

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, April 6, 2009
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

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

<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

**Public Safety Telecommunicators' Week,
April 12-18, 2009**

Arbor Day, April 24, 2009

5. PRESENTATIONS/RECOGNITIONS

**Mark Andrasik, Installation of New
Video Equipment**

6. SPECIAL BUSINESS

- A. **Resolution No. 3175** calling for a pre-budget public hearing to be held on Monday, April 6, 2009, for the 2010 fiscal budget and ratifying action by the City Clerk in publishing notice thereof on March 10, 2009 - **Approved**

- B. Pre-Budget Public Hearing on 2010 Fiscal Budget for the City of Leawood, Kansas

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. 2009-8, 2009-9, 2009-10, 2009-11, and 2009-12 - **Accepted**
- B. Accept March 2, 2009 Governing Body minutes - **Accepted**
- C. Accept March 2, 2009 Governing Body Work Session minutes - **Accepted**
- D. Accept February 10, 2009 Parks and Recreation Advisory Board minutes - **Accepted**
- E. Accept February 5, 2009 Green Initiative Task Force meeting minutes - **Accepted**
- F. Accept February 26, 2009 IRONHORSE Advisory Board minutes - **Accepted**
- G. Accept January 15, 2009 IRONHORSE Advisory Board minutes - **Accepted**
- H. Accept February 10, 2009 Historic Commission meeting minutes - **Accepted**
- I. Accept November 11, 2008 Historic Commission meeting minutes - **Accepted**
- J. Approve Retail Liquor License Renewal for FPFKC Liquors, LLC [ZIPZ Spiritz], located at 4821 W. 135th Street - **Approved**
- K. Approve Massage Therapist License for Craig Allen's Fine Grooming to be located at 11544 Ash - **Approved**
- L. **Resolution No. 3176** accepting the Certified Cost Summary in the amount of \$4,945,000, in accordance with that certain Development Agreement dated September 18, 2008 between the City and 119th Street Development, LLC, pertaining to the One Nineteen Development Project, Transportation Development District; TDD, located at 119th Street and Roe Avenue [Project # 80456] - **Approved**
- M. **Resolution No. 3177** verifying the square footage condition has been met, as set forth in that certain Development Agreement dated September 18, 2008 between the City and 119th Street Development, LLC, pertaining to the One Nineteen Development Project, Transportation Development District; TDD, located at 119th Street and Roe Avenue [Project # 80456] - **Approved**
- N. **Resolution No. 3178** approving and authorizing the Mayor to execute a Right-of-Way Maintenance Agreement in the amount of \$42,549.12 between the City and Kansas Land Management, pertaining to right-of-way and median maintenance - **Approved**
- ***O. Resolution approving and authorizing the Mayor to execute an Independent Contractor Agreement between the City and Pepsi Americas pertaining to the vending and resale of soft drink products- **CONTINUED TO THE APRIL 20, 2009 GOVERNING BODY MEETING**
- ***P. Resolution approving and authorizing the Mayor to execute a Service Agreement in the amount of \$19,716.33 between the City and American Sentry Electronic Systems, Inc., pertaining to security cameras at IRONHORSE Golf Course, located at 15400 Mission Road- **THIS ITEM HAS BEEN PULLED**

- Q. **Resolution No. 3179** approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$285,120.00 [\$1.76/square yard] between the City and Musselman & Hall Contractors pertaining to the 2009 Slurry Seal Program - *Approved*
- R. **Resolution No. 3180** approving and authorizing the Mayor to execute a Construction Agreement between the City and Linaweaver Construction Company in the amount of \$1,361,527.14, pertaining to the 2009 Residential Street Re-Construction Project - *Approved*
- S. **Resolution No. 3181** approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$69,061.00 between the City and Professional Video Supply, Inc., for the installation of new video equipment and cabling in the Council Chambers - *Approved*
- T. **Resolution No. 3182** revising the fee schedule, not specifically provided for in the Code of the City of Leawood, 2000, specifically for IRONHORSE Golf Course League fees, in accordance with Section 1-701 of the Code of the City of Leawood, 2000 - *Approved*
- U. **Resolution No. 3183** approving a Final Site Plan for a tenant finish for Village of Seville - Zepi's Pizza & Pub, located on the northwest corner of 133rd Street and State Line Road, within the Village of Seville development. (PC # 11-09) [*From the February 24, 2009 Planning Commission meeting*] - *Approved*
- V. Declaration of surplus property: [3] Sony dual audio tape recording devices Model BM-246 serial/0529712; serial/0528653; and serial/0523636 - *Approved*
- W. Police Department February, 2009 Monthly Report
- X. Fire Department February, 2009 Monthly Report
- Y. Municipal Court February, 2009 Monthly Report

