

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, April 20, 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			
	Ward One	Ward Two	Ward Three	Ward Four
	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**
 - National Crime Victims’ Rights Week, April 26-May 2, 2009**
 - National Volunteer Week, April 19-25, 2009**
5. **PRESENTATIONS/RECOGNITIONS** **Winners of Recycling Essay Contest [Green Initiative Citizens Task Force]**
6. **SPECIAL BUSINESS**
 - A. Presentation of 2008 Annual Audit
 - B. **Resolution No. 3185** accepting the 2008 Comprehensive Annual Financial Report [Audit] for the City of Leawood, Kansas - **Approved**

If you require any accommodation (i.e. qualified interpreter, hearing assistance, etc.) in order to attend this meeting, please notify this office at 913.339.6700/tdd 913.339.6225 no later than 48 hours prior to the scheduled commencement of the meeting.

- C. **Ordinance No. 2388** amending Chapter 1, Article 8, of the Code of the City of Leawood, 200, by adding new Sections 1-839 through 1-842, Establishing a new Leawood One Nineteen Transportation Development District [TDD] Tax Debt Service Fund for the City of Leawood, Kansas [Roll Call Vote] - **Passed**
- D. **Resolution No. 3186** declaring it necessary to appropriate private property in accordance with K.S.A. § 26-501 for the use of the City of Leawood for the construction of a Municipal Activity Center to be located on the northeast corner of 117th Street and Roe Avenue [Town Center Business Park - Lots 4, 5, and 6] - **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. 2009-13, and 2009-14 - **Accepted**
- B. Accept Minutes of the April 6, 2009 Governing Body meeting - **Accepted**
- C. Accept Minutes of the April 6, 2009 Governing Body Work Session - **Accepted**
- D. Accept Minutes of the March 10, 2009 Parks & Recreation Advisory Board meeting - **Accepted**
- E. Accept Minutes of the December 12, 2008 Stormwater Management Committee meeting - **Accepted**
- F. Approve 7th and Final Pay Request in the amount of \$5,300.00 to J.M. Fahey Construction Company, pertaining to the 2008 Arterial Mill & Overlay Project - **Approved**
- G. Approve issuance of Temporary Alcohol Permit to conduct The Taste of Leawood Fundraising Event on Saturday, June 13, 2009, in accordance with Code § 3-216 - **Approved**
- H. Approve issuance of Temporary Alcohol Permit to conduct Town Center Plaza Charity Fashion Event on Saturday, May 16, 2009, in accordance with Code § 3-216 - **Approved**
- I. Accept bids in the amount of \$201,221.00 for the purchase of various capital equipment from K.C. Bobcat, Sellers Equipment, and American Equipment - **Accepted**
- *** J. **Approve change in trail material in the amount of \$42,192.00 to Mega Industries pertaining to the Gezer Park Project located at 133rd and Mission Road [#76006] – CONTINUED TO THE MAY 4, 2009 GOVERNING BODY MEETING**
- K. **Resolution No. 3187** 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 FROM THE APRIL 6, 2009 GOVERNING BODY MEETING - Approved**
- L. **Resolution No. 3188** 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 - **Approved**

