

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, April 5, 2010
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

APRIL 2010						
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	

MAY 2010						
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

**Public Safety Telecommunicators' Week,
April 11-17, 2010**

5. PRESENTATIONS/RECOGNITIONS

6. SPECIAL BUSINESS

Resolution No. 3355 approving and authorizing the Mayor to execute a Professional Planning Service Agreement in the amount of \$33,135.00, [base contract \$22,000; with alternate A at \$5,250.00; and alternate B at \$5,885.00] between the City and Hoefer Wysocki Architects, LLC [HWA], for planning services for specific city owned property - **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. 2010-7, 2010-8, 2010-9, 2010-10, and 2010-11 - **Accepted**
- B. Accept minutes of the March 1, 2010 Governing Body meeting - **Accepted**
- C. Accept minutes of the March 1, 2010 Governing Body Work Session - **Accepted**
- D. Accept minutes of the February 9, 2010 Parks and Recreation Advisory Board meeting - **Accepted**
- E. Accept minutes of the February 4, 2010 Leawood Foundation Annual Board meeting - **Accepted**
- F. Accept minutes of the January 27, 2010 Stormwater Management Committee meeting - **Accepted**
- G. Accept minutes of the January 26, 2010 Arts Council meeting - **Accepted**
- H. Accept minutes of the January 19, 2010 Public Works Committee meeting - **Accepted**
- I. Accept minutes of the January 14, 2010 Ironhorse Advisory Board meeting - **Accepted**
- J. Accept minutes of the October 14, 2009 Historic Commission meeting - **Accepted**
- K. Approval of 2010 Governing Body Goals & Objectives [*Continued from the March 1, 2010 Governing Body meeting*] - **Approved**
- L. Approve renewal of Cereal Malt Beverage [CMB] license for Hallbrook Country Club, located at 11300 Overbrook Road - **Approved**
- M. Sixth and Final Pay Request in the amount of \$2,382.00 to Phelps Engineering, Inc., pertaining to the 2010 Residential Street Reconstruction Project [Project # 70008] - **Approved**
- N. Approve purchase in the amount of \$45,793 from Commenco, Inc., for 700 MHz portable fire radios for the Fire Department - **Approved**
- O. Approve purchase in the amount of \$44,000 from Blue Valley Public Safety, Inc., for the purchase and installation of two [2] Emergency Preparedness storm warning sirens - **Approved**
- P. Approve purchase in the amount of \$49,031.66 from Professional Turf Products, for the purchase of maintenance equipment for Ironhorse Golf Course - **Approved**
- Q. Approve purchase in the amount of \$56,218.20 from Van Wall Equipment, for the purchase of maintenance equipment for Ironhorse Golf Course - **Approved**
- R. **Resolution No. 3353** ordering a Public Hearing to be held on May 3, 2010, at 7:30 P.M., or as soon thereafter as may be heard on proposed assessments for the 135th Street and Fontana Intersection Traffic Signalization Project [Project # 80403] - **Approved**
- S. **Resolution No. 3354** ordering a Public Hearing to be held on May 3, 2010, at 7:30 P.M., or as soon thereafter as may be heard on proposed assessments for the Villaggio Improvement District Project [Project # 83197] - **Approved**
- T. **Resolution No. 3356** approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,960,103.75, between the City and Linaweaver Construction Company, pertaining to the 2010 Residential Street Reconstruction Project [Project # 80210 & 77005] - **Approved**
- U. **Resolution No. 3357** approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$939,270.50, between the City and O'Donnell & Sons Construction Co., Inc., pertaining to the 2010 Residential Street Mill & Overlay Program [Project # 70008] - **Approved**

