

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, June 16, 2003
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

JUNE						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

JULY						
S	M	T	W	T	F	S
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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

(This agenda is subject to changes, additions or deletions at the discretion of the City Council)

- Mayor Dunn Councilmembers
- Taylor Rasmussen Gill Story
 Dunn Rawlings Bussing Gullledge

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

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. Any presentation is for informational purposes only. 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 • National Small Cities and Towns Day, June 22, 2003

5. PRESENTATIONS/RECOGNITIONS

6. PUBLIC HEARING

A. Proposed Assessments for the Roe Avenue Improvement Project, [135th Street to 137th Street] [CIP # 174]

B. Proposed Assessments for the 133rd Street [between State Line and Mission Road] Improvement Project, [CIP # 178]

7. SPECIAL BUSINESS

PUBLIC HEARING

A. Charter Ordinance exempting the City of Leawood, Kansas, from the provisions of K.S.A. § 47-712; prohibiting alcoholic liquor sales on Sunday and certain holidays [Roll Call Vote]

- B. Ordinance amending Code § 3-204, of the Code of the City of Leawood, 2000, pertaining to retail sales of alcoholic liquor, entitled Hours of Operation for Retail [Roll Call Vote]
- C. Ordinance granting to and authorizing to Xspedius Communications, LLC, a Franchise Agreement authorizing the right to construct, operate, and maintain a telecommunications system using the rights-of-way in the City [Roll Call Vote]

8. **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. Approval of Appropriation Ordinance No. 975
- B. Minutes of the June 2, 2003, Governing Body meeting
- C. Minutes of the May 13, 2003, Park and Recreational Advisory Board meeting
- D. Minutes of the April 3, 2003, IRONHORSE Golf Course Committee meeting
- E. Renewal of Cereal Malt Beverage [CMB] License for Paddy O'Quigley, located at 11851 Roe Avenue
- F. Renewal of Cereal Malt Beverage [CMB] License for Price Chopper # 500, located at 13351 Mission Road
- G. Renewal of Retail Liquor Store License for Zipz! Spiritz, located at 4821 West 135th Street
- H. Acceptance of monetary gift donation in the amount of \$6,480, from the Leawood Woman's Club to the Leawood Fire and Police Departments
- I. Approve Purchase of General Liability in the amount of \$2,709.63, pertaining to Insurance for Ironwoods Challenge Course from Evanston Insurance Company, \$500,000 per occurrence/\$2,000,000 aggregate
- J. Approve purchase in the amount of \$9,322.60, from Lyon Emergency Equipment Company for the purchase of firefighter bunker gear
- K. Approve quote for an amount not to exceed \$15,000, from American Micro Company, pertaining to the scanning of Public Work documents
- L. Approve renewal of Microsoft Licensing coverage in the amount of \$31,218.10, between the City and Microsoft Corporation via Software Spectrum pertaining to the yearly license renewal [*This item was approved by the Governing Body in the budget process*]
- M. Approve payment in the amount of \$6,227.98, to Southwestern Bell Company [SBC] pertaining to the relocation of utilities related to the SMAC Project JB-04-008, from Lee Boulevard to State Line between 103rd Street and I-435
- N. Approve Change Order No. 1 in the amount of \$20,687.00, to Zimmerman Construction Company, Inc., pertaining to the Fire Station No. 2 Remodeling Project, located at 12701 Mission Road [CIP # 150]
- O. Resolution approving and authorizing the execution of a Construction Agreement in the amount of \$1,938,085.00, [with a 10% contingency totaling \$2,131,900.00] between the City and Miles Excavating, pertaining to the, SMAC Project JB-04-008, from Lee Boulevard to State Line between 103rd Street and I-435

- P. Resolution approving and authorizing the execution of a Construction Agreement in the amount of \$24,900, between the City and Benchmark Corporation, pertaining to the City Park Lake, 10601 Lee Boulevard
- Q. Resolution approving and authorizing the execution of an Independent Contractor Agreement in the amount of \$2,029.50, between the City and Ameriguard Inc., pertaining to the Leawood Stage Company production, on June 26-29, 2003
- R. Resolution approving a Final Site Plan and Final Plat for Mission Reserve, 3rd Plat, located on the southwest corner of 151st Street & Mission Road *[from the May 27, 2003, Planning Commission meeting]*
- S. Resolution approving a Final Site Plan for 8700 Building, located at 8700 State Line Road [new entrance & mechanical equipment] *[from the June 10, 2003, Planning Commission meeting]*
- T. Fire Department Monthly Report
- U. Municipal Court Monthly Report
***Due to a Police Department computer conversion- the Monthly Police Reports will not be available for 3-5 months*

9. MAYOR'S REPORT

10. COUNCILMEMBERS' REPORT

11. STAFF REPORT

COMMITTEE RECOMMENDATIONS

12. PLANNING COMMISSION

[from April 8, 2003, Planning Commission meeting]

