

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, September 15, 2008
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

SEPTEMBER						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

OCTOBER						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

ACTION 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**

Constitution Week, September 17-23, 2008

5. **PRESENTATIONS/RECOGNITIONS**

6. **SPECIAL BUSINESS**

A. **PUBLIC HEARING**

Consider vacating the easement located at 4813 W. 143rd Terrace, Highland Creek, 3rd Plat, Lot 49A

B. **Ordinance No. 2346** vacating an easement located within Lot 49A, Highland Creek, commonly known as 4813 W. 143rd Terrace, Leawood, Johnson County, Kansas [Roll Call Vote] - **Passed**

- *C. Presentation of 2008 Comprehensive Plan and Map- ***TO BE CONTINUED TO THE OCTOBER 6, 2008 GOVERNING BODY MEETING***
- D. Resolution approving the Planning Commission's recommendation to adopt the 2008 Leawood Comprehensive Plan and map, in accordance with K.S.A. § 12-7-47 [*From the August 12, 2008 Planning Commission meeting*] - ***TO BE CONTINUED TO THE OCTOBER 6, 2008 GOVERNING BODY MEETING***
- E. **PUBLIC HEARING** Public Hearing on the advisability of the creation of a Transportation Development District for the One Nineteen Development located on the southeast corner of 119th Street and Roe [CIP # 80456]- ***CONTINUED FROM THE SEPTEMBER 8, 2008 GOVERNING BODY MEETING***
- F. **Resolution No. 3101** approving and authorizing the Mayor to execute a Development Agreement, between the City and 119th Street Development, LLC, for property located on the southeast corner of 119th Street and Roe [CIP # 80456] - **Approved**
- G. **Ordinance No. 2345**, authorizing the creation of a Transportation Development District in the City of Leawood, Kansas; authorizing the development of certain transportation project improvements relating thereto; approving the estimated costs of such transportation project improvements; and providing for the method of financing therefor. [119th Street Development; CIP # 80456] [Roll Call Vote] - **Passed**
- H. **Ordinance No. 2347** authorizing and providing for the imposition of a Transportation District Sales Tax within the 119 Transportation Development District located east of Roe and South of 119th Street and North and West of Tomahawk Creek Parkway, in the City of Leawood, Johnson County, Kansas; establishing a method of collection of such sales tax; and providing for the segregation of such sales tax revenues for the payment of the costs of certain transportation projects within the Transportation Development District [Roll Call Vote] - **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 No. 111A - **Accepted**
- B. Accept Minutes of the August 18, 2008 Governing Body Work Session meeting - **Accepted**
- C. Accept Minutes of the August 4, 2008 Governing Body Work Session meeting - **Accepted**

