

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, May 7, 2007
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

MAY							JUNE						
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

AGENDA

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

Mayor Peggy Dunn

Councilmembers

Ward One

Ward Two

Ward Three

Ward Four

Debra Filla
Gregory Peppes

Louis Rasmussen
Jim Rawlings

Gary Bussing
Mike Gill

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 Trails Day, June 2, 2007
Building Safety Week, May 6-12, 2007**

5. PRESENTATIONS/RECOGNITIONS

6. SPECIAL BUSINESS

- A. Approve Staff action to proceed with Change Order No. 1 for an amount not to exceed \$36,000.00 to Dennis Johnson Construction pertaining to the IRONHORSE Golf Course Improvement Project

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. 1076B, 1077A, and 1077B
- B. Accept Minutes of the April 16, 2007 Governing Body meeting
- C. Accept Minutes of the April 2, 2007 Governing Body Work Session
- D. Accept Minutes of the February 13, 2007 Parks and Recreation Advisory Board
- E. Accept Minutes of the March 28, 2007 Public Works Committee meeting
- F. Approve renewal of Cereal Malt Beverage [CMB] License for Hallbrook Country Club, located at 11200 Overbrook Road
- G. Approve renewal of Retail Liquor License for Wolff's Fine Wines & Spirits located at 11841 Roe Avenue
- H. Mayoral Appointment for Governing Body Presiding Officers from May 2007 through April 2008
- I. Mayoral Appointments of Council Liaisons and Volunteers for Committees, Commissions and Boards
- J. Certification of Cost in the amount of \$490,000 pertaining to the 135th Street and Briar median cut Project, CIP # 80193
- K. Approve refund payment in the amount of \$21,754.00 to Kissick Construction Company, pertaining to the Leawood Market Center Project [83196]
- L. Approve Change Order No. 3 in the amount of \$4,000.00 to the Larkin Group, pertaining to non-SMAC projects: 86th & Reinhardt; 84th Place & Pawnee; and east of Mission Road between 89th Street and 92nd Street [non-SMAC Project]
- M. Approve Change Order No. 2 in the amount of \$13,500.00 to J.M. Fahey Construction, pertaining to the 2006 Residential Street Mill & Overlay Program
- N. Approve Change Order No. 1, in the amount of \$33,193.70, to Miller Paving & Construction, pertaining to the 2006 Residential Street Reconstruction Project [CIP # 202]
- O. Resolution amending the City's Debt Management Policy, and repealing Resolution No. 2221 [*Continued from the April 16, 2007 Governing Body meeting*]
- P. Approve 6th and Final Payment in the amount of \$1,000.00 to Uhl Engineering, Inc., pertaining to the 2007 Mill & Overlay
- Q. Resolution approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$615,282.80 between the City and Miller Paving & Construction pertaining to Phase I, 2007 Storm Drainage Improvement Project [Project Nos. 77001; 77002; and 77003]
- R. Resolution approving and authorizing the Mayor to execute a Professional Engineering Service Agreement in the amount of \$49,500.00, between the City and Brungardt Honomichl & Company, P.A. [BHC] [a/k/a/ BHC Rhodes] pertaining to the 2008 Residential Street Reconstruction Program [80208]

