

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, August 18, 2008
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
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3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	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 Gregory Peppes	Louis Rasmussen Jim Rawlings	Gary Bussing Mike Gill	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

5. PRESENTATIONS/RECOGNITIONS

6. SPECIAL BUSINESS

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. 1108C and 1109A - **Accepted**
- B. Accept Minutes of the August 4, 2008 Governing Body meeting - **Accepted**
- C. Accept Minutes of the July 17, 2008 Audit Selection Task Force - **Accepted**

- D. Accept Minutes of the June 19, 2008 Green Initiative Citizen Task Force Committee - **Accepted**
- E. Approve renewal of Microsoft Licensing coverage in the amount of \$35,008.70, between the City and Microsoft Corporation via Software House International, Inc., pertaining to the yearly license renewal - **Approved**
- F. Final Re-certification of Special Assessment Project Cost in the amount of \$5,483,839, for Parkway Plaza Improvement Project [CIP # 83195 - **Approved**
- G. Final Re-certification of General Obligation at-Large Project in the amount of \$1,571,393, for 2007 Residential Streets Improvement Project [CIP # 80206] - **Approved**
- H. Approve Change Order No. 1, in the amount of \$160,000 to Musselman & Hall Contractors pertaining to the 2008 Slurry Seal Program [135th Street between Nall and Pawnee] - **Approved**
- I. Approve 7th and Final Payment in the amount of \$12,341.13, to Phelps Engineering, Inc., pertaining to Park Place Improvement Project, Phase [CIP # 83196] - **Approved**
- J. Approve 7th and Final Payment in the amount of \$27,038.99 to Dennis Johnson Construction, pertaining to the Ironwoods Pond Renovation at Ironwoods Park; Project # 76002 - **Approved**
- K. Approve Payment in the amount of \$28,750.00 to Challenger Teamwear pertaining to soccer uniforms for the Parks and Recreation Department - **Approved**
- L. Approve Change Order No. 6 in the amount of \$10,149.98 to Dennis Johnson Construction, pertaining to the Ironhorse Golf Course Improvement Project [Project # 76004] - **Approved**
- M. Approve 15th and Final Pay Request in the amount of \$51,814.07 to Dennis Johnson Construction, pertaining to the Ironhorse Golf Course Improvement Project [Projects # 76004; 76003; 80171; 73001] - **Approved**
- N. **Resolution No. 3092** adopting the Fiscal Year 2009 Budget for the City of Leawood - **Approved**
- O. **Resolution No. 3093** approving and authorizing the Mayor to execute a Service Agreement in the amount of \$33,450.00 between the City and C and C Group, pertaining to Invensys Controls at Ironwoods Lodge, 14701 Mission Road - **Approved**
- P. **Resolution No. 3094** accepting a Storm Sewer Easement from Christopher J. DeSalvo and Shannon N. Buhs located at 8308 Meadow Lane, Lot 194, in connection with Storm Sewer Maintenance Project # 76014 - **Approved**
- Q. Police Department Monthly Report
- R. Fire Department Monthly Report
- S. Municipal Court Monthly Report

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

- A. Councilmember Gill's request to refer 133rd and Roe Avenue traffic signals to the August 19, 2008 Public Works Committee meeting - **Approved**

- B. Councilmember Rasmussen's request to refer 11512 Cedar [eroding bank] to the September 12, 2008 Stormwater Committee meeting - **Approved**

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the July 8, 2008 Planning Commission Meeting]

- A. Ordinance approving a Preliminary Site Plan, Final Plat and Final Site Plan for Leawood Public Library addition, located on the northwest corner of 117th Street and Roe Avenue (PC Case 35-08) - **CONTINUED TO THE SEPTEMBER 15, 2008 GOVERNING BODY MEETING**

[From the July 22, 2008 Planning Commission meeting]

