

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, February 4, 2008
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

JANUARY 2008							FEBRUARY 2008						
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	

REVISED *ACTION 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 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. Public Hearing to consider 2009-2013 Capital Improvement Program [C.I.P.]

B. **Resolution No. 2938**, adopting the 2009-2013 Capital Improvement Program [C.I.P.] for the City of Leawood – **Approved**

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. 1094B, 1095A, 1096A, 1095B, and 1096B – **Accepted**
- B. Accept minutes of the January 7, 2008 Governing Body meeting – **Accepted**
- C. Accept minutes of the January 7, 2008 Governing Body Work Session – **Continued to the February 18, 2008 Governing Body meeting**
- D. Accept minutes of the January 14, 2008 Governing Body meeting – **Accepted**
- E. Accept minutes of the January 14, 2008 Governing Body Work Session – **Accepted**
- F. Accept minutes of the December 20, 2007, Amphitheater Steering Committee meeting – **Accepted**
- G. Accept minutes of the November 9, 2007, Stormwater Management Committee meeting – **Accepted**
- H. Accept minutes of the October 23, 2007, Arts Council meeting – **Accepted**
- I. Accept minutes of the October 11, 2007, Public Works Committee meeting – **Accepted**
- J. Approve payment in the amount of \$26,201.85 to League of Kansas Municipalities for 2008 membership – **Approved**
- K. Approve renewal of Cereal Malt Beverage [CMB] for Hen House, located at 11721 Roe Avenue – **Approved**
- L. Approve renewal of Cereal Malt Beverage [CMB] for Dragon Dynasty, located at 12248 State Line – **Approved**
- M. Approve bid in the amount of \$29,354.00 to Identix, for the purchase of a automated fingerprint identification system – **Approved**
- N. Approve bid in the amount of \$20,843.20, from Conrad Fire Equipment for the purchase of Thermal Imaging Cameras – **Approved**
- O. Approve bid in the amount of \$14,579.00 from Van Wall Equipment Company of Olathe for the purchase of an All Terrain Rescue Vehicle – **Approved**
- P. Approve Change Order No. 4 in the amount of \$18,280.00, to Godfrey Wiedenmann, pertaining to Phase II, Dykes Branch Channel Improvement Project, [SMAC Project DB-04-024] between 83rd Street and Wenonga Road south to 86th Street and Overhill Road [# 76009] – **Approved**
- Q. **Resolution No. 2939**, approving and authorizing the Mayor to execute a Service Agreement in the amount of \$51,600.00, between the City and P1 Group, Inc., pertaining to HVAC repairs at Fire Station No. 3, 14801 Mission Road – **Approved**
- R. **Resolution No. 2940**, approving and authorizing the Mayor to execute a Service Agreement for an amount not to exceed \$25,000 between the City and the Kansas City Star, pertaining to advertising and other services – **Approved**

- S. **Resolution No. 2941**, approving and authorizing the Mayor to execute a Professional Engineering Agreement in the amount of \$22,300.00, between the City and Phelps Engineering, Inc., pertaining to the repairs on the trail located at Tomahawk Park, 119th & Mission Road – **Approved**
- T. **Resolution No. 2942**, to approve a Final Plat for I Parkway 133, Second Plat, located at 135th Street and Roe Avenue, within the Parkway Plaza Development *[from January 2, 2008 Planning Commission meeting]* – **Approved**
- U. **Resolution No. 2943**, to approve a Final Site Plan for Tomahawk Pointe Signage, located on the northwest corner of Mission Road and College Boulevard *[from January 2, 2008 Planning Commission meeting]* – **Approved**
- V. Police Department December 2007 Monthly Report
- W. Police Department 2007 Year End Report
- X. Fire Department December 2007 Monthly Report
- Y. Fire Department 2007 Year End Report
- Z. Municipal Court 2007 Monthly Report