- S. Resolution approving and authorizing the Mayor to execute Amendment No. 3 to that certain Professional Engineering Service Agreement dated June 19, 2006, in the amount of \$2,700.00, between the City and Brungardt Honomichl & Company, P.A. [BHC] [a/k/a/ BHC Rhodes] pertaining to the 2007 Residential Street Reconstruction Program [80206]
- T. Resolution approving and authorizing the Mayor to execute Supplement Agreement No. 4, to that certain Professional Engineering Service Agreement dated October 1, 2001, in the amount of \$10,000.00, between the City and Bucher Willis & Ratliff [BWR] Corporation, for the Roe Avenue Improvement Project, pertaining to the reconstruction from Tomahawk Creek Bridge to 135th Street [CIP # 110]
- U. Resolution approving and authorizing the Mayor to execute a Utility Agreement in the amount of \$249,867.00, between the City and Kansas City Power & Light [KCPL] pertaining to the Park Place Benefit District [CIP # 196; CIP # 83196]
- V. Resolution approving and authorizing the Mayor to execute a Professional Engineering Service Agreement in the amount of \$14,125.00, between the City and Uhl Engineering, Inc., pertaining to storm sewer repairs at 8745 High Drive
- W. Resolution accepting Permanent Storm Sewer Easement from Phillip A. and Janel A. Lamonica, for property located at 8745 High Drive [Project Nos. 77001; 77002; and 7003]
- X. Resolution approving and authorizing the Mayor to execute Permanent and Temporary Sanitary Sewer Easements, granting to Johnson County Unified Wastewater District [JCUWD] for Lot 6, located within Ironhorse Center, at 151st Street and Nall Avenue
- Y. Resolution accepting Permanent Storm Sewer Easements from George Crandell Enders and Sally Ling, 8504 Overhill Road; James C. and Barbara W. Fowler, Trustee, 8503 Ensley Place; John T. and Melissa M. Oeffner, 3528 W. 92 Street; Douglas C. and Denise M. Kelley, 8500 Cherokee Lane; Virginia A. Ellis, Trustee of the Harold B. Ellis Trust, 8501 Ensley Place; John G. and Patricia D. Kopmeyer, 3518 W. 92nd Street; and John and Christine Graham, Jr., 3524 W. 92 Street, pertaining to the 2007 Storm Drainage Project, Phase I
- Z. Resolution accepting a Sidewalk and Traffic Signal Easement from Waterway Gas & Wash, for Lot 10, Camelot Court, located at 119th Street and Tomahawk Creek Parkway
- AA. Resolution accepting and approving the Annual Report regarding the Leawood, Kansas Public Art Impact Fee, pursuant to § 12-601 et seq., of the Code of the City of Leawood, 2000
- BB. Resolution accepting and approving the Annual Report regarding the K-150 Highway Corridor [A/k/a/ 135th Street Corridor] Transportation Impact Fee, pursuant to § 13-506 and 13-509 of the Code of the City of Leawood, 2000
- CC. Resolution accepting and approving the Annual Report regarding the Leawood South Transportation Impact Fee, pursuant to § 13-601 et seq., of the Code of the City of Leawood, 2000
- DD. Resolution accepting and approving the Annual Report regarding the Leawood Kansas Park Impact Fee, pursuant to § 12-401 et seq., of the Code of the City of Leawood, 2000

- EE. Resolution to approve a Final Plat for Manors at Mission Farms, located on the southeast corner of 105th Street and Mission Road *[from the April 10, 2007 Planning Commission meeting]*

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the April 10, 2007 Planning Commission meeting]

- A. Resolution to approve a Final Site Plan for Parkway Plaza, located north of 135th Street and west of Roe Avenue

- B. Ordinance approving a Preliminary Site Plan for Sumo Restaurant at Parkway Plaza, located north of 135th Street and west of Briar [Roll Call Vote]

[From the February 13, 2007 Planning Commission meeting]

- C. Ordinance amending Section 16-2-10 of the Leawood Development Ordinance [LDO], pertaining to Architecture/Construction Standards [Roll Call Vote]-
[CONTINUED TO THE MAY 21, 2007 GOVERNING BODY MEETING]

12. OLD BUSINESS

13. OTHER BUSINESS

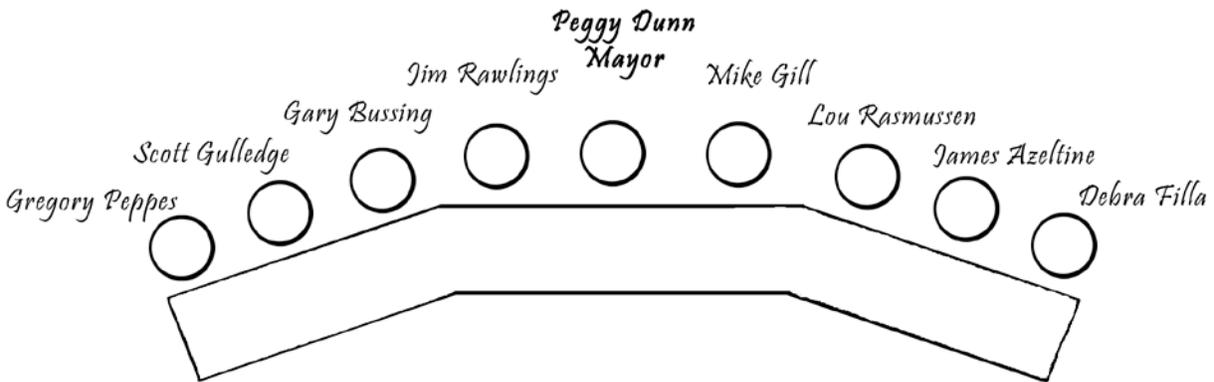
14. NEW BUSINESS

- A. Resolution amending and restating Resolution No. 2410 finding as to the advisability and authorizing the construction of improvements to Nall Avenue, 117th Street, Town Center Drive and Roe Avenue and construction of Storm Water Improvements; and accepting First Amended Petition for Establishment of an Improvement District pursuant to K.S.A. § 12-6a01 et seq., pertaining to the Park Place Benefit District [CIP # 83196]

- B. Resolution approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,898,708.85 between the City and Miller Paving & Construction pertaining to the Park Place Benefit District [CIP # 83196]

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 the members-elect of the City Council [5]
- **Approving, Overriding, Amending or Revising Recommendation after Remand:** Majority of the members-elect of the City Council [5]
- **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.