

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, April 3, 2006
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

APRIL							MAY						
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2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

AGENDA

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

Mayor Peggy Dunn	Councilmembers			
	<u>Ward One</u>	<u>Ward Two</u>	<u>Ward Three</u>	<u>Ward Four</u>
	Debra Filla Gregory Peppes	Louis Rasmussen Jim Rawlings	Gary Bussing Mike Gill	Scott Gullede James Taylor

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. 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

Excellence In Our Library Day, April 6, 2006
Fair Housing Month, April, 2006

5. PRESENTATIONS/RECOGNITIONS

6. SPECIAL BUSINESS

A. Request to approve extension for preliminary plan, preliminary plat, for property located at 137th & Mission Road, Pine Lakes

Staff Recommendation: Staff is in support of the request for extension to September 30, 2006.

B. Public Hearing on amendments to 2006 Fiscal Budget

- C. Resolution adopting amendments to the 2006 Fiscal Budget for the City of Leawood, Kansas
- D. Public Hearing on proposed assessments for the burying of power lines located within the Resurrection Transportation Development District [TDD] immediately east of Nall Avenue between 137th and 139th Streets and directing the City Clerk to publish notice thereof and provide written notice to owners of property of such assessments [CIP # 190] [Roe/Nall & 137th Street] [CHURCH OF THE RESURRECTION]
- E. Ordinance No. 2158 levying assessments on lots, pieces, and parcels of ground in the City of Leawood, Kansas, for the purpose of burying of power lines along Nall Avenue within the Resurrection Transportation Development District and other related appurtenances as are required pursuant to the Final Plans approved by the City of Leawood, Kansas [Resurrection] [CIP # 190] [Roll Call Vote]
- F. Public Hearing proposed assessments for the for the burying of power lines located within the Cornerstone Transportation Development District [TDD], between Briar Street and Nall Avenue and 135th and 137th Streets, and directing the City Clerk to publish notice thereof and provide written notice to owners of property of such assessments [CIP # 191] [137th & Briar] [CORNERSTONE]
- G. Ordinance No. 2159 levying assessments on lots, pieces, and parcels of ground in the City of Leawood, Kansas, for the purpose of assessments for the burying of power lines along 135th Street and Nall Avenue within the Cornerstone Transportation Development District, between Briar Street and Nall Avenue and 135th and 137th streets [CIP # 191] [Cornerstone] [Roll Call Vote]
- H. House Bill 2689 - The City Administrator is requesting that the City Council amend its position on this Bill as follows: The City of Leawood does not support the proposed allocation formula contained in the Bill and will remain opposed until the allocation formula includes a portion of the sales tax proceeds going to the cities of Johnson County and that such formula is established by state statute.

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. 1048A and 1048B
- B. Accept Minutes of the March 20, 2006 Governing Body meeting
- C. Accept Minutes of the February 14, 2006 Historic Commission meeting
- D. Accept Minutes of the February 21, 2006 Park and Recreation Advisory Board meeting
- E. Accept Minutes of the February 23, 2006 IRONHORSE Advisory Board meeting

