

# CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, October 20, 2003  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:30 P.M.

OCTOBER						
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26	27	28	29	30	31	

NOVEMBER						
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16	17	18	19	20	21	22
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						30

(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**

**Dictionary Day, October 16, 2003**  
**Red Ribbon Week, October 23-31, 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. 985
- B. Accept Minutes of the October 6, 2003, Governing Body meeting
- C. Accept Minutes of the September 9, 2003, Park and Recreation Advisory Board meeting
- D. Accept Minutes of the September 16, 2003, Historic Commission meeting
- E. Accept Minutes of the August 28, 2003, IRONHORSE Advisory Board 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.

- F. Approve bid in the amount of \$15,990.00, from M & M Golf Cars, for the purchase of [3] Turf Utility Vehicles [Parks & Recreation Department]
- G. Approve bid in the amount of \$19,750.00, from Commercial Turf & Tractor, for the purchase of an Aerator [Parks & Recreation Department]
- H. Approve bid in the amount of \$19,900.00, from Commercial Turf & Tractor, for the purchase of a Tractor [Parks & Recreation Department]
- I. Approve bid in the amount of \$36,766.00, from Turf Technology, for the purchase of a Mower [Parks & Recreation Department]
- J. Resolution approving and authorizing the Mayor to execute an Independent Contractor Agreement between the City and Creative Displays in the amount of \$9,850.00, pertaining to the holiday lighting of City Hall
- K. Resolution approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$53,435.00, between the City and Sellers & Marquis, pertaining to the Pool Building Roof Replacement Project, at City Park, 10601 Lee Boulevard
- L. Resolution approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$150,700.00 [\$11,000.00 contingency], between the City and Sunflower Construction, LLC, pertaining to the Oxford Schoolhouse Renovation Project, located at Ironwoods Park, 14701 Mission Road
- M. Resolution accepting a 2003 Assistance to Firefighters Grant Program [Fire Act] Grant from The Department of Homeland Security, in the amount of \$74,597.00, for the purchase of self-contained breathing apparatus [SCBA] units and associated equipment
- N. Resolution approving and authorizing the Mayor to execute an Inter-local Agreement between the City and the Johnson County Board of County Commissioners,[BOCC] in the amount of \$1,887,251.00, pertaining to the SMAC Stormwater Project No. JB-04-008 [Lee Boulevard to State Line and 103 to I-435]
- O. Resolution approving and authorizing the Mayor to renew a Data Access & License Agreement between the City and the Board of County Commissioners of Johnson County [BOCC] for an amount not to exceed \$10,013.14, for access and use of the County's GIS System
- P. Resolution approving and authorizing the Mayor to execute an Inter-local Federal AID Road Construction Agreement by and between the City, the Kansas Secretary of Transportation, and Bucher Willis & Ratliff Corporation [BWR], pertaining to the Roe Avenue Improvement Project [between 124<sup>th</sup> Street and 135<sup>th</sup> Street] [CIP # 110]
- Q. Resolution accepting Permanent Storm Sewer and Temporary Construction Easements located at 2204 W. 104<sup>th</sup> Street, from Edward L. & Anne M. LeCluyse, pertaining to the SMAC Stormwater Project No. JB-04-008 [Lee Boulevard to State Line and 103 to I-435]
- R. Resolution accepting Permanent Storm Sewer Easement and Temporary Construction Easements located in part of Tract 'A,' Bridgewood Subdivision, from Van A. McElvain of 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]

- S. Resolution accepting a Temporary Construction Easement located in part of Tract 'C,' Bridgewood Subdivision, from Van A. McElvain of 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]
- T. Resolution accepting a Temporary Construction Easement located in part of Tract 'D,' Bridgewood Subdivision, from Van A. McElvain of 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]
- U. Resolution accepting a Temporary Construction Easement located in part of Tract 'E,' Bridgewood Subdivision, from Van A. McElvain of 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]
- V. Resolution accepting a Temporary Construction Easement located in part of Tract 'F,' Bridgewood Subdivision, from Van A. McElvain of 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]
- W. Acceptance of Health Insurance Benefits renewal for City Employees
- X. Declaration of surplus property from Park & Recreation Department
- Y. Fire Department Monthly Report
- Z. Municipal Court Monthly Report  
*\*\*Due to a Police Department computer conversion- the Monthly Police Reports will not be available*
- AA. Resolution approving a Final Site Plan for Covenant Chapel Church, Phase II, located at 13300 Kenneth Road [*from the August 26, 2003, Planning Commission meeting*] – *Continued from the October 6, 2003, Governing Body Meeting*

