

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, November 2, 2009
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

NOVEMBER						
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	20					

DECEMBER						
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			
	<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

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. 2009-39, 2009-40, 2009-41, and 2009-42 - **Accepted**
- B. Accept minutes of the September 21, 2009 Governing Body Work Session - **Accepted**
- C. Accept minutes of the October 5, 2009 Governing Body meeting - **Accepted**

- D. Accept minutes of the October 5, 2009 Governing Body Work Session - **Accepted**
- E. Accept minutes of the September 9, 2009 Historic Commission meeting - **Accepted**
- F. Accept minutes of the August 25, 2009 Leawood Arts Council meeting - **Accepted**
- G. Accept minutes of the August 11, 2009 Park & Recreation Advisory Board - **Accepted**
- H. Accept minutes of the May 27, 2009 Stormwater Management Committee meeting - **Accepted**
- I. Approve 2011 Budget and Capital Improvement Project [CIP] Calendar - **Approved**
- J. Approve Retail Liquor Store License for Cork & Bottle [f/k/a Stoll Liquor], located at 3731 W. 133rd Street - **Approved**
- K. Approve renewal of Cereal Malt Beverage [CMB] license for Hy-Vee Food Store, located at 12200 State Line Road - **Approved**
- L. Approve issuance of Temporary Alcohol Permit to conduct DeLaSalle 19th Annual Movie Benefit Event at AMC Town Center Theatre, 11701 Nall Avenue, on Thursday, November 12, 2009, in accordance with Code § 3-216 - **Approved**
- M. Approve issuance of Temporary Alcohol Permit for Holiday Open House event at Annabelle's Fine Linens located within Park Place Development, on Thursday, November 19, 2009, in accordance with Code § 3-216 - **Approved**
- N. Approve Change Order No. 1 in the reduced amount of \$46,590.14 to Miles Excavating, pertaining to the 2009 Arterial Mill & Overlay Project [Project # 72012]- **Approved**
- O. Approve 4th and Final Pay Request in the amount of \$5,000 to Miles Excavating, pertaining to the 2009 Arterial Mill & Overlay Project [Mission Road] [Project # 72012] - **Approved**
- P. 2nd and Final Pay Request in the amount of \$7,334.00 to Musselman & Hall, pertaining to 2009 Slurry Seal Project [Project # 70005] - **Approved**
- Q. **Resolution No. 3283** calling for a public hearing to be held on December 7, 2009, regarding amendments to the 2009 Fiscal Budget for the City of Leawood - **Approved**
- R. **Resolution No. 3284** approving and authorizing the Mayor to execute Supplemental Agreement No. 1 to that certain Inter-local Agreement dated July 20, 2009, between the City and the Kansas Department of Transportation [KDOT] [American Recovery and Reinvestment Act of 2009 [ARRA- Agreement No. 181-09] [46N-0449-01] for the grading and surfacing of 103rd Street between State Line Road and Mission Road - **Approved**
- S. **Resolution No. 3285** approving and authorizing the Mayor to execute an Engineering Service Agreement in the amount of \$55,000, between the City and Continental Consulting Engineers, Inc., pertaining to the stormwater project located at 97th and State Line Road [Project # 76022]- **Approved**
- T. **Resolution No. 3286** approving and authorizing the Mayor to execute a Letter of Engagement between the City and Rubin Brown, LLP, for an amount not to exceed \$32,000, pertaining to 2009 audit services - **Approved**
- U. **Resolution No. 3287** authorizing and approving the Mayor to accept a Letter of Engagement for an amount not to exceed \$75,000, from Orrick and Associates, pertaining to the condemnation of real property located at 117th and Roe Avenue - **Approved**
- V. Police Department Monthly Report – September, 2009 - **Approved**
- W. Fire Department Monthly Report– September, 2009 - **Approved**
- X. Municipal Court Monthly Report– September, 2009- **Approved**

8. MAYOR’S REPORT

9. COUNCILMEMBERS’ REPORT

Councilmember Lou Rasmussen Report - revision to scope of Amphitheatre project for the next phase to only include parking lot expansion and one restroom facility

Councilmember Jim Rawlings Report - recommendation from Stormwater Committee and Green Initiative Task Force to review Leawood Development Ordinance [LDO] section regarding rain barrels

10. STAFF REPORT

11. OLD BUSINESS

12. OTHER BUSINESS

13. NEW BUSINESS

- A. **Ordinance No. 2418C**, amending Sections 11-101 through 11-106 of the Code of the City of Leawood, 2000, pertaining to regulating public offenses within the corporate limits of the City of Leawood, Kansas; incorporating by reference the ‘Uniform Public Offense Code for Kansas Cities,’ 2009 edition, [UPOC] with certain amendments and omissions, such incorporation being authorized by K.S.A. §12-3009 through 12-3012, and K.S.A. § 12-3301 and 12-3302, and repealing existing § 11-101 through 11-105, and other sections in conflict herewith [Roll Call Vote] - **Passed**

- B. **Ordinance No. 2419C**, amending Article 1 of Chapter 14 of the Code of the city of Leawood, Kansas, 2000, by amending Sections 14-101 through 14-112 and adding a new Section 14-113, pertaining to regulating traffic within the corporate limits of the City of Leawood, Kansas; incorporating by reference the ‘Standard Traffic Ordinance for Kansas Cities, 2009 edition,’ [STO] with certain amendments, such incorporation being authorized by K.S.A. § 12-3009 through 12-3012, and K.S.A. § 12-3301 and 12-3302; repealing existing sections 14-101 through 14-112; and other sections in conflict herewith [Roll Call Vote] - **Passed**

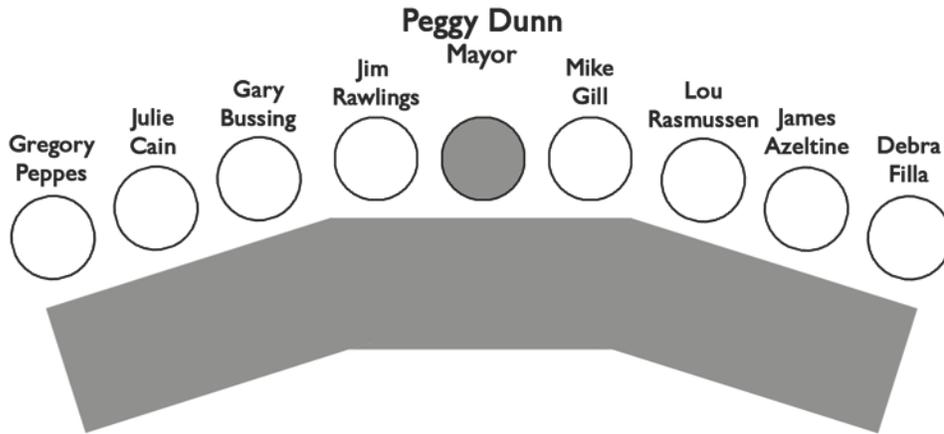
- C. Schedule a Governing Body Executive Session on Monday, November 2, 2009, immediately following the regular meeting to discuss matters related to attorney-client privilege - **Approved**

DATE	TIME	SUBJECT	LOCATION
November 2	6:00 P.M.	Transportation Development District [TDD] financing for Park Place Improvement District	Main Conf. Room
November 16	6:00 P.M.	**Transportation Development District [TDD] financing for Park Place Improvement District	Main Conf. Room
December 7	6:00 P.M.	Discuss Informational Signs	Main Conf. Room
December 21	6:00 P.M.	Discuss the establishment of a Community Improvement District [CID] Policy for redevelopment	Main Conf. Room

****If needed**

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.