- M. **Resolution No. 3189** approving and authorizing the Mayor to execute a Construction Agreement between the City and O'Donnell & Sons Construction Company in the amount of \$834,356.55, pertaining to the 2009 Residential Mill & Overlay Program [Project # 852000] - **Approved**
- N. **Resolution No. 3190** approving and authorizing the Mayor to execute a Professional Service Agreement between the City and Olsson Associates in the amount of \$15,000.00, pertaining to traffic related plan reviews - **Approved**
- O. **Resolution No. 3191** approving and authorizing the Mayor to execute a Professional Service Agreement between the City and Peridian Group, Inc., in the amount of \$18,440.00, for services connected to the American Recovery and Reinvestment Act of 2009 [103rd Street Mill and Overlay Survey: Mission Road to State Line Road] - **Approved**
- P. **Resolution No. 3192** approving and authorizing the Mayor to renew a Maintenance Agreement between the City and Intergraph Public Safety, Inc., in the amount of 23,688.00, pertaining to the Intergraph Software System for the Police Department - **Approved**
- Q. **Resolution No. 3193** approving and authorizing the Mayor to execute a Cooperative Agreement by and between the Board of County Commissioners of Johnson County, the City of Leawood and other surrounding area cities, pertaining to the 2009 Byrne Justice Assistance Grant [JAG] Formula Program - **Approved**
- R. **Resolution No. 3194** approving and authorizing the Mayor to execute an Amendment to that certain Amended Lease Agreement dated May 5, 2008, between the City and Orion Management Systems, Inc., pertaining to the serving of alcoholic beverages at Ironhorse Golf Club, located at 15400 Mission Road - **Approved**
- S. **Resolution No. 3195** accepting and adopting the Johnson County Multi-Hazard Mitigation Plan as the official plan for the City of Leawood, Kansas - **Approved**
- T. **Resolution No. 3196** granting a Permanent Utility Easement to the City of Leawood, Kansas, located on the northwest corner of Town Center Drive and Roe Avenue, pertaining to expansion of the Johnson County Library - **Approved**
- U. **Resolution No. 3197** approving a Final Site Plan for Mission Farms Building B - Exclusive MD Tenant Finish, located at the northeast corner of Mission Road and I-435 Highway (PC Case # 12-09) – *from the March 24, 2009 Planning Commission meeting* - **Approved**
- V. **Resolution No. 3198** approving a revised Final Site Plan for The Estates of Old Leawood, located at 8901 Sagamore (PC Case # 13-09) – *from the March 24, 2009 Planning Commission meeting* - **Approved**
- W. Police Department Monthly Report
- X. Fire Department Monthly Report
- Y. Municipal Court Monthly Report

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

10. STAFF REPORT

- A. Update from Shane Gardner on IRONHORSE Golf Course
- B. Update from Pete Spratlin on IRONHORSE Golf Course
- C. Report from Police Chief John Meier

COMMITTEE RECOMMENDATIONS

11. PARKS AND RECREATION ADVISORY BOARD

[From the February 10, 2009 Parks & Recreation Advisory Board meeting]

- A. **Ordinance No. 2389** amending § 12-210A of the of the Code of the City of Leawood, 2000, pertaining to Commercial Use of Parks [Roll Call Vote] - **Passed**

12. PLANNING COMMISSION

[From the March 10, 2009 Planning Commission meeting]

- A. **Ordinance No. 2390** 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) – ***CONTINUED FROM THE APRIL 6, 2009 GOVERNING BODY MEETING*** [Roll Call Vote] - **Passed**

13. OLD BUSINESS

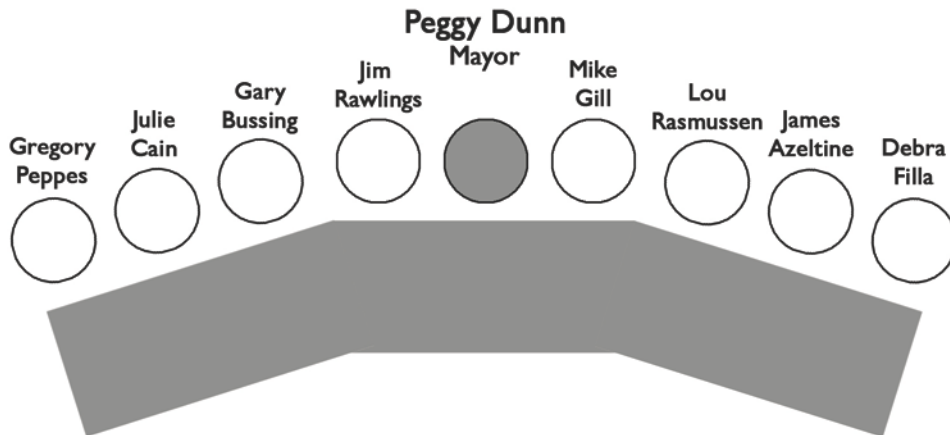
14. OTHER BUSINESS

15. NEW BUSINESS

- A. **Ordinance No. 2391** amending Chapter 5, Article 5 of the of the Code of the City of Leawood, 2000, by repealing Section 5-524(c); Massage Establishment; Separation of Sexes [Roll Call Vote] - **Passed**
- B. Schedule a Governing Body Work Session [**Tentative**] on Monday, May 4, 2009, at 6:00 P.M., to discuss Potential Legislative Budget Cuts - **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:** $\frac{3}{4}$ 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.