**8. MAYOR'S REPORT**

**9. COUNCILMEMBERS' REPORT**

**10. STAFF REPORT**

**COMMITTEE RECOMMENDATIONS**

**11. PLANNING COMMISSION**

*[from September 23, 2003, Planning Commission meeting]*

- A. Ordinance approving a Special Use Permit for a temporary sales trailer for Siena of Leawood, located at 140<sup>th</sup> Street & Mission Road [Roll Call Vote]
- B. Ordinance approving a Preliminary Site Plan and Final Site Plan for St. Michael the Archangel Rectory, located approximately north of 143<sup>rd</sup> Street and east of Nall Avenue [Roll Call Vote]

*Staff Comment: The applicant has stated that they do not agree with the Planning staff's interpretation of Stipulation #4 that "all" means both existing and new. It is their contention that "all" means new. The Planning staff recommended that the Planning Commission amend Stipulation #4 to include the added language " existing and new. " The Planning Commission declined*

*to do so, yet the Planning Commission reiterated that "all" means all. At the Planning Commission meeting, the applicant indicated that they wanted to defer this dispute until the next phase, when the Sanctuary, came to fruition. It is the City Administrator's position that the term "all" in Stipulation #4 includes existing and new and it applies to the entire project including the existing school, the pending Rectory and the future Sanctuary. If the Governing Body agrees with the position of the City Administrator, then the Stipulation #4 should be amended accordingly prior to the consideration of any action regarding Case 47-03.*

- C. Ordinance amending § 16-2-10.3, [Materials & Colors] of the Leawood Development Ordinance [LDO] pertaining to weight requirements for SBS modified composition roofing material [Roll Call Vote]

**12. OLD BUSINESS**

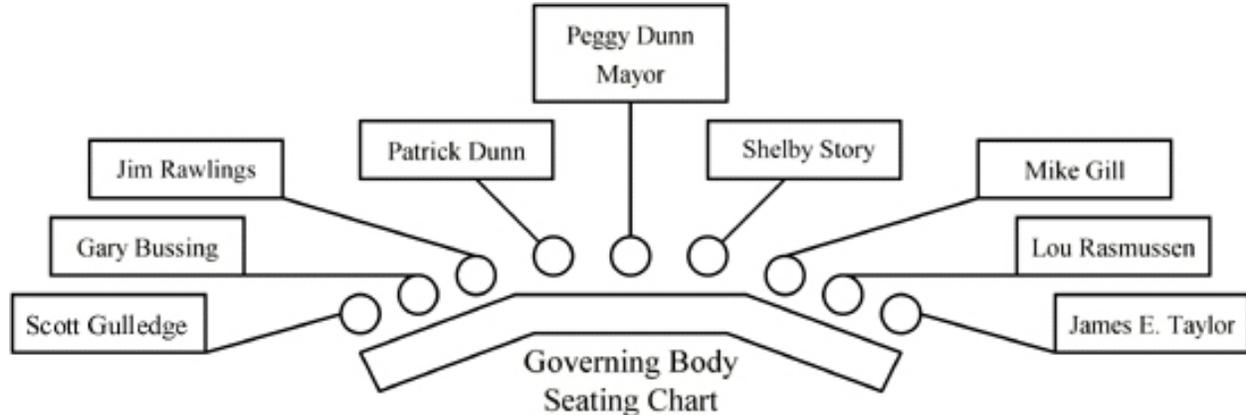
**13. NEW BUSINESS**

Schedule Governing Body Work Session on Monday November 3, 2003, at 6:00 P.M. to further discuss the establishment of a Transportation Development District Policy

**14. 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.