- V. **Resolution No. 3358** approving and authorizing the Mayor to execute an Interlocal Agreement between the City and the Board of Johnson County Commissioners [BOCC] pertaining to the State Line Road Improvement Project [between I-435 to 119th Street] [Project # 72028] - **Approved**
- W. **Resolution No. 3359** approving and authorizing the Mayor to execute an Interlocal Agreement between the City of Leawood and the City of Kansas City, Missouri pertaining to the State Line Road Improvement Project [between Carondelet to College Boulevard] [Project # 72028] - **Approved**
- X. **Resolution No. 3360** approving and authorizing the Mayor to execute Supplemental Agreement No. 2 to that certain Inter-local Agreement dated August 26, 2009, between the City and Secretary of Transportation of the State of Kansas, [KDOT] for American Recovery and Reinvestment Act of 2009 Project [ARRA – Agreement No. 181-09] [46N-0449-01] for the grading and surfacing of 103rd Street between State Line Road and Mission Road - **Approved**
- Y. **Resolution No. 3361** approving and authorizing the Mayor to execute Amendment No. 1 to that certain an Inter-local Agreement dated December 7, 2009, between the City and WaterOne, pertaining to the construction of facilities located at 146th & Nall Avenue - **Approved**
- Z. **Resolution No. 3362** approving and authorizing the Mayor to execute a Consent Letter for T-Mobile Central LLC, pertaining to a fiber upgrade to the Cell tower, located at 9617 Lee Boulevard - **Approved**
- AA. **Resolution No. 3363** approving a Sign Plan for Pinnacle Corporate Center – Union Bank & Trust, located at 11460 Tomahawk Creek Parkway [PC Case # 06-10] [**From the February 23, 2010 Planning Commission meeting**] - **Approved**
- BB. **Resolution No. 3364** approving a Revised Final Site Plan for The Woods At Ironhorse, located at 153rd Street and Nall Avenue [PC Case # 15-10] [**From the February 23, 2010 Planning Commission meeting**] - **Approved**
- *CC. **Resolution approving a Final Site Plan for a Tenant Finish for Camelot Court – Jimmy John’s Gourmet Sandwiches, located at 4302 W. 119th Street [Case 16-10] [**From the February 23, 2010 Planning Commission meeting**] – CONTINUED TO THE APRIL 19, 2010, GOVERNING BODY MEETING**
- DD. **Resolution No. 3365** approving a Sign Plan for Sign Criteria for Pinnacle Corporate Centre, located northwest of 115th Street and Tomahawk Creek Parkway [PC Case # 20-10] [**From the February 23, 2010 Planning Commission meeting**] - **Approved**
- EE. **Resolution No. 3366** approving a Final Sign Plan for Root Dental, located at 5201 College Boulevard [PC Case # 77-09] [*From the March 23, 2010 Planning Commission meeting*] - **Approved**
- FF. **Resolution No. 3367** approving a Final Sign Plan for Plaza Pointe – Monarch Plastic Surgery, located at 4801 W. 135th Street [PC Case # 02-10] [*From the March 23, 2010 Planning Commission meeting*] - **Approved**
- GG. **Resolution No. 3368** approving a Final Site Plan for a Tenant Finish for Town Center Plaza – Bath & Body Works, located at 5012 West 119th Street [PC Case # 14-10] [**From the March 23, 2010 Planning Commission meeting**] - **Approved**
- HH. **Resolution No. 3369** approving a Final Sign Plan for Parkway Plaza – NU 2 You, located at 4870 W. 135th Street [PC Case # 23-10] [*From the March 23, 2010 Planning Commission meeting*] - **Approved**

- II. **Resolution No. 3370** approving a Final Sign Plan for Leawood Plaza – Jia Restaurant, located at 12248 State Line Road [PC Case # 24-10] *[From the March 23, 2010 Planning Commission meeting]* - **Approved**
- JJ. **Resolution No. 3371** approving a Final Sign Plan for Leawood Plaza – Nails Diva, located at 12250 State Line Road [PC Case # 25-10] *[From the March 23, 2010 Planning Commission meeting]* - **Approved**
- KK. **Resolution No. 3372** approving a Revised Final Plat for Villas of Leawood 8th Plat, located at 1949, 1953, and 1955 W. 139th Terrace [PC Case # 27-10] *[From the March 23, 2010 Planning Commission meeting]* - **Approved**
- LL. **Resolution No. 3373** approving a Final Sign Plan for Market Square – Auburn Pharmacy, located at 13351 Mission Road [PC Case # 30-10] *[From the March 23, 2010 Planning Commission meeting]* - **Approved**
- MM. **Resolution No. 3374** approving a Final Sign Plan for revised sign criteria for Parkway Plaza, located at the northwest corner of Roe Avenue and 135th Street [PC Case # 33-10] *[From the March 23, 2010 Planning Commission meeting]* - **Approved**
- NN. **Resolution No. 3375** approving a Final Sign Plan for Parkway Plaza Offices – Mohn & Smiley Dental, located at 13430 Briar [PC Case # 28-10] *[From the March 23, 2010 Planning Commission meeting]* - **Approved**
- OO. **Resolution No. 3376** approving a Final Sign Plan for revised sign criteria for One Nineteen, located at the southeast corner of 119th Street and Roe Avenue [PC Case # 35-10] *[From the March 23, 2010 Planning Commission meeting]* - **Approved**
- PP. Declaration of Ironhorse Golf Course maintenance equipment as surplus property - **Approved**
- QQ. Fire Department Monthly Reports February 2010
- RR. Municipal Court Monthly Reports February 2010
- SS. Police Department Monthly Reports February 2010

