

**CITY OF LEAWOOD  
GOVERNING BODY  
MEETING AGENDA**

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

| JULY |    |    |    |    |    |    | AUGUST |    |    |    |    |    |    |
|------|----|----|----|----|----|----|--------|----|----|----|----|----|----|
| S    | M  | T  | W  | T  | F  | S  | S      | M  | T  | W  | T  | F  | S  |
|      |    |    |    |    |    | 1  |        |    | 1  | 2  | 3  | 4  | 5  |
| 2    | 3  | 4  | 5  | 6  | 7  | 8  | 6      | 7  | 8  | 9  | 10 | 11 | 12 |
| 9    | 10 | 11 | 12 | 13 | 14 | 15 | 13     | 14 | 15 | 16 | 17 | 18 | 19 |
| 16   | 17 | 18 | 19 | 20 | 21 | 22 | 20     | 21 | 22 | 23 | 24 | 25 | 26 |
| 23   | 24 | 25 | 26 | 27 | 28 | 29 | 27     | 28 | 29 | 30 | 31 |    |    |
| 30   | 31 |    |    |    |    |    |        |    |    |    |    |    |    |

**\*AMENDED AGENDA**

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

**Mayor Peggy Dunn**

**Councilmembers**

**Ward One**

Debra Filla  
Gregory Peppes

**Ward Two**

Louis Rasmussen  
Jim Rawlings

**Ward Three**

Gary Bussing  
Mike Gill

**Ward Four**

Scott Gullede  
James Azeltine

**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 Recreation and Parks Month, July, 2006; July 17-23 National Aquatics Week**

**5. PRESENTATIONS/RECOGNITIONS**

**Recognition of Beverly Hurley as Historic Commission Member for 13 years [8 years as Chairperson]**

**6. SPECIAL BUSINESS**

- A. Consider request for payment in the amount of \$5,351.52 to Blue Valley School District for reimbursement of cost of Sales Tax Election
- B. Consider assisting the Cloisters Homes Association in the installation of security cameras on 3 existing KCPL light poles

## 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. 1053B, 1054A, 1054B, 1055A, and 1055B
- B. Accept Minutes of the June 5, 2006 Governing Body Work Session meeting
- C. Accept Minutes of the June 19, 2006 Governing Body meeting
- D. Accept Minutes of the June 19, 2006 Governing Body Work Session meeting
- E. Accept Minutes of the June 12, 2006 Joint Governing Body/Budget & Finance Work Session
- F. Accept Minutes of the May 9, 2006 Historic Commission meeting
- G. Accept Minutes of the June 6, 2006 Stormwater Management Committee meeting
- H. Approve Mayoral Appointment of Councilmembers Lou Rasmussen and James Azeltine [Alternate] as the City of Leawood's Representative to the Johnson County's Transportation Cooperation Council [TCC]
- I. Approve Mayor Appointment of Janine Joslin as Historic Commission Chairperson, to fill unexpired term of Beverly Hurley from 2006-2009
- J. Approve Change Order No. 2 in the amount of \$124,150.00 to Pyramid Contractors pertaining to the College Boulevard Pedestrian Bridge Project [CIP # 112]
- K. Approve Change Order No. 4 in the amount of \$38,917.40, to Wiedenmann & Godfrey Construction, Inc., pertaining to the Dykes Branch Channel Improvement Project, [SMAC Project DB-04-024] between 83rd Street and Wenonga Road south to 86th Street and Overhill Road
- L. Approve Change Order No. 1 in the amount of \$557,486.00, to Miller Paving & Construction, pertaining to the 2005 Residential Reconstruction Program [CIP # 83202]
- M. Approve 5<sup>th</sup> and Final Payment in the amount of \$923.12 to George Butler Associates, Inc., pertaining to the Old Mission Road Jogging Trail Bridge over Indian Creek [CIP# 112]
- N. Approve 3<sup>rd</sup> and Final Payment in the amount of \$9,409.00, to KLC, Inc., for the improvements to the Ironwoods Lodge Driveway
- O. Approve bid in the amount of \$38,203.94 from Turf Professional Equipment Company, pertaining to the purchase of mowing equipment for parks maintenance
- P. Approve quote in the amount of \$32.25/ton from Central Salt, LLC, for the purchase of road salt
- Q. Approve Massage Establishment License for Roxanne A. Gammil, located at 12914 State Line Road
- R. Resolution accepting Permanent Utility Easement from Stuart L. Sharp, Helen Louise Brewer, and Jandy C. Sharp Barentine, trustees for the Perry M. Sharp Trust, a Kansas Trust, pertaining to the Villaggio Development Improvement Project [CIP # 197 & 198]

- S. Resolution accepting Public Infrastructure Improvements through private development located on Kenneth Road between 145<sup>th</sup> Street and 148<sup>th</sup> Terrace, within Leabrooke Subdivision, 3<sup>rd</sup> plat, in accordance with the GASB-34 Guidelines of Reporting Inventory of Assets
- T. Resolution accepting Public Infrastructure Improvements through private development located at 150<sup>th</sup> Terrace and Nall Avenue, within the Villas of Whitehorse Subdivision, 3<sup>rd</sup> plat, in accordance with the GASB-34 Guidelines of Reporting Inventory of Assets
- U. Resolution approving a Final Site Plan for State Line Office Building Signage, located at 12730 State Line Road [*from the June 27, 2006 Planning Commission meeting*]
- V. Resolution approving a Final Plat for Park Place, located at the northeast corner of 117th Street and Nall Avenue. [*from the June 27, 2006 Planning Commission meeting*]
- W. Fire Department Monthly Report
- X. Municipal Court Monthly Report
- Y. Police Department Monthly Report