- B. Ordinance approving a Preliminary Site Plan, Final Site Plan and Final Plat for Bi-State Centennial Park, Lots 10 & 11, located north of 141st Terrace and east of Overbrook [PC Case 58-08] [Roll Call Vote] - **CONTINUED TO THE SEPTEMBER 8, 2008 GOVERNING BODY MEETING**
- C. Ordinance approving a Special Use Permit for Molle Offsite Parking, located approximately at 104th Street and State Line Road [PC Case 47-08] [Roll Call Vote] **CONTINUED TO THE SEPTEMBER 8, 2008 GOVERNING BODY MEETING**
- D. Ordinance approving a Preliminary Site Plan and Final Site Plan for Mission Trail Elementary School, at 133rd Street and Mission Road [PC Case 61-08] [Roll Call Vote] - **CONTINUED TO THE SEPTEMBER 8, 2008 GOVERNING BODY MEETING**

12. OLD BUSINESS

- A. Resolution approving and authorizing the Mayor to execute an addendum to that certain Architectural Design Agreement dated September 4, 2007, for an amount not to exceed \$84,000, between the City and Ball Construction Services LLC [Dennis Reynolds] pertaining to the design of Gezer Park, located at 133rd and Mission Road [# 76006] - **CONTINUED FROM THE AUGUST 4, 2008 GOVERNING BODY MEETING - Removed**

13. OTHER BUSINESS

14. NEW BUSINESS

- A. **Ordinance No. 2334C** amending Code § 4-912 of the Code of the City of Leawood, 2000, entitled International Residential Code for One and Two Family Dwellings; Submittal Documents, and repealing existing section 4-912 and other sections in conflict herewith [Roll Call Vote] - **Passed**
- B. **Ordinance No. 2335C** amending Chapter 4, Article 9 of the Code of the City of Leawood, 2000, by adding new Section 4-951A, entitled 'International Residential Code for One and Two Family Dwellings; Drainage' [Roll Call Vote] - **Passed**

- C. **Ordinance No. 2336C** amending Code § 8-519 of the Code of the City of Leawood, 2000, entitled “International Property Maintenance Code; Grading and Drainage” and repealing existing Section 8-519 and other sections in conflict herewith [Roll Call Vote] - **Passed**

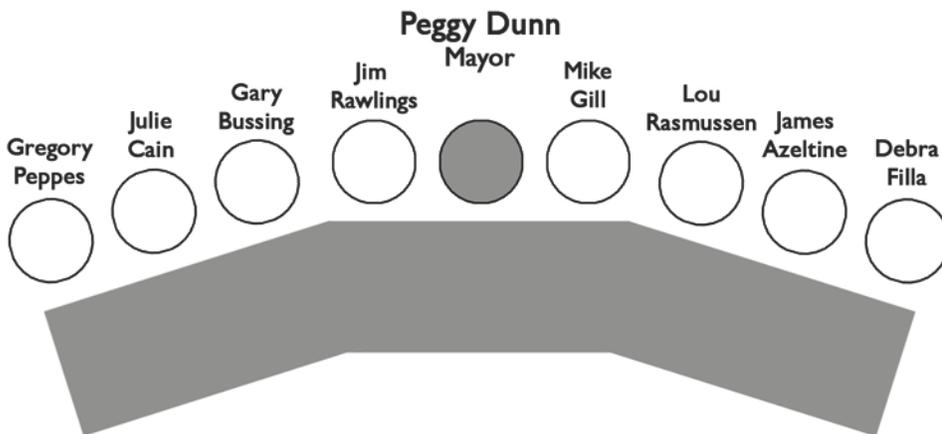
- D. **Ordinance No. 2337** levying a one-eight of one percent [.125%] City Retailers’ Sales Tax in addition to the one and four-tenths percent (1.4%) tax currently levied, within the City of Leawood, Kansas, for the purpose of funding an accelerated residential and thoroughfare street improvement program and for necessary stormwater improvements in certain instances; such additional tax to take effect July 1, 2010, and end on June 30, 2015 [Roll Call Vote] - **Passed**

- E. Schedule a Joint Work Session on Monday, November 3, 2008, at 6:00 P.M., between the Governing Body and the Park and Recreation Board Members to further discuss results of Needs Assessment Study for Community Center, at the Leawood City Hall, 4800 Town Center Drive, Leawood, KS 66211, in the Oak Room located downstairs in the Community Center - **Approved**

- *F. Schedule a Governing Body Executive Session at 6:30 P.M., on Monday, September 15, 2008, to discuss a personnel matter; the City Administrator’s 6-month review - **Approved**

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.