

**CITY OF LEAWOOD  
GOVERNING BODY  
MEETING AGENDA**

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

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

**\*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**

**5. PRESENTATIONS/RECOGNITIONS**

**6. SPECIAL BUSINESS**

A. Ordinance No. 2168, authorizing the issuance and delivery of \$170,000 principal amount of taxable Transportation Development District Special Obligation Bonds, Series 2006 [The Resurrection Project] of the City of Leawood, Kansas; providing for the levy and collection of special assessments for the purpose of paying the principal of and interest on the bonds as they become due; and making certain covenants with respect thereto [CIP # 190] [Roll Call Vote]

- B. Resolution No. 2600, prescribing the form and details of and authorizing the delivery of \$170,000 principal amount of taxable Transportation Development District Special Obligation Bonds, Series 2006 [The Resurrection Project] of the City of Leawood, Kansas, authorized by Ordinance No. 2168 of the City; providing certain covenants and agreements with respect thereto; and providing for execution of certain agreements in connection therewith [CIP # 190]
- C. Ordinance No. 2169 authorizing the issuance and delivery of \$490,000 principal amount of taxable Transportation Development District Special Obligation Bonds, Series 2006, [The Cornerstone Project] of the City of Leawood, Kansas; providing for the levy and collection of special assessments for the purpose of paying the principal of and interest on the bonds as they become due; and making certain covenants with respect thereto [CIP # 191] [Roll Call Vote]
- D. Resolution No 2601, prescribing the form and details of and authorizing the delivery of \$490,000 principal amount of taxable Transportation Development District Special Obligation Bonds, Series 2006 [The Cornerstone Project] of the City of Leawood, Kansas, authorized by Ordinance No. 2169 of the City; providing certain covenants and agreements with respect thereto; and providing for execution of certain agreements in connection therewith [CIP # 191]
- E. **PUBLIC HEARING** Consider the 2007 Fiscal Budget for the City of Leawood
- \*F. Discussion of IRONHORSE Golf Course- Direction given to City Administrator to enter into negotiations with Orion Management Solutions, Inc., for 2007, 2008 and 2009

## 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. 1056A and 1056B
- B. Accept Minutes of the July 17, 2006 Governing Body meeting
- C. Accept Minutes of the June 13, 2006, Joint Governing Body/Budget & Finance Work Session
- D. Accept Minutes of the May 17, 2006 IRONHORSE Advisory Board
- E. Accept Minutes of the May 23, 2006 Leawood Arts Council meeting
- F. Approve Certified Cost Summary in the amount of \$3,340,000 for Roe Avenue Improvement Project [between 124th Street and 135th Street] [CIP # 110]
- G. Approve Certified Cost Summary in the amount of \$310,000 for Pedestrian Bridge at El Monte north of College Boulevard & Mission Road Improvement Project [CIP # 112]
- H. Approve Certified Cost Summary in the amount of \$2,400,000 for Accelerated Residential Street Program, Phase I [CIP # 200]