**8. MAYOR'S REPORT**

**9. COUNCILMEMBERS' REPORT**

**10. STAFF REPORT**

***COMMITTEE RECOMMENDATIONS***

**11. PLANNING COMMISSION**

*[From the June 27, 2006 Planning Commission Meeting]*

- A. Ordinance approving a preliminary site plan and preliminary plat for Madden McFarland Interiors, located at the southwest corner of 135<sup>th</sup> Street and State Line Road [Roll Call Vote]

*Staff Comment: The City Administrator does not support this application. The further expansion of a 50 year-old residential unit at the gateway of the premier commercial corridor of the City of Leawood is totally inconsistent with the 135<sup>th</sup> Street Corridor guidelines.*

- B. Resolution approving a Final Site Plan for Winstead's Signage, located on the southeast corner of 135<sup>th</sup> Street and Briar Street

*[From the July 11, 2006 Planning Commission Meeting]*

- \*C. Resolution approving a Final Site Plan for Park Place California Pizza Kitchen, located north of 117<sup>th</sup> Street and east of Nall Avenue –***CONTINUED TO THE AUGUST 7, 2006 GOVERNING BODY MEETING, AT THE APPLICANT'S REQUEST***

- D. Resolution approving a Final Site Plan for Park Place Parking Garage ‘A,’ located in the northeast corner of 117<sup>th</sup> Street and Nall Avenue

**Staff Comment:** *Commissioner Len Williams expressed a strong concern over [and voted against] the design change of the parking structure from what was approved as part of the Final Plan. His concerns may be shared by members of the Governing Body.*

**12. OLD BUSINESS**

- A. Ordinance amending Code § 4-121, of the Code of the City of Leawood, Kansas, 2000, entitled ‘Building and Construction Permits’ and repealing existing section [Roll Call Vote]

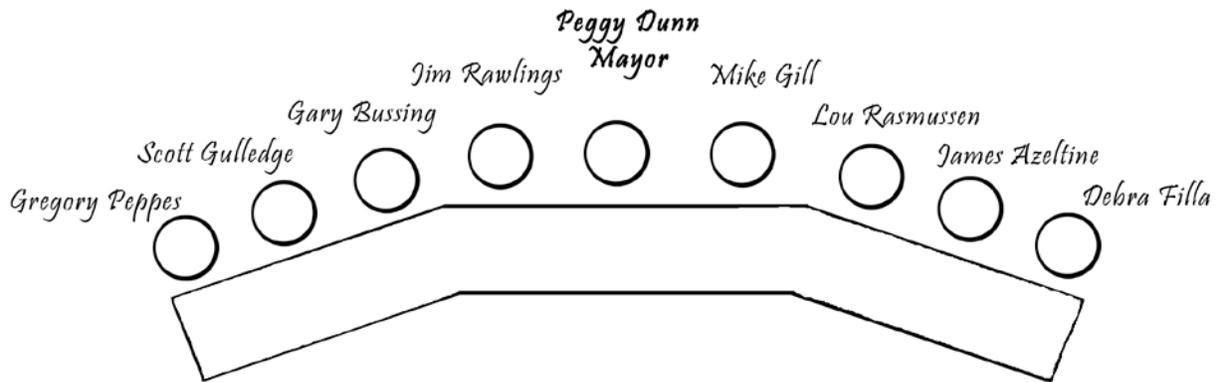
**13. NEW BUSINESS**

- A. Ordinance amending Chapter 5 of the Code of the City of Leawood, 2000, by adding new § 5-214, entitled “Penalties” pertaining to penalties for unlawful solicitation [Roll Call Vote]
- B. Ordinance amending Chapter 15, of the Code of the City of Leawood, 2000, by adding new Article 6, entitled ‘Illicit Discharge,’ establishing requirements relating to stormwater pollution, illicit discharge into storm sewers, and drainage ways for the City of Leawood, Kansas [Roll Call Vote]
- C. Ordinance amending Code § 4-164 of the Code of the City of Leawood, 2000, entitled ‘Temporary Occupancy’ and repealing existing Section 4-164 [Roll Call Vote]
- D. Ordinance amending Chapter 14 of the Code of the City of Leawood, 2000, [Standard Traffic Ordinance (STO)] by adding a new Section 14-111, entitled ‘Compression Release Engine Braking System’ [Roll Call Vote]
- E. Ordinance calling for an election to be held on November 7, 2006, for the purpose of voting on a proposition to authorize the City of Leawood, Kansas to levy a four-tenths of one percent [.4%] City Retailers’ Sales Tax, in addition to the one and one-eighth percent [1.125%] currently levied, within the City of Leawood, Johnson County, Kansas, for a period of 5 years to begin April 1, 2007 and ending on March 31, 2012, and to use the revenue from the additional tax to provide funding for construction of public safety improvements, including a Justice Center, and all other necessary and related improvements, including infrastructure related thereto; such additional tax to take effect on April 1, 2007 and end March 31, 2012, or at the end of such calendar quarter prior thereto as the City shall have collected tax revenues from such additional tax in the amount of Ten Million Dollars [Roll Call Vote]

**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 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.

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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:** 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.