

**CITY OF LEAWOOD  
GOVERNING BODY  
MEETING AGENDA**

Monday, August 18, 2003  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:30 P.M.

AUGUST						
S	M	T	W	T	F	S
					12	5
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	<b>18</b>	19	20	21	22	23
24	25	26	27	28	29	30
						31

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

**\*AMENDED**

(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**

**5. PRESENTATIONS/RECOGNITIONS**

**6. SPECIAL BUSINESS**

**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. Approval of Appropriation Ordinance No. 980
- B. Acceptance of Minutes of the August 4, 2003, Governing Body meeting
- C. Acceptance of Minutes of the August 4, 2003, Governing Body Work Session meeting

If you require any accommodation (i.e. qualified interpreter, hearing assistance, etc.) in order to attend this meeting, please notify this office at 913.339.6700/tdd 913.339.6225 no later than 48 hours prior to the scheduled commencement of the meeting.

- D. Acceptance of Minutes of the June 10, 2003, Park & Recreation Advisory Board meeting
- E. Acceptance of Minutes of the July 8, 2003, Park and Recreation Advisory Board meeting
- F. Acceptance of Minutes of the June 10, 2003, Historic Commission meeting
- G. Acceptance of Minutes of the July 15, 2003, Historic Commission meeting
- H. Acceptance of Minutes of the June 16, 2003, IRONHORSE Golf Course Committee meeting
- I. Mayoral Appointment of Councilmember Shelby Story to the Shawnee Mission School District Boundary Review Committee
- J. Approve 6<sup>th</sup> and Final Pay Request in the amount of \$26,195.00, to Holland Corporation, pertaining to the Plaza Pointe Benefit District 135<sup>th</sup> & Roe Intersection Improvement Project [CIP # 174]
- K. Approve 5<sup>th</sup> and Final Pay Request in the amount of \$9,671.00, to Carruthers Construction Company, LLC, pertaining to the Sprayground at the Aquatic Center, 10601 Lee Boulevard
- L. Approve 3<sup>rd</sup> and Final Pay Request in the amount of \$2,004.10, to APAC-Kansas, Inc., Kansas City Division, Reno Branch, pertaining to the 2002 Arterial Street Improvement Program
- M. Resolution adopting the Fiscal Year 2004 Annual Budget for the City of Leawood
- N. Resolution approving and authorizing the Mayor to execute Supplemental Agreement No. 4, to that certain Engineering Agreement dated May 15, 2000, in the amount of \$8,893.00, between the City and Shafer Kline & Warren [SKW], pertaining to Special Inspection and Observation duties for the 133<sup>rd</sup> Street from Roe to Mission [133<sup>rd</sup> Street Benefit District] [CIP # 179]
- O. Resolution approving and authorizing the Mayor to execute a Professional Service Agreement in the amount of \$13,300.00, between the City and Schmitz, King & Associates, pertaining to the 2004 Street Reconstruction Boundary Survey
- P. Resolution approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$2,000, between the City and Nick Heim, pertaining to the 2003 fall Soccer League
- Q. Resolution accepting a Temporary Construction Easement located at 12856 Granada, from William L. and Bonita A. Gale, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- R. Resolution accepting a Temporary Construction Easement located at 12605 Cedar, from Patricia Wisdom Foust, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- S. Resolution accepting a Temporary Construction Easement located at 13208 Granada, from Neal S. Passman, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- T. Resolution accepting a Temporary Construction Easement located at 13204 Granada, from Cheri L. Early, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- U. Resolution accepting a Permanent Storm Sewer Easement and Temporary Construction Easement located at 4609 W. 125<sup>th</sup> Street, from William L. and Nancy H. Fiss, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]