- I. Approve purchase in the amount of \$35,560 from Challenger Teamwear pertaining to the purchase of soccer uniforms
- J. Approve 2<sup>nd</sup> and Final Pay Request in the amount of \$184,209.94 [includes \$108,372.50 for Slurry Seal and \$75,837.44 for 95<sup>th</sup> Street to Musselman & Hall Contractors, LLC, pertaining to the 2006 Slurry Seal Program
- K. Approve Change Order No. 5(J) in the amount of \$33,388.01 to Wiedenmann & Godfrey Construction Inc., pertaining to the Dykes Branch Channel Improvement Project, [SMAC Project DB-02-024] between 83<sup>rd</sup> Street and Wenonga Road south to 86<sup>th</sup> Street and Overhill Road
- L. Approve Change Order No. 1 in the amount of \$1,700.00, to Danco Painting Co, Inc., pertaining to water damage repair project at Leawood City Hall
- M. Approve Change Order No. 2 in the decreased amount of \$38,349.25, to O'Donnell & Sons Construction Co., pertaining to the Villaggio Improvement District [CIP # 197/198]
- N. Approve Change Order No. 3 in the amount of \$959,151.00, to O'Donnell & Sons Construction Co., pertaining to the Villaggio Improvement District [CIP # 198]
- O. Approve renewal of Microsoft Licensing coverage in the amount of \$38,063.50, between the City and Microsoft Corporation via Software House International, Inc., pertaining to the yearly license renewal
- P. Resolution authorizing the payment of the Appraisers' Award in the amount of \$124,645.00, to the Johnson County District Court for permanent and temporary construction easements relating to the Dykes Branch Improvement Project [SMAC Project DB-04-024, Phase II] between 83<sup>rd</sup> Street and Wenonga Road south to 86<sup>th</sup> Street and Overhill Road
- Q. Resolution approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,282,439.20, between the City and J. M. Fahey Construction pertaining to the 2006 Street Mill & Overlay Program
- R. Resolution approving and authorizing the Mayor to execute an Inter-local Agreement between the City of Leawood and the City of Overland Park pertaining to maintenance for traffic signals located at various locations throughout the City
- S. Resolution approving and authorizing the Mayor to execute a Professional Service Agreement in the amount of \$71,160.00 between the City and Patti Banks Associates, pertaining to the Cornerstone Tract A Water Feature [CIP # 192]
- T. Resolution accepting and approving the Annual Report regarding the Leawood Public Art Impact Fee and approving an increase in the rate of such impact fee, pursuant to Code § 12-601 et seq – *Continued from the February 20, 2006 April 17, 2006, and June 5, 2006 Governing Body meetings*
- U. Resolution approving a Final site Plan for Cornerstone Claddagh Irish Pub and Restaurant, located on the southeast corner of 135<sup>th</sup> Street and Nall Avenue *[from the July 25, 2006 Planning Commission meeting]*
- V. Resolution approving a Final Site Plan and Final Plat for GlenAbbey of Leawood, located north of 143<sup>rd</sup> Street and east of Nall Avenue *[from the July 25, 2006 Planning Commission meeting]*

## **8. MAYOR'S REPORT**

## **\*9. COUNCILMEMBERS' REPORT – Report from Councilmember Gill**

**10. STAFF REPORT**

**COMMITTEE RECOMMENDATIONS**

**11. PLANNING COMMISSION**

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

- A. 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 FROM THE JULY 17, 2006 GOVERNING BODY MEETING***

**12. OLD BUSINESS**

**13. NEW BUSINESS**

- A. Resolution No. 2623, determining it necessary and advisable and ordering the resurfacing and repair of certain residential streets or portions thereof within the City of Leawood, Kansas pursuant to K.S.A. § 12-614 et seq. [CIP # 206]
- B. Resolution No. 2624, authorizing the improvement of park property of the City by installation of creek stabilization enhancements at Ironhorse Golf Course; providing for issuance of General Obligation Improvement Bonds of the City to pay the costs thereof pursuant to Charter Ordinance No. 33 and for the issuance of Temporary Notes of the City pending the issuance of said Bonds; and expressing the intent to reimburse costs of the project so incurred from proceeds of General Obligation Bonds; and authorizing and improving certain related matters and actions [CIP # 80171]
- C. Resolution No. 2625, authorizing the improvement of a certain section of Nall Avenue, a Main Trafficway, between 143<sup>rd</sup> Street and 151<sup>st</sup> Street within the City of Leawood; providing for issuance of General Obligation Improvement Bonds of the City to pay the costs thereof pursuant to K.S.A. § 12-689 and for the issuance of Temporary Notes of the City pending the issuance of said Bonds; and expressing the intent to reimburse costs of the project so incurred from proceeds of General Obligation Bonds; and authorizing and improving certain related matters and actions [CIP # 80143]
- D. Resolution No. 2626, authorizing the improvement of a certain section of Nall Avenue, a Main Trafficway, between 151<sup>st</sup> Street and 159<sup>th</sup> Street within the City of Leawood; providing for issuance of General Obligation Improvement Bonds of the City to pay the costs thereof pursuant to K.S.A. § 12-689 and for the issuance of Temporary Notes of the City pending the issuance of said Bonds; and expressing the intent to reimburse costs of the project so incurred from proceeds of General Obligation Bonds; and authorizing and improving certain related matters and actions [CIP # 80152]