- F. Approve Massage Establishment License for Victoria Cipra/Chiro Sage Clinic, located at 8014 State Line Rd, Suite # 200, Room # 2
- G. Approve Change Order No. 2 in the amount of \$13,463.00 to Continental Construction Company, LLC, pertaining to the Parkway Plaza Benefit District Project [CIP # 195]
- H. Approve Change Order No. 9 in the amount of \$35,707.47 to APAC-Kansas, Inc., pertaining to the Roe Avenue Improvement Project [between 124th Street and 135th Street] [CIP # 110]
- I. Approve 3rd and Final Payment in the amount of \$28,684.31, to Seal-O-Matic Paving Company, pertaining to the emergency repairs to Overbrook Road, north of 103rd Street
- J. Resolution calling for a pre-budget hearing to be held on Monday, April 17, 2006 at 7:30 P.M., or as soon thereafter as may be heard regarding the 2007 Fiscal Budget for the City of Leawood, Kansas
- K. Resolution accepting a Permanent Utility Easement and Temporary Construction Easement from Pawnee Place, LLC to the City, for property located on the southeast corner of 135th Street and Roe Avenue, pertaining to the Villaggio Development Improvement Project [CIP # 197 & 198]
- L. Resolution approving and authorizing the Mayor to execute a Right-of-Way Maintenance Agreement in the amount of \$54,604.20 between the City and S&F Mowing and R&R Mowing, pertaining to right-of-way and median maintenance
- M. Resolution approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$253,773.00 between the City and Pyramid Contractors pertaining to the Leawood Bridge north of College Boulevard at the north end of El Monte [CIP # 112]
- N. Resolution amending the disbursement amounts of Special Alcohol Funds for the purpose of supporting the efforts of the various schools in providing a safe environment for Leawood students for after-prom and after-graduation events, and repealing Resolution No. 1254
- O. Resolution approving Leawood Middle School for a Revised Final Site Plan located at 2410 W. 123rd Street [*from the February 28, 2006 Planning Commission meeting*]

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. IRONHORSE ADVISORY BOARD

[from the February 23, 2006 Ironhorse Advisory Board meeting]

Recommendation for the reconstruction of greens at IRONHORSE Golf Course

12. PLANNING COMMISSION

[from the February 28, 2006 Planning Commission meeting]

- A. Ordinance approving Preliminary Site Plan, Preliminary Plat and rezoning from SD-NCR [Planned Neighborhood Retail] and SD-O [Planned Office] to RP-3 [Planned Cluster Attached], for Tuscan Reserve Village located north of 137th Street and east of Pawnee [ROLL CALL VOTE]
- B. Resolution approving the First Phase for Final Site Plan for Parkway Plaza - Demdaco located on the northwest corner of 135th Street and Roe Ave
- C. Resolution approving a Final Plat for Mission Reserve Annex, 2nd Plat, located at 15310 Sherwood Street

13. OLD BUSINESS

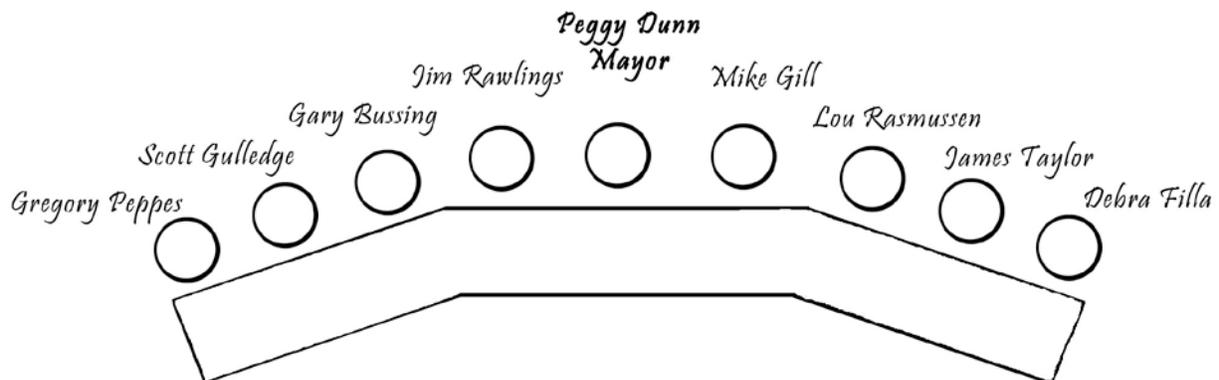
14. NEW BUSINESS

- A. Ordinance amending § 4-121 of the Code of the City of Leawood, Kansas, 2000, entitled 'Building and Construction Permits,' and repealing existing § 4-121 [ROLL CALL VOTE]

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 council persons. Council members are elected on a non-partisan basis from 4 wards. The Council develops policies and provides direction for the professional city administration. 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.

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”]
- **Approving, Overriding, Amending or Revising Recommendation after Remand:** 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.