- V. Resolution accepting a Temporary Construction Easement located at 4605 W. 131<sup>st</sup> Street, from Scott Allen Gilchrist, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- W. Resolution accepting a Temporary Construction Easement located at 12633 Cedar, from E. Denver and Susan S. Vold, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- X. Resolution accepting a Temporary Construction Easement located along the west side of Roe north and south of 128<sup>th</sup> Street [part of Tract 'I,' Normandy Place, 4<sup>th</sup> Plat], from Normandy Place Homes Association, Inc., pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- Y. Resolution accepting a Permanent Storm Sewer Easement and Temporary Construction Easement located along the west side of Roe north and south of 128<sup>th</sup> Street [part of Tract "A,' Normandy Place, 1<sup>st</sup> Plat], from Normandy Place Homes Association, Inc., pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- Z. Resolution accepting a Temporary Construction Easement located at 4601 W. 126<sup>th</sup> Street, from Robert L. Antoine, Jr., pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- AA. Resolution accepting a Permanent Storm Sewer Easement and Temporary Construction Easement located at 13200 Granada, from Ronald A. and Gisele Septh Posey, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- BB. Resolution accepting a Temporary Construction Easement located along the west side of Roe at 132<sup>nd</sup> Street and Linden, [part of Tract 'F,' Bridgewood], from Bridgewood Development, L.C., pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- CC. Resolution accepting a Temporary Construction Easement located on the west side of 132<sup>nd</sup> & Roe Avenue, [part of Tract 'E,' Bridgewood], from Bridgewood Development, L.C., pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- DD. Resolution accepting a Permanent Storm Sewer Easement and Temporary Construction Easement, located along the west side of 132<sup>nd</sup> Street & Roe Avenue [part of Tract 'A,' Bridgewood], from Bridgewood Development, L.C., pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- EE. Resolution accepting a Temporary Construction Easement located along the west side of Roe Avenue between 132<sup>nd</sup> Street and Linden [part of Tract 'D,' Bridgewood], from Bridgewood Development L.C., pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- FF. Resolution accepting a Temporary Construction Easement located along the west side of Roe Avenue between 132<sup>nd</sup> Street and Linden [part of Tract 'C,' Bridgewood], from Bridgewood Development, L.C., pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- GG. Resolution accepting a Permanent Storm Sewer Easement and Temporary Construction Easement located along the west side of 132<sup>nd</sup> Street and Roe Avenue [part of Tract 'A,' Carriage Crossing, 1<sup>st</sup> Plat], from Carriage Crossing Homes Association, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]

- HH. Resolution accepting a Temporary Construction Easement located along the west side of 132<sup>nd</sup> Street and Roe Avenue [part of Tract ‘ D,’ Carriage Crossing, 1<sup>st</sup> Plat], from Carriage Crossing Homes Association, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- II. Resolution accepting a Temporary Construction Easement located along the west side of 132<sup>nd</sup> Street and Roe Avenue [part of Tract ‘ B,’ Carriage Crossing, 1<sup>st</sup> Plat], from Carriage Crossing Homes Association, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- JJ. Resolution accepting a Temporary Construction Easement located at 13112 Granada, from Howard and Yuelan Chan Tai, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- KK. Resolution accepting a Temporary Construction Easement located at 4740 W. 132<sup>nd</sup> Terrace from Van A. & Onalisa McElvain, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- LL. Resolution accepting a Temporary Construction Easement located at 12448 Granada, from Joe C. Morris, Trustee, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- MM. Resolution accepting a Temporary Construction Easement located at 12704 Linden, from J. Paul Moore, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- NN. Resolution accepting a Temporary Construction Easement located at 12606 Granada, from Gregory A. and Collette R. Miller, pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- OO. Resolution ordering a public hearing to be held on September 2, 2003, at 7:30 P.M., or as soon thereafter as may be heard on proposed assessments for the 133<sup>rd</sup> Street [between State Line and Mission Road] Improvement Project [CIP # 178]
- PP. Fire Department Monthly Report
- QQ. Municipal Court Monthly Report  
*\*\*Due to a Police Department computer conversion- the Monthly Police Reports will not be available for 3-5 months*