- D. Accept Minutes of the July 31, 2008 Ironhorse Advisory Board meeting - **Accepted**
- E. Accept Minutes of the July 31, 2008 Green Initiative Citizen Task Force Committee meeting - **Accepted**
- F. Accept Minutes of the August 8, 2008 Audit Services Selection Task Force Committee meeting - **Accepted**
- G. Accept Minutes of the July 8, 2008 Public Work Committee meeting - **Accepted**
- H. Approve purchase in the amount of \$26,134.66 from John A. Marshall Company, for the purchase of replacement chairs in the Oak Room in the Community Center - **Approved**
- I. **Resolution No. 3102** accepting a Storm Sewer Easement from James A. & Janet S. Stauffer, located at 8312 Meadow Lane, Leawood Lot 193, in connection with Storm Sewer Maintenance Project # 76014 - **Approved**
- J. **Resolution No. 3103** accepting a Storm Sewer Easement from James W. & Kathleen T. Hipps, located at 9737 Overbrook, Leawood Estates, Lot 361, in connection with Storm Sewer Maintenance Project # 76013 - **Approved**
- K. **Resolution No. 3104** accepting a Storm Sewer Easement from Jack A. Boring, Trustee, located at 9733 Overbrook, Leawood Estates, Lot 360, in connection with Storm Sewer Maintenance Project # 76013 - **Approved**
- L. **Resolution No. 3105** approving and authorizing the Mayor to execute an Engineering Agreement between the City and Phelps Engineering, Inc., pertaining to Gezer Park, located at located at 133rd and Mission Road [# 76006] - **Approved**
- M. **Resolution No. 3106** approving and verifying the City of Leawood's 2009 allotment to the 2009 Human Service Fund [United Community Services – USC] and the City of Leawood's participation for an amount not to exceed \$10,000 - **Approved**
- N. **Resolution No. 3107** approving and verifying the City of Leawood's 2009 allotment to the Alcohol Tax Fund by Johnson County Drug and Alcoholism Council [DAC] for an amount not to exceed \$110,000 - **Approved**
- O. **Resolution No. 3108** approving a Final Site Plan for a tenant finish for Park Place - Bradley Paper, located at the northeast corner of 117th Street and Nall Avenue, within the Park Place development [*from the August 26, 2008 Planning Commission meeting*] - **Approved**
- P. **Resolution No. 3109** approving a Final Site Plan for a tenant finish for Park Place - Muse Salon, located on the northeast corner of 117th Street and Nall Avenue, within the Park Place development [*from the August 26, 2008 Planning Commission meeting*] - **Approved**
- Q. **Resolution No. 3110** approving a Final Site Plan for a tenant finish for Park Place - KC Surroundings, located on the northeast corner of 117th Street and Nall Avenue, within the Park Place development [*from the August 26, 2008 Planning Commission meeting*] - **Approved**
- R. Police Department Monthly Report - **Approved**
- S. Fire Department Monthly Report - **Approved**
- T. Municipal Court Monthly Report - **Approved**

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

- A. Acceptance of Maintenance Action Plan for Ironhorse Golf Course, at 15400 Mission Road - **Approved**

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PUBLIC WORKS COMMITTEE

[from the July 8, 2008 Public Works Committee meeting]

- A. Recommendation of review of small sized standard contract forms - **Approved**

12. 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 [Roll Call Vote] –**Continued From The August 4, 2008 Governing Body Meeting- CONTINUED TO THE OCTOBER 6, 2008 GOVERNING BODY MEETING**

[From the September 9, 2008 Planning Commission Meeting]

- B. **Resolution No. 3111** approving a Sign Plan for Hair Saloon, located at the northwest corner of 135th Street and Roe Avenue - **Approved**

13. OLD BUSINESS

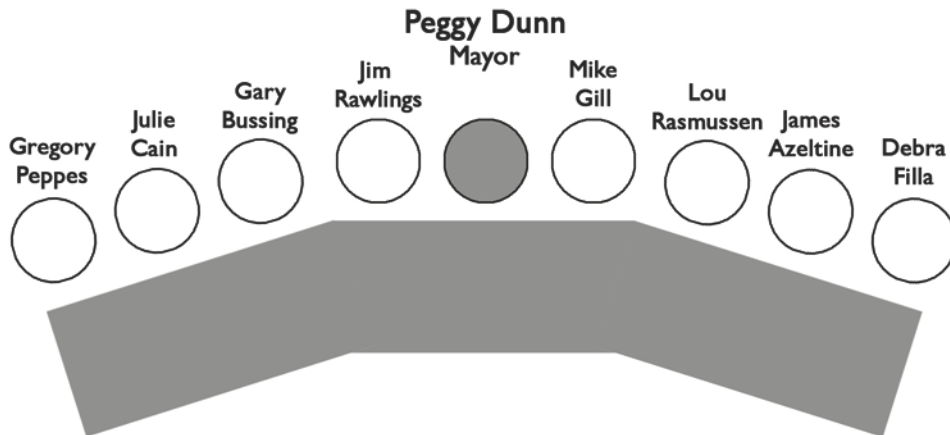
14. OTHER BUSINESS

- *A. Discuss modification of Benefit District Policy requirement for security necessary for Cornerstone Special Benefit Districts. – **RECESSED INTO EXECUTIVE SESSION TO CONSULT WITH THE CITY ATTORNEY REGARDING MATTERS SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE.**

15. NEW BUSINESS

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:** $\frac{3}{4}$ 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.