- A. Ordinance No. 1988, approving preliminary site plan and preliminary plat and rezoning from SD(O) *[formerly known as CP(O)]* Planned Office to MXD Mixed Use District, for Park Place, located on the northeast corner of 117th Street and Nall Avenue [Roll Call Vote] *[Continued from the June 2, 2003, Governing Body meeting]*

[from May 27, 2003, Planning Commission meeting]

- B. Ordinance approving a preliminary site plan for an office building within Plaza Pointe, Lot 2, located south of 135th Street and west of Roe Avenue [Roll Call Vote]
- C. Resolution approving a Final Site Plan for Dermatology and Skin Cancer Center located southeast of 115th & Roe Avenue

Staff Comment: *This item would typically appear on the Consent Agenda, however, the applicant is requesting that the City Council override the Planning Commission's recommendation regarding signage. The applicant is requesting a third sign and for a logo to be placed on one of them. The City's LDO only allows 2 signs to be installed and the LDO does not allow for a waiver of this requirement.*

13. OLD BUSINESS

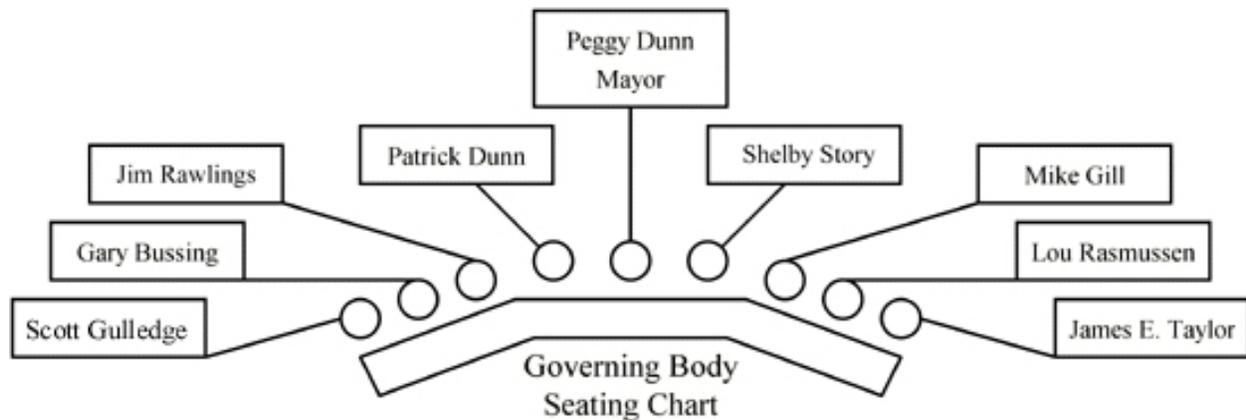
Resolution declaring a Sister City Relationship between the City of Leawood, Kansas, and The Gezer Region of Israel

14. NEW BUSINESS

- A. Ordinance amending Code Sections 2-102 and 2-110, of the Code of the City of Leawood, 2000, pertaining to the Definition of Dangerous Animals, and Keeping of a Dangerous and/or Wild Animal, respectively, specifically including pit bulls [Roll Call Vote]
- B. Discussion pertaining to proposed revisions to the Ward Boundary Ordinance
- C. Schedule Joint Governing Body/Budget & Finance Committee Work Session on Monday, June 23, 2003 at 6:00 P.M.
- D. Schedule Joint Governing Body/Budget & Finance Committee Work Session on Tuesday, June 24, 2003 at 5:30 P.M.
- E. Schedule Joint Governing Body/Budget & Finance Committee Work Session on Wednesday, June 25, 2003 at 5:30 P.M.
- F. Schedule Joint Governing Body/Budget & Finance Committee Work Session on Monday, June 30, 2003 at 5:30 P.M., if needed.

**15. OTHER BUSINESS
ADJOURN**

Mayor and City Council



Regular meetings of the Leawood City Council are held the first and third Mondays of each month beginning at 7:30 PM. Copies of the agenda are available at the Office of the City Clerk on the Friday prior to the meeting.

Leawood operates under a Council/Mayor form of government, with a separately elected mayor and 8 councilpersons. Council members are elected on a non-partisan basis from 4 wards. The Council develops policies and provides direction for the professional city administration.

Number of Votes Required

Non-zoning Ordinances: Majority of the members-elect of the City Council [5].

Charter Ordinances: 2/3 of members-elect of Governing Body [6]

Zoning Ordinances and other Planning Commission Recommendations:

- **Passage of Ordinances Subject to Protest Petition:** 3/4 majority of members of Governing Body [7]
- **Approving Planning Commission Recommendation:** Majority of the members-elect of the City Council [5]
- **Remanding to Planning Commission:** Majority of members present [“Simple Majority”]
- **Overriding, Amending or Revising Recommendation:** 2/3 majority of membership of Governing Body [6]

Note: Mayor may cast deciding vote when vote is one less than required.