8. MAYOR’S REPORT

*9. COUNCILMEMBERS’ REPORT

- A. Councilmember Rasmussen’s report regarding IRONHORSE Golf Course; **Approval of the Hole Sponsorship Program at Ironhorse Golf Course, as recommended by Orion Management Solutions, Inc.**
- B. Councilmember Rasmussen’s report regarding the January 28, 2008, Public Works Committee meeting
- C. Councilmember Rasmussen’s report regarding the Arts Council

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PUBLIC WORKS COMMITTEE

[from January 18, 2008 Public Works Committee]

- A. Recommendation regarding the school zone in front of St. Michael’s Church on Nall Avenue – **Approved**

12. STORMWATER MANAGEMENT COMMITTEE

[from January 11, 2008 Stormwater Management Committee]

- A. Recommendation regarding request from Bob & Nancy Hack, 8308 Cherokee Lane, regarding the [SMAC Project DB-04-024] between 83rd Street and Wenonga Road south to 86th Street and Overhill Road [# 76009] – **Approved**

13. PLANNING COMMISSION

14. OLD BUSINESS

15. OTHER BUSINESS

- A. Green Initiative; Citizen Task Force – **Approved**

16. NEW BUSINESS

- A. **Ordinance No. 2289**, levying a transient guest tax of seven percent (7%) upon the gross receipts derived from or paid by transient guests for lodging or sleeping accommodations within the City of Leawood, Kansas in accordance with Charter Ordinance No. 38 [Roll Call Vote] – **Passed**
- B. **Ordinance No. 2290C**, amending Chapter 4, Article 1 of the Code of the City of Leawood, Kansas, 2000, entitled Administration, and repealing existing Article 1, and other sections in conflict herewith [Roll Call Vote] – **Passed**
- C. **Ordinance No. 2291C**, amending Chapter 4, Article 2 of the Code of the City of Leawood, Kansas, 2000, incorporating the International Building Code 2006, and repealing existing Article 2, and other sections in conflict herewith [Roll Call Vote] – **Passed**
- D. **Ordinance No. 2292C**, amending Chapter 4, Article 3 of the Code of the City of Leawood, Kansas, 2000, incorporating the National Electrical Code 2005, and repealing existing Article 3, and other sections in conflict herewith [Roll Call Vote] – **Passed**
- E. **Ordinance No. 2293C**, amending Chapter 4, Article 4 of the Code of the City of Leawood, Kansas, 2000, incorporating the International Plumbing Code 2006, and repealing existing Article 4, and other sections in conflict herewith [Roll Call Vote] – **Passed**
- F. **Ordinance No. 2294C**, amending Chapter 4, Article 5 of the Code of the City of Leawood, Kansas, 2000, incorporating the International Mechanical Code 2006, and repealing existing Article 5, and other sections in conflict herewith [Roll Call Vote] – **Passed**
- G. **Ordinance No. 2295C**, amending Chapter 4, Article 6 of the Code of the City of Leawood, Kansas, 2000, incorporating the International Fuel Gas Code 2006, and repealing existing Article 6, and other sections in conflict herewith [Roll Call Vote] – **Passed**
- H. **Ordinance No. 2296C**, amending Chapter 4, Article 8 of the Code of the City of Leawood, Kansas, 2000, incorporating the International Energy Conservation Code 2006, and repealing existing Article 8, and other sections in conflict herewith [Roll Call Vote] – **Passed**

- I. **Ordinance No. 2297C**, amending Chapter 4, Article 9 of the Code of the City of Leawood, Kansas, 2000, incorporating the International Residential Code 2006, and making additions thereto, and repealing existing Article 9, and other sections in conflict herewith [Roll Call Vote] – **Passed**

- J. **Ordinance No. 2298C**, repealing Chapter 4, Article 10 of the Code of the City of Leawood, Kansas, 2000, entitled Swimming Pool, Spa, and Hot Tub Code [Roll Call Vote] – **Passed**

- K. **Ordinance No. 2299C**, repealing Chapter 4, Article 11 of the Code of the City of Leawood, Kansas, 2000, entitled Abatement of Dangerous Buildings Code [Roll Call Vote] – **Passed**

