

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, September 15, 2003
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

SEPTEMBER						
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				

OCTOBER						
S	M	T	W	T	F	S
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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	31	

****AMENDED AGENDA**

(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

**Opening of Consulate of Czech Republic
Heart Truth Week, September 14-21, 2003
Constitution Week, September 17-23, 2003**

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. 982

- B. Accept Minutes of the August 12, 2003, Parks & Recreation Advisory Board meeting
- C. Accept Minutes of the July 24, 2003 IRONHORSE Golf Course Committee meeting
- D. Mayoral Appointment of Patricia Hattaway to I-Lan Sister City Committee
- E. Approve issuance of Temporary Alcohol Permit to sell/serve alcoholic liquor for the Fundraiser for Durwood Educational Scholarship Fund, to be held at 11701 Nall [AMC Movie Theatre] on October 9, 2003
- F. Approve 23rd and Final Payment in the amount of \$8,893.00, to Shafer Kline & Warren, Inc., pertaining to the 133rd Street Benefit District [Roe Avenue to Mission Road] [Project # 179]
- G. Approve payment in the amount of \$6,359.65, to Water One, pertaining to utility relocation at I-Lan Park, pertaining to the I-Lan Park Improvement Project, 12601 Nall Avenue [CIP # 111]
- H. Approve purchase in the amount of \$55,550 from Ball Power Equipment for the purchase of a mulch blower for the Parks & Recreation Department
- I. Resolution approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$463,415.75, between the City and J. M. Fahey Construction, pertaining to the 2003 Arterial Street Rehabilitation Program
- J. Resolution approving and authorizing the Mayor to execute a User Agreement between the City and Board of Police Commissioners of Kansas City, Missouri, pertaining to the use by Municipal Court of the Automated Law Enforcement Response Team [ALERT] System
- K. Resolution approving and authorizing the Mayor to execute a Licensing Agreement between the City and American Society of Composers, Authors and Publishers, [ASCAP], for an annual fee of \$255.00, pertaining to the performance of certain musical compositions
- L. Resolution approving and authorizing the Mayor to execute Amendment No. 1, to that certain Independent Contractor Agreement dated April 7, 2003, between the City and Greencard, pertaining to a concert date for the Parks & Recreation Department
- M. Resolution approving and authorizing the Mayor to execute an Extension of Facilities Agreement in the amount of \$17,738.55, between the City and Kansas Gas Service pertaining to the Ironwoods Park Improvement Project, 14701 Mission Road [CIP # 116]
- N. Resolution approving and authorizing the Mayor to execute an Independent Contractor Agreement for an amount not to exceed \$20,000, between the City and Julia Brickman, d/b/a/ Polka Dot Designs, pertaining to graphic work for the Parks and Recreation Department
- O. Resolution accepting a Temporary Construction Easement located at 4644 W. 127th Terrace, from John P. & Amy L. Sokoloff, pertaining to the Roe Avenue Improvement Project [between 124th Street and 135th Street] [CIP # 110]
- P. Resolution accepting a Temporary Construction Easement located at 13010 Granada, from John C. Proctor & Venus E. Hauser, pertaining to the Roe Avenue Improvement Project [between 124th Street and 135th Street] [CIP # 110]
- Q. Resolution accepting a Temporary Construction Easement from James R. & Kimberly A. Essington located at 4741 W. 132nd Terrace, pertaining to the Roe Avenue Improvement Project [between 124th Street and 135th Street] [CIP # 110]

- R. Resolution certifying to the State of Kansas, that all necessary rights-of-way and easements have been acquired for the Roe Avenue Improvement Project [between 124th & 135th Street] [CIP # 110]
- S. Resolution approving a Final Site Plan and Final Plat for Madden McFarland Interiors, located south of 127th Street and west of State Line Road [*from the August 26, 2003, Planning Commission meeting*]
- T. Resolution calling for a public hearing to be held on November 3, 2003, to show cause why the residential structure located at 2316 W. 127th Street should not be condemned and ordered demolished, and repealing Resolution No. 2071
- U. Schedule Governing Body Work Session to be held at 5:30 P.M., on Monday, October 6, 2003, regarding Discussion on establishing a Transportation Development District [TDD] Policy
- V. Schedule Governing Body Work Session to be held at 5:30 P.M., on Monday, October 20, 2003, regarding Discussion on establishing a Transportation Development District [TDD] Policy
- W. Fire Department Monthly Report
- X. 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

Special Call Governing Body meeting to be held on Tuesday, September 16, 2003, at 9:30 A.M., at the Stinson, Morrison, Hecker LLP Law Firm located in Corporate Woods, 9200 Indian Creek Parkway, Building 9, Suite 450

9. COUNCILMEMBERS' REPORT

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PUBLIC WORKS COMMITTEE

[from the September 10, 2003, Public Works Committee meeting]

