 9 members from Leawood who participated. A few thousand Special Olympic athletes were present in Wichita, Kansas, when Officer Farris received the "Richard LaMunyon Hall of Fame" Award. Richard LaMunyon was there to personally present this award to him. He was recognized for participating for the last 15 years and for his great fundraising efforts over the years. Leawood had the only Police Department that had officers running the entire 28 miles and is the only department that has accomplished this over the last several years. Last year Leawood was 4th in the State in fundraising for Special Olympics Kansas and this year they are contending for the top spot as they near \$20,000 in donations. Former Leawood Detective Joe Langer was brought back and honored for beginning this run 30 years ago.
- I. Mayor Dunn was joined by Councilmembers James Azeltine, Lou Rasmussen and Andrew Osman at the Gezer Park playground dedication. Members of the Leawood Foundation, Parks and Recreation Advisory Board, Gezer Sister City Committee, along with City Administrator Scott Lambers and all department heads were present. There were approximately 100 children and parents in attendance. This was a great event. Thank you to Alice Hawk of the Leawood Foundation, Parks and Recreation Director Chris Claxton, Parks Superintendent Brian Anderson and the parks staff for all of their work. It took many private donations combined with the City's public dollars to bring this to fruition. Mayor Dunn expressed her gratitude for the generosity of all involved.

- J. The Council of Mayors' meeting that was hosted by Lenexa Mayor Mike Boehm included the Johnson and Wyandotte Counties legislative delegations as guests. As of June 30, 2011, they are anticipating \$70 Million in an ending balance and are predicating the same for June 30, 2012. They talked about the one cent sales tax that was put in place last year and said it will disappear in 2014. This tax realizes \$300 Million in revenue and has been a huge help to the State. Mission Hills Mayor Rick Boeshaar reported their City Council had approved a Stormwater Utility Tax. This was put in place with a five-year term, which will reap \$2.5 Million and be used for several stormwater initiatives. Olathe Mayor Mike Copeland talked about their \$22.5 Million community center. Edwardsville Mayor John "Tiny" McTaggart was awarded the 2011 "Mayor of the Year" Award by the Kansas Mayors Association during the League of Kansas Municipalities [LKM] Governing Body Institute and Mayors Conference in Topeka.
- K. Celebrated National Trails Day at Leawood's Ironwoods Park. Thank you to the Parks and Recreation Department for organizing this event.
- L. Reminder of the Leawood Arts Council studio tour at the Eva Reynolds Fine Arts Gallery located at 134th and Roe Avenue in Parkway Plaza on Friday, June 17th at 5:30 P.M.

9. COUNCILMEMBERS' REPORT

Councilmember Azeltine – Request referral to Stormwater Management Committee regarding sink holes in the area of 153rd Terrace and Nall Avenue

Councilmember Azeltine reported Mark Bodine, President of the Woods at Ironhorse Homes Association, is concerned with sink holes developing on their property, but in the City right-of-way [ROW]. Problems began last year and have accelerated in the last 6 months. The sidewalks that were replaced in a couple of locations are already showing signs of settling again and have developed structural cracks. Several homeowners have experienced significant sink-hole depressions on their property.

A motion to refer this to the Stormwater Management Committee to explore the cause of the loss of compaction around the sewer structures and develop a plan to mitigate or abrogate the problem was made by Councilmember Azeltine; seconded by Councilmember Rasmussen. The motion carried following a unanimous vote of 7-0. (Councilmember Rawlings absent).

10. STAFF REPORT

Mr. Lambers reported that each year the League of Kansas Municipalities [LKM] publishes cities' mill levy rates. Of the cities of the first class, Leawood's mill levy rate [24.38] is the second lowest in the State, with Overland Park being first [8.88].

COMMITTEE RECOMMENDATIONS

11. PUBLIC WORKS COMMITTEE

[from the May 17, 2011 Public Works Committee meeting]

- A. Recommendation regarding request for stop sign to be located at 121 Terrace and Wenonga

Councilmember Azeltine reported the Public Works Committee and Police Department staff met March 15th to review the concerns of residents. After reassignment, they met again on May 17th to further review this request as it relates to line of sight. The request was to replace the yield signs with stop signs. The committee's recommendation is to maintain the current yield signs. Based upon traffic volume, speed, and the low number of accidents at this intersection, it did not meet warrants to install stop signs.

