

**CITY OF LEAWOOD  
GOVERNING BODY  
MEETING AGENDA**

Monday, May 5, 2008  
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	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30					

**\*ACTION 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**

Julie Cain  
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**

**Municipal Clerks Week, May 4 – 10, 2008**

**5. PRESENTATIONS/RECOGNITIONS**

**6. SPECIAL BUSINESS**

A. Request to re-file application for one-year Special Use Permit [SUP] for Molle Toyota, located at 105<sup>th</sup> Street and State Line Road - **Approved**

\*B. **Resolution No. 3019** approving and authorizing the Mayor to execute an Amended Lease Agreement between the City and Orion Management Solutions, Inc., pertaining to the serving of alcoholic beverages at the Ironhorse Golf Club, located at 15400 Mission Road - **Approved**

- \*C. **Resolution No. 3020** approving and authorizing the Mayor to execute a Fourth Amendment to that certain Agreement dated October 16, 2006, between the City of Leawood, Kansas and Orion Management Solution, Inc., for the management of the IRONHORSE Golf Course [2007-2009] - **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. 1102A and 1102B - **Accepted**
- B. Accept Minutes of the March 31, 2008 Governing Body meeting - **Accepted**
- C. Accept Minutes of the March 27, 2008 IRONHORSE Advisory Board meeting - **Accepted**
- D. Approve renewal of Retail Liquor Store License for Wolff's Fine Wines & Spirits, located at 11841 Roe Aenue - **Approved**
- E. Mayoral Appointment for Governing Body Presiding Officers from May 2008 through April 2009 - **Approved**
- F. Mayoral Appointments of Council Liaisons and Volunteers for Committees, Commissions and Boards - **Approved**
- G. Resolution establishing a fee, not specifically provided for in the Code of the City of Leawood, 2000, specifically for the Planning & Development Tenant Finish Plan, in accordance with Section 1-701 of the Code of the City of Leawood, 2000 - **Continued to May 19, 2008 Governing Body meeting.**
- H. **Resolution No. 3015**, ordering a public hearing to be held on June 2, 2008, at 7:30 P.M., or as soon thereafter as may be heard, on the proposed assessments for the Villaggio Stormwater Detention Project, and directing the City Clerk to publish notice thereof and provide written notice to owners of property of such assessments [CIP # 83198] - **Approved**
- I. **Resolution No. 3016**, ordering a public hearing to be held on June 2, 2008, at 7:30 P.M., or as soon thereafter as may be heard, on the proposed assessments for construction of improvements to Nall Avenue at the intersection thereof with 135<sup>th</sup> Street and south to 137<sup>th</sup> Street within the City of Leawood, Kansas, and directing the City Clerk to publish notice thereof and provide written notice to owners of property of such assessments [CIP# 83192] - **Approved**
- J. **Resolution No. 3017**, ordering a public hearing to be held on June 2, 2008, at 7:30 P.M., or as soon thereafter as may be heard, on the proposed assessments for construction of 133<sup>rd</sup> Street between Roe Avenue and the western city limit; Briar from 133<sup>rd</sup> Street south to 135<sup>th</sup> Street; 135<sup>th</sup> Street from the western city limit east to Roe Avenue and Roe Avenue between 133<sup>rd</sup> Street and 135<sup>th</sup> Street and other amenity features, and directing the City Clerk to publish notice thereof and provide written notice to owners of property of such assessments [Parkway Plaza] [CIP # 83195] - **Approved**

- K. **Resolution No. 3018**, ordering a public hearing to be held on June 2, 2008, at 7:30 P.M., or as soon thereafter as may be heard, on the proposed assessments for Stormwater and Erosion Control Improvements along west side of Ironhorse Golf Course , located at 15400 Mission Road, pursuant to K.S.A. § 12-6a01 et seq., and directing the City Clerk to publish notice thereof and provide written notice to owners of property of such assessments SMAC Project NC-04-001 [CIP # 80172] - *Approved*
- L. **Resolution No. 3021** approving a Final Site Plan for One Nineteen - JP Wine Bar & Coffeehouse, located at the southeast corner of 119th Street and Roe Avenue [*from the April 22, 2008 Planning Commission meeting*] - *Approved*
- M. **Resolution No. 3022** approving a Final Site Plan Park Place - Ra Sushi, located at the northeast corner of 117th Street and Nall Avenue [*from the April 22, 2008 Planning Commission meeting*] - *Approved*
- N. **Resolution No. 3023** approving a Final Site Plan for One Nineteen - Revised Design Criteria, located at the southeast corner of 119th Street and Roe Avenue [*from the April 22, 2008 Planning Commission meeting*] - *Approved*
- O. **Resolution No. 3024** approving a Final Site Plan for One Nineteen – Elizabeth Salon, located at the southeast corner of 119th Street and Roe Avenue [*from the April 22, 2008 Planning Commission meeting*] - *Approved*