Approve Committee's selection of Bucher Willis & Ratliff [BWR] as the Inspection Consultant pertaining to the Roe Avenue Improvement Project [between 124th & 135th Street] [CIP # 110]

12. 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] - *[Continued from the September 2, 2003, Governing Body meeting]* [Roll Call Vote]

13. OLD BUSINESS

14. NEW BUSINESS

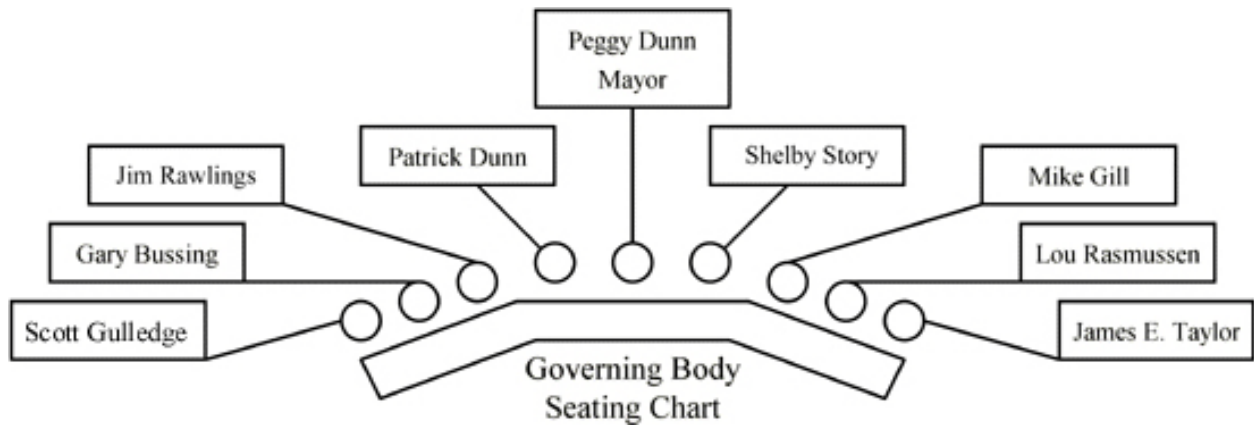
- A. Resolution declaring it necessary to appropriate private property for the use of the City of Leawood, Kansas, for the JB-04-008 Stormwater Management Advisory Council Project [SMAC] from Lee Boulevard to State Line between 103rd Street and I-435
- B. Ordinance authorizing and providing for the acquisition of lands or interests therein by condemnation for the JB-04-008 Stormwater Management Advisory Council Project [SMAC] from Lee Boulevard to State Line between 103rd Street and I-435 [Roll Call Vote]
- **C. Ordinance No. 2018, authorizing the issuance and delivery of \$5,060,000, principal amount of General Obligation Improvement Bonds, Series 2003-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 [Roll Call Vote]
- **D. Resolution No. 2085, prescribing the form and details of and authorizing the delivery of \$5,060,000, principal amount of General Obligation Improvement Bonds, Series 2003-A, of the City of Leawood, Kansas, authorized by Ordinance No. 2018, of the City; providing certain covenants and agreements with respect thereto; and providing for execution of certain agreements in connection therewith
- E. Ordinance No. 2019, authorizing and providing for the issuance and delivery of \$12,600,000, principal amount of General Obligation Temporary Notes, Series 2003-2, 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]
- F. Resolution No. 2086, authorizing the issuance and delivery of \$12,600,000 principal amount of General Obligation Temporary Notes, Series 2003-2, of the City of Leawood, Kansas, for the purpose of financing a portion of the costs of certain public improvements in the City; and prescribing the terms and details of said notes and certain covenants and agreements with respect thereto
- G. Ordinance amending Sections 14-101 through 14-104, of the Code of the City of Leawood, Kansas, 2000, pertaining to regulating traffic within the corporate limits of the City of Leawood, Kansas; incorporating by reference the 'Standard Traffic Ordinance for Kansas Cities, 2003 edition,' with certain amendments, such incorporation being authorized by K.S.A. § 12-3009 through 12-3012, and K.S.A. § 12-3301 and 12-3302; repealing existing Sections 14-101 through 14-104; and other sections in conflict herewith [Roll Call Vote]

- H. Ordinance amending Sections 11-101, through 11-106, of the Code of the City of Leawood, 2000, pertaining to regulating public offenses within the corporate limits of the City of Leawood, Kansas; incorporating by reference the ‘Uniform Public Offense Code for Kansas Cities,’ 2003 edition, with certain amendments and omissions, such incorporation being authorized by K.S.A. §12-3009 through 12-3012, and K.S.A. § 12-3301 and 12-3302, and repealing existing Sections 11-101 through 11-106, and other sections in conflict herewith [Roll Call Vote]
- I. Approve Change Order No. 17, in the amount of \$59,070.00, to Vanum Construction, Inc., for relocation of domestic and fire water lines, pertaining to the Ironwoods Park Project [CIP # 116]

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.