

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, April 17, 2006
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

APRIL							MAY						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1		1	2	3	4	5	6
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													

***AMENDED 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**
 - National Volunteer Week, April 23-29, 2006**
 - Crime Victims' Rights Week, April 23-29, 2006**
 - Arbor Day, April 28, 2006**
5. **PRESENTATIONS/RECOGNITIONS**
6. **SPECIAL BUSINESS**
House Bill No. 2689
7. **PRE-BUDGET PUBLIC HEARING** **2007 Fiscal Budget**

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.

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. Accept Appropriation Ordinance No. 1048C
- B. Accept Minutes of the April 3, 2006 Governing Body meeting
- C. Accept Minutes of the March 27, 2006 Special Call Governing Body meeting
- D. Accept Minutes of the March 7, 2006 Parks and Recreation Advisory Board meeting
- E. Accept Minutes of the March 21, 2006 Historic Commission meeting
- F. Accept Minutes of the March 29, 2006 Public Works Committee meeting
- G. Accept Minutes of the January 24, 2006 Arts Council Meeting
- H. Approve request for services for an amount not to exceed \$56,093 to American Micro Company pertaining to the Court Systems Scanning Project
- I. Resolution accepting and approving the Annual Report regarding the Leawood Public Art Impact Fee and providing for no change to such impact fee, pursuant to Code § 12-601 et seq – *Continued from the February 20, 2006 Governing Body meeting* – **CONTINUED TO THE JUNE 5, 2006 GOVERNING BODY MEETING**
- J. Approve Bids in the amount of \$\$41,768.00, from American Equipment Company; \$39,960.00, from Key Equipment Company; \$59,499.88, from KC Bobcat Company; \$ 9,034.00, from PMSI; \$9,700.00, from Spaulding Manufacturing; \$ 4,293.59 from Hertz Equipment Company; \$49,730.00 from KCR International Truck Company, pertaining to the purchase of certain Parks and Recreation and Public Works Equipment
- K. Resolution authorizing the Mayor to execute Amendment No. 1 to that certain User Agreement in the amount of \$71,317.44 between the City of Leawood and the City of Overland Park, dated November 18, 2002, pertaining to the software license and integration of the Intergraph Public Safety, Inc., computer software program for the Leawood Police Department
- L. Resolution accepting a Temporary Construction Easement and Permanent Storm Sewer Easement located at 2805 W. 83rd Street, from Matthew I. And Kristen L. Germann for Storm Water Drainage Improvements to the Dykes Branch [SMAC PROJECT DB-04-024] between 83rd Street and Wenonga Road south to 86th Street and Overhill Road
- M. Resolution approving and authorizing the Mayor to execute Amendment No. 1 to that certain Consulting Engineer Agreement dated July 18, 2005, between the City and Continental Consulting Engineers pertaining to the the Villaggio Development [CIP # 197; \$80,000] and [CIP # 198; \$18,000]
- N. Resolution approving and authorizing the Mayor to execute a Service Contract in the amount of \$22,330.00 between the City and Regents Flooring Co., Inc., pertaining to the floor replacement for the Oak Room in the Community Center

- O. Resolution approving and authorizing the Mayor to execute an Engineering Service Agreement between the City and Design Sense, Inc., in the amount of \$18,865.00, to provide design engineering services for the City, pertaining to the new facilities at Ironwoods Park, located at 14701 Mission Road
- P. Resolution accepting the conveyance of a Storm Sewer Easement from Water District No. 1 of Johnson County to the City of Leawood, for property located in the Highlands Creek, 6th Plat subdivision, 146th Street and Nall Avenue
- Q. Resolution approving Mission Farms Mixed Use Development for a Revised Final Site Plan located on the southeast corner of 105th Street and Mission Road *[from the March 28, 2006 Planning Commission meeting]*
- R. Resolution approving Ironhorse Centre Phase III for a Revised Final Site Plan located on the southeast corner of 151st Street and Nall Ave *[from the March 28, 2006 Planning Commission meeting]*
- S. Resolution approving a Final Site Plan for Parkway Plaza Retail Building #1 located on the northwest corner of 135th Street and Roe Ave *[from the March 28, 2006 Planning Commission meeting]*
- T. Fire Department Monthly Report
- U. Municipal Court Monthly Report
- V. Police Department Monthly Report
- *W. Mayoral Appointment of Building Permit Task Force

