

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, May 19, 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

<u>Ward One</u>	<u>Ward Two</u>	<u>Ward Three</u>	<u>Ward Four</u>
Debra Filla	Louis Rasmussen	Gary Bussing	Julie Cain
Gregory Peppes	Jim Rawlings	Mike Gill	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

Bicycle Friendly Community

**National Public Works Week, May 18-
May 24, 2008**

State of Israel- 60th Anniversary

5. PRESENTATIONS/RECOGNITIONS

**Presentation of Fire Department Color
Guard**

**Retirement of Fire Captain Jackman
Bieger; 29 years of service**

6. **SPECIAL BUSINESS**

- A. Resolution approving Final Site Plan located approximately at the southeast corner of 137th Street and Mission Road for multi-family housing [Applicant: Oddo Development] –*Continued from the May 12, 2008 Governing Body Meeting---* **TO BE CONTINUED TO A DATE CERTAIN – CONTINUED TO JUNE 9, 2008 GOVERNING BODY MEETING AT 7:00 P.M.**

- B. **Resolution No. 3029** revising the establishing a fee, not specifically provided for in the Code of the City of Leawood, 2000, specifically for the IRONHORSE Golf Course, in accordance with Section 1-701 of the Code of the City of Leawood, 2000 - **Approved**

- C. Request for an amendment to Section 16-4-2.3 of to the Leawood Development Ordinance [LDO] pertaining to detached structures [Citizen: Jay Oltjen, 14163 Juniper] - **Approved**

- D. **Resolution No. 3030** approving and authorizing the Mayor to execute an Escrow Agreement between the City and Southwest Trust Company, N.A., Escrow Agent, and Pawnee Place, LLC, Owner, pertaining to the Intersection Road Improvement SBD # 2767, Project # 80403, Tract No. 1, in the amount of \$123,000.00 - **Approved**

- E. **Resolution No. 3031** approving and authorizing the Mayor to execute an Escrow Agreement between the City and Southwest Trust Company, N.A., Escrow Agent, and Pawnee Place, LLC, Owner, pertaining to the Intersection Road Improvement SBD # 2454, Project # 197, Parcel B-1, in the amount of \$632,878.00 - **Approved**

- F. **Resolution No. 3032** approving and authorizing the Mayor to execute an Escrow Agreement between the City and Southwest Trust Company, N.A., Escrow Agent, and Pawnee Place, LLC, Owner, pertaining to the Stormwater Improvement SBD # 2779, Project # 198, Parcel B-1, in the amount of \$449,712.00 - **Approved**

- G. **Resolution No. 3033** approving and authorizing the Mayor to execute an Escrow Agreement between the City and Bank of Blue Valley and the Perry M. Sharp Trust C Owner, pertaining to the Intersection Road Improvement SBD # 2767, Project # 80403 Tract No. 1, in the amount of \$41,000.00 - **Approved**

- H. **Resolution No. 3034** approving and authorizing the Mayor to execute an Escrow Agreement between the City and Bank of Blue Valley and the Perry M. Sharp Trust C Owner, pertaining to the Road Improvement SBD # 2454, Project # 197 Parcel B-2, in the amount of \$257,122.00 - **Approved**

- I. **Resolution No. 3035** approving and authorizing the Mayor to execute an Escrow Agreement between the City and Bank of Blue Valley and the Perry M. Sharp Trust C Owner, pertaining to the Stormwater Improvement SBD # 2779, Project # 198 Storm, Parcel B-2, in the amount of \$90,288.00 – **Approved**

- J. **Ordinance No. 2320** amending § 2-104, of the Code of the City of Leawood, Kansas, 2000, entitled Trapping, allowing for the limited and restricted use of snaring and trapping devices for the intended purposes of controlling the population of coyotes [Roll Call Vote] –***CONTINUED FROM THE APRIL 21, 2008 GOVERNING BODY MEETING***] - ***Passed***