**8. MAYOR’S REPORT**

**9. COUNCILMEMBERS’ REPORT**

**10. STAFF REPORT**

***COMMITTEE RECOMMENDATIONS***

**11. PLANNING COMMISSION**

*[from the July 22, 2003, Planning Commission meeting]*

- A. Ordinance approving Special Use Permit [SUP] for property located at 8845 Mission Road, to allow for sport court lighting [Roll Call Vote]

*[from the August 12, 2003, Planning Commission meeting]*

- \*B. Ordinance approving rezoning from REC [Planned Recreation] to R-1 [Planned Single Family-Low Density Residential], Preliminary Site Plan and Preliminary Plat for Estates of Old Leawood, located at 8901 Sagamore [Leawood Country Club] [Roll Call Vote]- ***CONTINUED TO THE SEPTEMBER 2, 2003, GOVERNING BODY MEETING [At the request of the Applicant]***
  
- C. Ordinance amending § 16-4-5.10, of the Leawood Development Ordinance [LDO] regarding extending the registration deadline up to and including September 30, 2003, for recreational vehicles [R.V.'s] located within the City of Leawood, Kansas [Roll Call Vote]

**12. OLD BUSINESS**

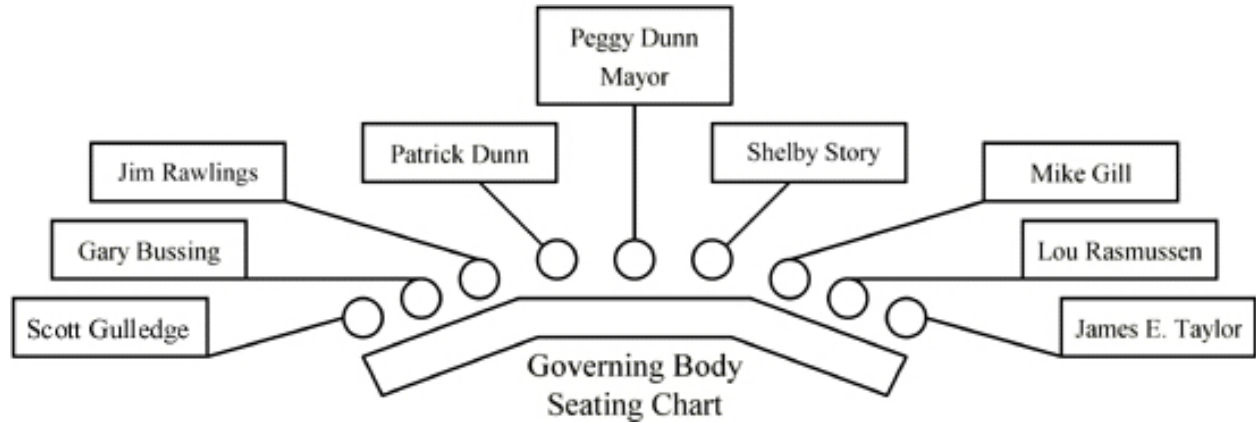
**13. NEW BUSINESS**

- A. Resolution authorizing the sale by the City of Leawood, Kansas, of \$5,105,000, principal amount of General Obligation Improvement Bonds and \$12,600,000 of Temporary Notes of the City of Leawood, Kansas, to provide funds to finance the costs of certain public improvements within said City; approving the form of Notice of Bond Sale and Preliminary Official Statement to be used in connection therewith; and authorizing and directing the City Finance Director to advertise such sale in the manner prescribed by law
  
- \*B. Ordinance authorizing and providing for the acquisition of lands or interests therein by condemnation for the Roe Avenue Improvement Project [124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110] – ***CONTINUED TO THE SEPTEMBER 2, 2003, GOVERNING BODY MEETING***

**14. OTHER BUSINESS**

**ADJOURN**

## Mayor and City Council



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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.

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### 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:**  $\frac{3}{4}$  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.