- E. Resolution No. 2627, authorizing the sale by the City of Leawood, Kansas of \$6,050,000 General Obligation Bonds and \$26,625,000 Tax Exempt General Obligation Temporary Notes of the City, and \$6,300,000 Taxable General Obligation Temporary Notes to provide funds to finance the costs of certain public improvements within said City; approving the form of Notice of Bond Sale and Preliminary Official Statement to be used in connection therewith; and authorizing and directing the City Finance Director to advertise such sale in the manner prescribed by law
- F. Resolution No. 2628, amending Resolution No. 2520 authorizing the rebuilding and improvement of a certain pedestrian bridge located approximately at College Boulevard and El Monte, within the City of Leawood; and authorizing and approving certain related matters and actions [CIP # 112]
- G. Resolution pledging the intentions of the Governing Body of the City of Leawood, Kansas, if the City is authorized by the electorate to levy an additional four-tenths of one percent [.4%] City Retailers' Sales Tax
- H. Resolution directing the publication of Notice of an election to be held on November 7, 2006, regarding a proposed levy of an additional four-tenths of one percent (.4%) City Retailers' Sales Tax
- I. Ordinance amending Chapter 11, Article 3 of the Code of the City of Leawood, 2000, by amending Section 11-306 entitled "False Alarms; Fees Required" and adding new Section 11-312 entitled "Control Panel Standard Incorporated By Reference" and new Section 11-313 entitled "Enhanced Call Verification" all pertaining to nuisance alarm systems and repealing existing § 11-306 [Roll Call Vote]

**Discussion Only**

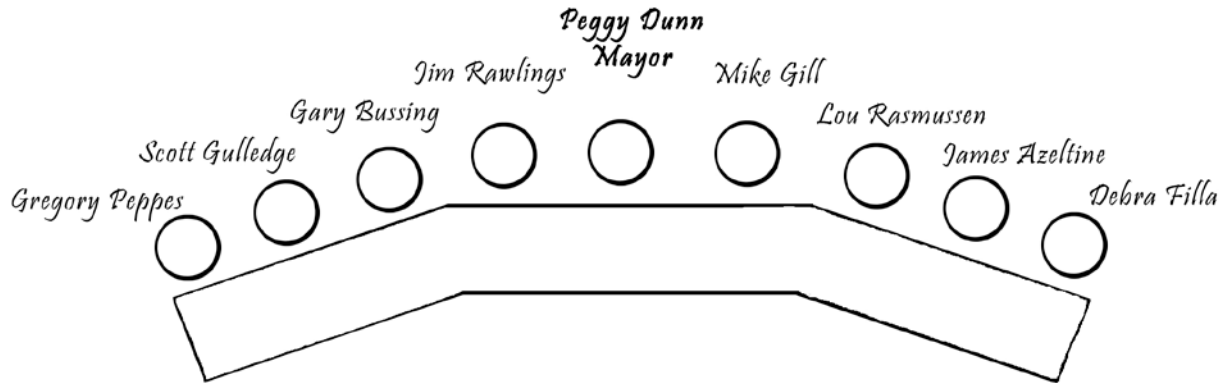
- J. Ordinance amending § 16-4-2.2 of the Leawood Development Ordinance, [Detached Structures] pertaining to above ground swimming pools [Roll Call Vote]
- K. Schedule a Governing Body Executive Session at 6:30 P.M., on Tuesday, September 5, 2006, to discuss a personnel matter; City Administrator's 6-month review

**14. OTHER BUSINESS**

- A. Building Permit Review Process

# 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.