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. 1102C, and 1103A - ***Accepted***
- B. Accept Minutes of the May 5, 2008 Governing Body meeting - ***Accepted***
- C. Accept Minutes of the April 21, 2008 Governing Body meeting - ***Accepted***
- D. Accept Minutes of the March 14, 2008 Stormwater Management Committee meeting – ***Accepted***
- E. Accept Minutes of the March 25, 2008 Arts Council meeting - ***Accepted***
- F. Approve Mayoral Appointment for Audit Services Selection Task Force - ***Approved***
- G. Approve Mayoral Appointment of Cindy Thesing to Green Initiative Task Force - ***Approved***
- H. Approve expenditure of \$23,379.40 to Johnson County Election Office for the April 1, 2008 election - ***Approved***
- I. Approve Change Order No. 5, in the amount of \$70,000.00 to Dennis Johnson Construction, pertaining to the Improvements at IRONHORSE Golf Club [Project # 76004] - ***Approved***
- J. Approve purchase of 4,000 tons of road salt [\$43.57/ton] from Independent Salt Company - ***Approved***
- K. Approve Massage Therapy Establishment License for David Hulshof/ SoHo 119th, located at 4419 W. 119th Street - ***Approved***
- L. **Resolution No. 3028** calling for a public hearing to be heard on Monday, June 2, 2008 at 7:30 P.M., regarding amendments to the 2008 Fiscal Budget for the City of Leawood, Kansas - ***Approved***
- M. **Resolution No. 3036** approving and authorizing the Mayor to execute an Extension to that certain Financial Services Agreement dated October 17, 2005, between the City and Commerce Bank, to provide certain banking service needs to the City for an additional two years for 2009 and 2010 - ***Approved***
- N. **Resolution No. 3037** 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 from the May 5, 2008 Governing Body meeting***] - ***Approved***
- O. **Resolution No. 3038** approving and authorizing the Mayor to execute an Addendum to that certain Engineering Consulting Agreement dated October 15, 2007, in the amount of \$15,000.00 between the City and Continental Consulting

Engineers pertaining to the construction management for the Lake Renovation Project at Ironwoods Park, 14701 Mission Road [Project # 76002] - **Approved**

- P. **Resolution No. 3039** approving and authorizing the Mayor to execute an Engineering Agreement in the amount of \$32,000.00, between the City and Larkin Group pertaining to the restudy of the 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. 3040** approving and authorizing the Mayor to execute a Professional Service Agreement in the amount of \$25,600.00 between the City and Olsson Associates pertaining to traffic signal design and signal modifications for intersections at 119th & Mission Road, 123rd & Mission Road, and 133rd & Mission Road - **Approved**
- R. **Resolution No. 3041** consenting to the enlargement of Consolidated Main Sewer District of Johnson County, Kansas, [JCUWD] by the Board of County Commissioners of Johnson County, Kansas [BOCC], pursuant to Johnson County Charter Resolution No. 29-92, for property located in the vicinity of 133rd & Mission Road [Karin One Thirty Three, LLC] - **Approved**
- S. **Resolution No. 3042** approving and authorizing the Mayor to execute Temporary Construction Easements granting to the City of Overland Park, for Tract 26 and Tract 27, pertaining to the Indian Creek Flood Control Project, located approximately at 106th Street between Roe Avenue to Mission Road - **Approved**
- T. Police Department Monthly Report
- U. Fire Department Monthly Report
- V. Municipal Court Monthly Report

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

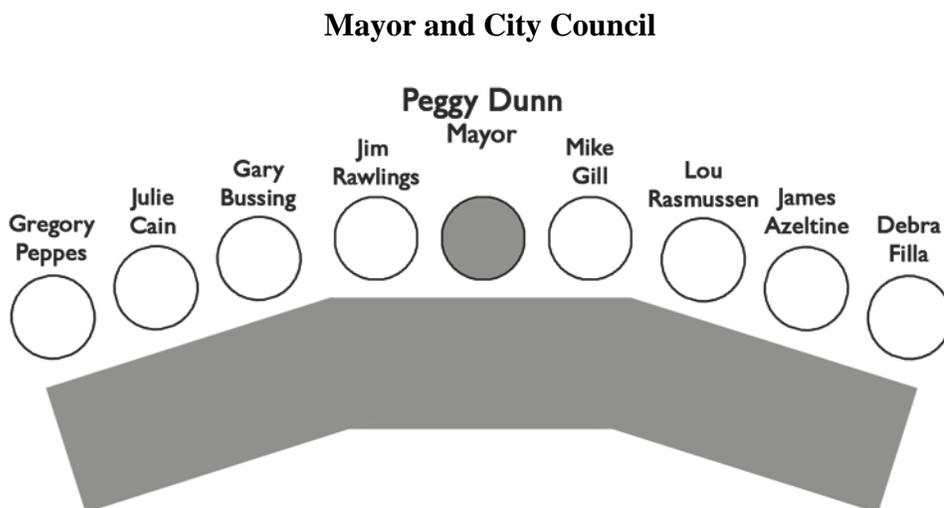
12. OLD BUSINESS

13. OTHER BUSINESS

14. NEW BUSINESS

- *A. Resolution amending and restating Resolution No. 2410, as heretofore amended, 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 within the City of Leawood, Kansas; and accepting a Second Amended Petition for establishment of an Improvement District pursuant to K.S.A. § 12-6a01 et seq. PARK PLACE DEVELOPMENT [CIP NO. 83196]- ***THIS ITEM HAS BEEN PULLED***
- B. Schedule a Governing Body Work Session at 6:00 P.M., on Monday, July 7, 2008, to discuss Transportation Development District [TDD] financing for One Nineteen Development - **Approved**

ADJOURN



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.