Mr. Johnson stated at the last meeting they were asked to review whether "No Parking" signs were needed for vehicles traveling south on Wenonga. He displayed pictures of a parked City vehicle to give a visual of that intersection. The pictures were taken 3 ½ feet off the ground. City Staff, along with the Police Department, determined that the site distance was fine and there was no need to install "No Parking" signs at this intersection. There have been two accidents in the last 8 years. There are approximately 900 vehicles at this intersection in a 24-hour period. The posted speed limit is 25 mph, with 85% of the vehicles traveling at 29 mph. The highest speed recorded in a 24-hour period was 47 mph. When comparing this to the 2009 edition of the Manual on Uniform Traffic Control Devices [MUTCD], it did not meet warrants for installation of stop signs.

Councilmember Azeltine clarified that the drivers involved in the two accidents at this intersection stopped and then pulled forward when they were struck.

Jeff Nessel, 12012 Ensley Lane, stated he was not sure how those photos were taken because this intersection is not that clear. He feels this is a public safety issue; there is no cost to the City and everyone in the neighborhood wants the stop signs. According to the U.S. Code, "yield signs are installed at intersections where a special problem exists and where engineering judgment indicates the problem to be susceptible to correction by a yield sign." He asked why the City would not install the stop signs.

Mr. Lambers replied the MUTCD was established to provide a basis for the installation of proper traffic control devices. It is not intended to be done by popular or unpopular vote and is to provide the Governing Body with a basis upon which to make decisions as to whether or not it is warranted. To install an unwarranted traffic control device would set up a situation where the City may have liability. The reason they use the manual is to make proper decisions to install them when appropriate.

Mr. Nessel stated the City would be liable if someone is hurt because there are no stop signs.

Mr. Lambers responded according to the MUTCD, the warrants have not been met; therefore, the City would not have a liability. If stop signs were installed and someone were to have an accident and it was determined the stop signs were improper, then the City would have liability.

Mr. Nessel replied it is warranted by the people in the area that want and need it.

Mayor Dunn clarified that Mr. Lambers was using the term "warranted" in a technical sense for traffic.

Mr. Johnson stated they use the MUTCD, which sets the standards to measure speed, volume and accidents against the criteria to see if it meets warrant. If there are two accidents within a year or three accidents within five years, it would meet a warrant.

If the traffic volume exceeds 6,000 vehicles per day it would meet a warrant. The photos were taken a week before the last Public Works Committee meeting and were taken from a Ford Explorer. An article titled "Steps for Adding or Removing Traffic Control Devices" from the quarterly newsletter of the Kansas Local Technical Assistance Program [LTAP] at the Kansas University Transportation Center [KUTC] states: "If all municipalities don't adopt the MUTCD and there is an accident, the municipality in charge of traffic control may be held liable. It is expected that the Kansas Department of Transportation [KDOT] will adopt it by year end. It is important to understand that public pressure is not reason enough to add traffic control devices. Before adding or removing a device, steps should be taken to make sure there is a legitimate need to install (or uninstall) the device. According to research engineers at the KUTC, traffic volumes, crash history, traffic speed and capacity reports should first be taken to ensure the traffic control device is warranted and will not cause unnecessary traffic inefficiencies or additional safety concerns."

Mr. Nessel commented that the resident residing on that corner contacted the City last year to inform the staff of several near accidents.

A motion to accept the recommendation from the Public Works Committee to leave the yield signs in place was made by Councilmember Bussing; seconded by Councilmember Osman. The motion carried following a unanimous vote of 7-0. (Councilmember Rawlings absent).

Mayor Dunn thanked Mr. Nessel for his advocacy and efforts and hoped he felt he had due process with two committee reviews.

[from the May 25, 2011 Stormwater Management Committee meeting]

B. Recommendation regarding illegal drainage pipe located at 13712 Fontana

Mr. Johnson stated the property owners, located at 13712 Fontana, were given a courtesy notice by the Neighborhood Services Department to remove an illegal drain to come into compliance with the ordinance. The property owner sent a letter to the Council requesting this be reviewed by the Stormwater Management Committee to see if it could remain in place and be grandfathered in. The committee reviewed the ordinance that was passed in 2008 that looks at roof and sump pump drains that are extended to a property line. If it is a roof drain, it can discharge no closer than 10 feet to a side or rear property line, which would then be the City's ROW. With a sump pump discharge, it can be no closer than 15 feet. There is no grandfathering for this type of issue. There are generally over 100 courtesy notices or citations issued annually to have these types of drains removed from the ROW. The committee recommended that the property owners comply with the ordinance and be given 90 days from today, June 6, 2011, to come into compliance.

A motion to approve the recommendation from the Stormwater Management Committee was made by Councilmember Rasmussen; seconded by Councilmember Filla.