9. MAYOR'S REPORT

10. COUNCILMEMBERS' REPORT

11. STAFF REPORT

- A. Discussion regarding revisions to Code § 4-304 of the City of Leawood, Kansas 2000 [Eirene Oliphant, Building Official]

COMMITTEE RECOMMENDATIONS

12. PLANNING COMMISSION

[From the March 28, 2006 Planning Commission meeting]

- A. Resolution approving a Final Site Plan for Lord of Life Pre-school Canopy located at 3105 W. 135th Street
- B. Resolution approving a Final Site Plan for 2020 W. 89th Street Parking Lot located at 2020 W. 89th Street

13. OLD BUSINESS

- A. Approval of action on recommendation of greens at IRONHORSE Golf Course

14. RESOLUTION NO. 2576 OF APPRECIATION TO COUNCILMEMBER JAMES E. TAYLOR, SR.

15. OATHS OF OFFICE ADMINISTERED TO MAYOR-ELECT AND COUNCILMEMBERS-ELECT

16. ROLL CALL OF NEW COUNCILMEMBERS

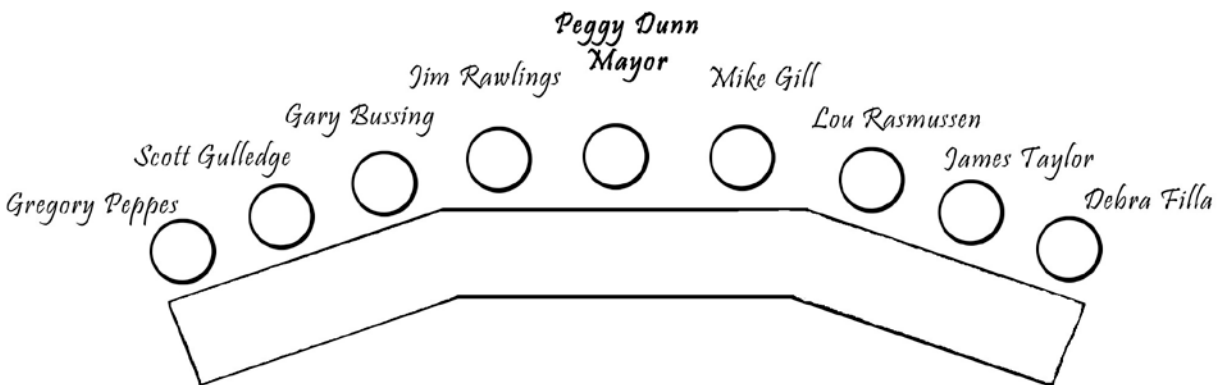
17. NEW BUSINESS

- A. Ordinance authorizing and providing for the acquisition of lands or interests therein by condemnation for the improvement of Dykes Branch Channel Improvement Project, [SMAC Project DB-04-024]from 83rd Street and Wenonga, south to 86th Street and Overhill Road, in the City of Leawood, Johnson County, Kansas [CIP # 106] [Roll Call Vote]
- B. Ordinance granting to Everest Midwest Licensee, LLC, a contract franchise to construct, operate and maintain a telecommunications system in the City of Leawood, Kansas and prescribing the terms of said contract franchise, and repealing Ordinance No. 1970 [Roll Call Vote]
- C. Resolution approving and authorizing the Mayor to enter into a Public Land Use Agreement between the City of Leawood and Everest Midwest Licensee, L.L.C, pertaining to the installation and maintenance of communications facilities within existing conduit

18. 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.