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PUBLIC WORKS COMMITTEE

[From the February 17, 2009 Public Works Committee meeting]

A. Recommendations from Public Works Committee

- 1. Recommend installation of audio component to traffic signals at the intersection of 103rd and State Line Road to assist a visually impaired individual - *Approved*
- 2. Install School Zone light on 133rd Street and modify the existing light on Mission Road for Mission Trails Elementary School - *Approved*
- 3. Speed limit along 133rd Street – ***NO ACTION REQUIRED***

12. PLANNING COMMISSION

[From the February 24, 2009 Planning Commission meeting]

- A. **Resolution No. 3184** approving a Final Site Plan for Village of Seville - Capitol Federal Utility Boxes, located on the northwest corner of 133rd Street and State Line Road, within the Village of Seville development (PC # 07-09) - **Approved**

- B. **Ordinance No. 2385** approving a Special Use Permit [SUP] for the operation of a convenience store with gas station for Plaza Pointe - Zipz! Convenience Store, located south of 135th Street and west of Roe Avenue, within the Plaza Pointe development (PC # 03-09) [Roll Call Vote] - **Passed**

- C. **Ordinance No. 2386** approving a Special Use Permit [SUP] for packaged liquor sales for Plaza Pointe - Zipz! Convenience Store, located south of 135th Street and west of Roe Avenue, within the Plaza Pointe development (PC # 03-09) [Roll Call Vote] - **Passed**

- D. **Ordinance No. 2387** amending § 16-2-7 of the Leawood Development Ordinance [LDO], pertaining to adding "kennels" to the table of uses within the BP (Business Park District) (PC #10-09) [Roll Call Vote] - **Passed**

***** [From the March 10, 2009 Planning Commission meeting]**

- E. Ordinance approving a Preliminary Final Site Plan for Bi-State/Centennial Park – Maxwell Hotel and Salon (Kennel), located south of 143rd Street and east of Overbrook (PC # 09-09) [Roll Call Vote] – **CONTINUED TO THE APRIL 20, 2009 GOVERNING BODY MEETING AT THE REQUEST OF THE APPLICANT**

13. OLD BUSINESS

14. OTHER BUSINESS

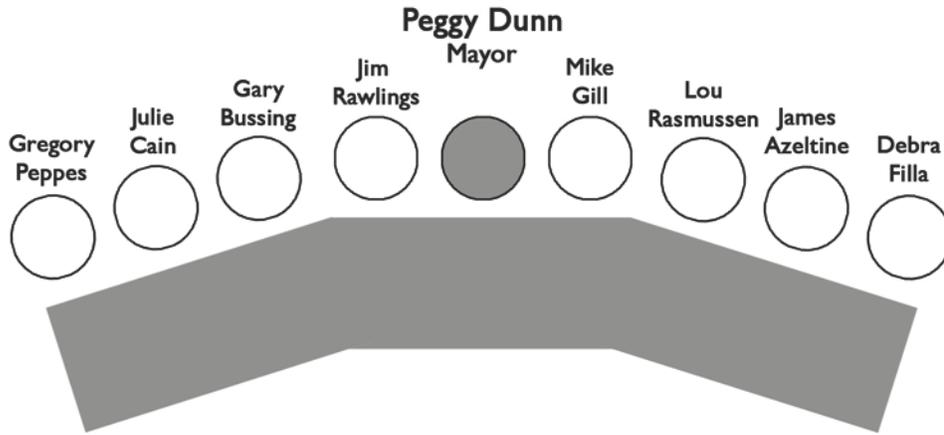
15. NEW BUSINESS

- A. Schedule a Governing Body Executive Session on Monday, April 13, 2009, at 6:30 P.M., for personnel matter; City Administrator’s 6-month review - **Approved**

- B. Schedule a Governing Body Executive Session on Monday, April 6, 2009, immediately following the regular Governing Body meeting to discuss matters related to the acquisition of real property - **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:** ¾ 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.