Councilmember Cain noted the committee extended the timeframe for the property owners to come into compliance from 30 to 90 days.

The motion carried following a unanimous vote of 7-0. (Councilmember Rawlings absent).

12. OLD BUSINESS – None.

13. OTHER BUSINESS

Discussion of regulating natural gas wells in residential areas

Councilmember Bussing stated this was in regard to an application that is before the Kansas Corporation Commission [KCC] to grant approval for a gas well for a resident.

Ms. Bennett stated after some research, staff located a prior set of ordinances regarding regulations on gas and oil drilling and production that inadvertently did not make it into the Leawood Development Ordinance [LDO]. In order for these to be included in the LDO, it would require that this go through the Planning Commission and then come before the Council.

Councilmember Rasmussen stated staff informed him the City no longer has jurisdiction and the KCC took complete control over gas drilling and production. He asked why staff felt they have the right to put this into the LDO.

Ms. Bennett replied the reason the KCC did have jurisdiction was because the City does not have an active ordinance regarding this. If this, or something similar, is placed back in the LDO, the City would have jurisdiction. The KCC's jurisdiction does not pre-empt the City passing this.

A motion to direct staff to recommend to the Planning Commission to include oil and gas drilling and production into the LDO was made by Councilmember Rasmussen; seconded by Councilmember Bussing.

Ms. Bennett clarified there are other options the Council may want to consider; for example, completely banning the drilling of gas wells in residential areas, but allowing them elsewhere, or only allowing them in 10-acre tracts. The previous ordinance only allowed them in recreational and agricultural zoned areas in a 10-acre tract with a Special Use Permit [SUP]. If the Council has a certain recommendation they would like considered, staff can present it to the Planning Commission.

Mr. Lambers stated this could return before the Council within 90 days and thought it would be appropriate to have a moratorium on all gas and oil drilling until resolution of this issue is concluded. He questioned whether the Council should permit this within the City at all and felt it shouldn't occur in a City that is primarily developed as residential and almost built-out. This activity runs the risk of potential disaster. He suggested they impose the moratorium and pass an ordinance that would prohibit drilling under any circumstance.

Councilmember Rasmussen suggested they process this as soon as possible before the KCC acts on it.

Councilmember Azeltine confirmed with Ms. Bennett that if they establish a moratorium at this time, it should not expose the City in any way.

Councilmember Rezac asked if they move forward with this, if it could affect the case that is currently under review with the KCC. Ms. Bennett replied since the moratorium is a temporary measure and not permanent, it would not impact that case. If the ordinance is passed prohibiting it, then it would essentially moot that case.

Councilmember Cain asked if there were tracts of land remaining that could be impacted by this. Mr. Lambers replied there is property along 135th Street that is zoned agricultural and is more than 10 acres.

Mr. Lambers stated if the Council would like to draft an ordinance banning this and the Planning Commission returns wanting it regulated, the Council could override it. The Council should give the Planning Commission direction; however, they are not obligated by it.

Councilmembers Rasmussen and Bussing withdrew their motion.

A motion to recommend to the Planning Commission at their earliest future meeting a proposed ordinance banning all oil and gas drilling and production within the City limits of Leawood was made by Councilmember Rasmussen; seconded by Councilmember Azeltine.

Councilmember Rezac requested that after the staff and Planning Commission review this, they inform the Council if there is a reason they should not ban it.

Councilmember Azeltine thought just by the Planning Commission debating it, it would resolve this. Mayor Dunn concurred and noted if staff finds a legal concern, they will bring it to their attention as well.

The motion carried following a unanimous vote of 7-0. (Councilmember Rawlings absent).

A motion to place a moratorium on all gas and oil drilling and production until resolution of this issue is concluded was made by Councilmember Cain; seconded by Councilmember Azeltine. The motion carried following a unanimous vote of 7-0. (Councilmember Rawlings absent).

Councilmember Bussing asked if the City sent any emergency responders to help with the recent tornado disasters in Redding, Kansas, or Joplin, Missouri. Police Chief John Meier replied they had officers respond to Redding and have now returned. They had officers ready to respond to Joplin; however, the assistance request was never made. Fire Chief Ben Florance replied they had the same situation. The State Emergency Management Agency asked if Leawood could send personnel; however, they were never deployed as well. Deputy Chief Randy Hill was deployed today to Troy, Kansas, to help with the Incident Action Plan for the probable floods in the next few days.

14. NEW BUSINESS – None.

ADJOURN

There being no further business, the meeting was adjourned at 8:45 P.M.

Debra Harper, CMC, City Clerk

Pam Gregory
Recording Assistant City Clerk