- L. **Ordinance No. 2300C**, amending § 7-102 and 7-103 of the Code of the City of Leawood, Kansas, 2000, entitled Membership, and Firefighter’s Relief Association, respectively, and repealing existing Sections 7-102 and 7-103 and other sections in conflict herewith [Roll Call Vote] – **Passed**

- M. **Ordinance No. 2301C**, amending § Chapter 7, Article 2, of the Code of the City of Leawood, Kansas, 2000, adopting the International Fire Code, 2006, and repealing existing Article 2 of Chapter 7, and other sections in conflict herewith [Roll Call Vote] – **Passed**

- N. **Ordinance No. 2302C**, amending Chapter 8, Article 5 of the Code of the City of Leawood, Kansas, 2000, incorporating the International Property Maintenance Code 2006, and repealing existing Article 5, and other sections in conflict herewith [Roll Call Vote] – **Passed**

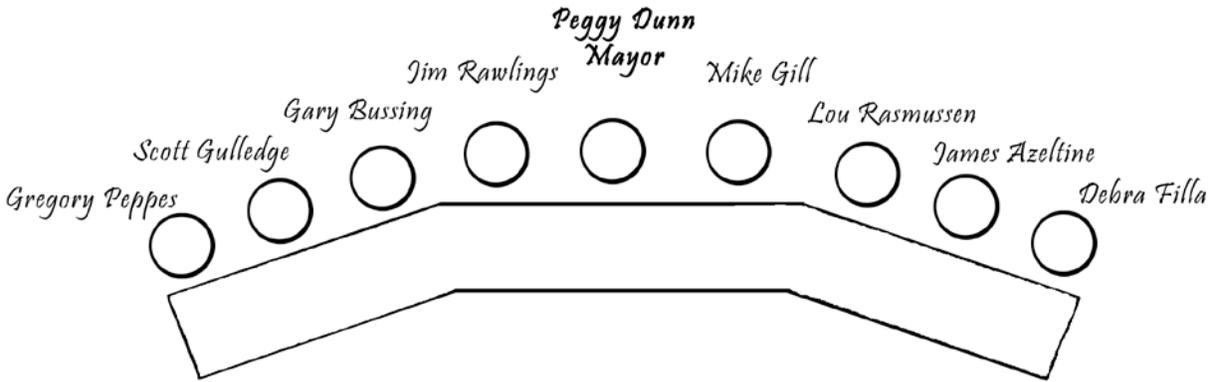
- O. **Ordinance No. 2303C**, amending Chapter 11, Article 7 of the Code of the City of Leawood, Kansas, 2000, by amending Section 11-704, entitled “Premises Identification” and repealing existing Article 7, and other sections in conflict herewith [Roll Call Vote] – **Passed**

- P. **Ordinance No. 2304C**, amending Sections 11-101 through 11-107 of the Code of the City of Leawood, 2000, pertaining to regulating Public Offenses within the corporate limits of the City of Leawood, Kansas; incorporating by reference the ‘Uniform Public Offense Code for Kansas Cities,’ 2007 edition, with certain amendments and omissions, such incorporation being authorized by K.S.A. §12-3009 through 12-3012, and K.S.A. § 12-3301 and 12-3302, and repealing existing § 11-101 through 11-105, and other sections in conflict herewith [Roll Call Vote] – **Passed**

- Q. **Ordinance No. 2305C**, amending Sections 14-101 through 14-112 of the Code of the City of Leawood, Kansas, 2000, pertaining to regulating traffic within the corporate limits of the City of Leawood, Kansas; incorporating by reference the ‘Standard Traffic Ordinance for Kansas Cities, 2007 edition,’ with certain amendments, such incorporation being authorized by K.S.A. § 12-3009 through 12-3012, and K.S.A. § 12-3301 and 12-3302; repealing existing sections 14-101 through 14-112; and other sections in conflict herewith [Roll Call Vote] – **Passed**

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.