## 8. MAYOR’S REPORT

## 9. COUNCILMEMBERS’ REPORT

- A. Councilmember Azeltine – Storm sewer issue at 146<sup>th</sup> & Delmar [Pavillions] referred to Stormwater Committee - *Approved*
- B. Councilmember Peppes – 8900 Blk. State Line Road Improvement – referred to Public Works Committee - *Approved*

## 10. STAFF REPORT

- A. Chris Claxton, Parks & Recreation Dept; New Initiative- Live Healthy Leawood Program – For grade school age children

## ***COMMITTEE RECOMMENDATIONS***

### 11. PLANNING COMMISSION

*[From the March 25, 2008 Planning Commission meeting]*

- A. **Ordinance No. 2318** approving a rezoning from AG [Agriculture] and RP-1 [Planned Single-family Residential] to R-1 [Planned Single-family low density Residential]; Preliminary Site Plan; and Preliminary Plat, for the Church of the Nativity, located north of the intersection of 119<sup>th</sup> Street and Mission Road [Roll Call Vote] –*[Continued from the April 21,2008 Governing Body meeting]* - *Passed*
- B. **Resolution No. 3025** approving a Final Site Plan and Final Plat for Church of the Nativity, located north of the intersection of 119<sup>th</sup> Street and Mission Road [*Continued from the April 21,2008 Governing Body meeting*] - *Approved*

- C. **Ordinance No. 2319** approving a Special Use Permit for the Church of the Nativity, located north of the intersection of 119<sup>th</sup> Street and Mission Road [Roll Call Vote] [*Continued from the April 21, 2008 Governing Body meeting*] - **Passed**

**12. OLD BUSINESS**

**13. OTHER BUSINESS**

**14. NEW BUSINESS**

- A. **Resolution No. 3026** pledging the intentions of the Governing Body of the City of Leawood, Kansas, if the City is re-authorized by the electorate to levy a one-eighth of one percent [.125%] City Retailers' Sales Tax - **Approved**
- B. **Resolution No. 3027** approving and authorizing the Mayor to execute an Inter-local Agreement between the City and the Board of Johnson County Commissioners [BOCC] pertaining to the creation and establishment of the Transportation Cooperation Council [TCC] as a collaborative organization to serve as an advisory board to maintain and improve the community's mobility through a unified vision of transportation - **Approved**

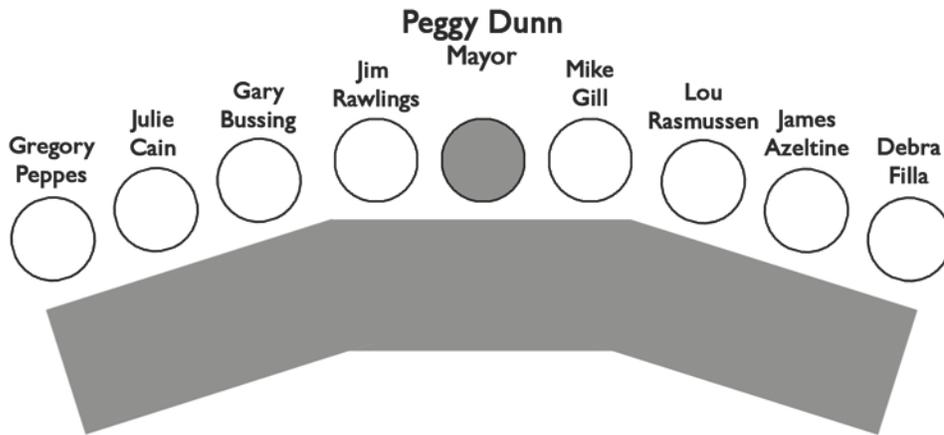
***Staff Comment:*** *The City Council has been requested to approve the Interlocal Cooperative Agreement with the understanding that the voting standard and method that is currently proposed, a simple majority of the TCC membership, will be replaced with a different standard and methodology which will require a majority of the TCC membership and a majority from each of the classes of cities. This change is intended to provide a "weighting" component into the voting process.*

- C. Schedule a Governing Body Executive Session immediately following the regular meeting on Monday, May 5, 2008, for preliminary discussions relating to the acquisition of real property and personnel matter. - **Recess into Executive Session at 8:30 P.M.**

The Mayor and Council reconvened into regular session at 9:15 P.M. A motion was made by Councilmember Azeltine, seconded by Councilmember Bussing authorizing staff to pursue the disposal of city-owned real property located at 114<sup>th</sup> and Tomahawk Creek Parkway, and appraisal and acquisition of real property located on the northeast corner of 117<sup>th</sup> and Roe Avenue for public use. The motion was approved by the following vote: Yea: Councilmembers Peppes, Cain, Bussing, Rawlings, Gill, Azeltine: Nay: Councilmembers Rasmussen and Filla.

**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 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.