8. MAYOR’S REPORT

- 9. COUNCILMEMBERS’ REPORT – Councilmember Gill**
 Referral to Public Works Committee – Water standing at 2233 Condolea Terrace

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PARKS AND RECREATION ADVISORY BOARD

[From the March 9, 2010 Planning Commission meeting]

Accept recommendation to utilize funds for construction of a shelter in Gezer Park, located at 13300 Mission Road, originally planned for Ironwoods Park - **Approved**

12. PLANNING COMMISSION

[From the March 24, 2009 Planning Commission meeting]

- A. Ordinance approving a Revised Preliminary Site Plan for Town Center Business Park, Lots 4, 5 and 6, located on the northeast corner of 117th Street and Roe Avenue [MD ASSOCIATE #4, Inc., - Case # 04-09] [Roll Call Vote] **CONTINUED FROM THE SEPTEMBER 8, 2009 AND MARCH 1, 2010 GOVERNING BODY MEETINGS**

Staff Comment: Staff recommends a 3-month continuation; to be heard on Tuesday, July 6, 2010

CONTINUED TO THE JULY 6, 2010, GOVERNING BODY MEETING

[From the February 23, 2010 Planning Commission meeting]

- B. **Resolution No. 3377** approving a Sign Plan for Cornerstone Gaslight Grill, located at 5020 W. 137th Street [PC Case #12-10] - **Approved**
- C. **Ordinance No. 2436** approving a Special Use Permit for a Wireless Antenna for Leawood South Country Club – Clearwire Wireless Broadband, located at 3891 W. 123rd Street [PC Case # 18-10] [Roll Call Vote] - **Passed**
- D. **Resolution No. 3378** approving a Final Site Plan for a Tenant Finish for Town Center Plaza – Over The Top Cupcake and Yogurt Shoppe, located at 4825 W. 117th Street [PC Case # 19-10] - **Approved**
- E. **Ordinance No. 2438** amending Section 16-4-9.4 of the Leawood Development Ordinance [LDO] entitled, ‘Height and Location Requirements’ pertaining to fences and gates for utility and service facilities [PC Case # 09-10] [Roll Call Vote] - **Passed**
- F. **Ordinance No. 2439** amending Section 16-1-4.2 of the Leawood Development Ordinance, [LDO] entitled ‘Minimum Standards’ pertaining to fences and gates for utility and service facilities [PC Case # 04-10] [Roll Call Vote] - **Passed**

13. OLD BUSINESS

14. OTHER BUSINESS

15. NEW BUSINESS

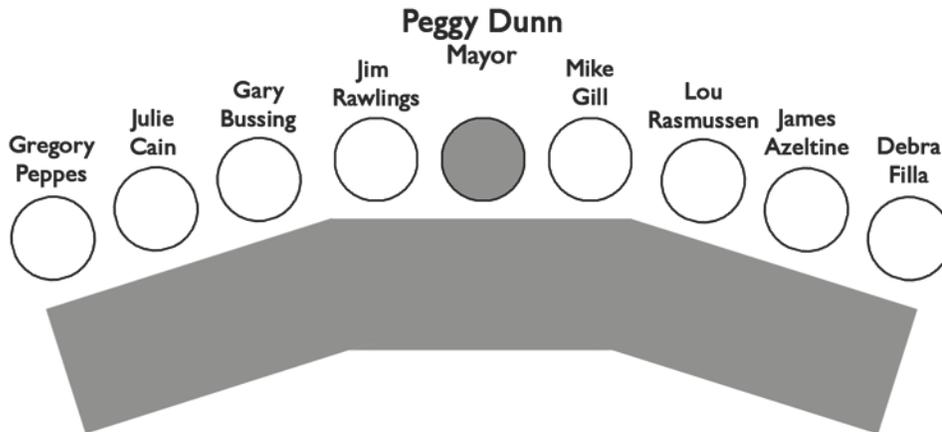
Schedule a Governing Body Executive Session on Monday, April 5, 2010, immediately following the regular meeting to discuss matters related to attorney-client privilege - **Approved**

ADJOURN

DATE	TIME	SUBJECT	LOCATION
April 5	6:00 P.M.	Discuss 2011-2015 Budget Model Assumptions; and Review & Discuss 2011 Budget Presentations	Main Conf. Room
April 19	6:00 P.M.	Discuss § 16-4-12 of the Leawood Development Ordinance [LDO]; Wireless Communication Towers and Antennae	Main Conf. Room
May 3	6:00 P.M.	Discuss Public Input on 2011 Budget [Tentative]	Main Conf. Room

June 7	6:00 P.M.	Future use of current Police Facility and former City Hall buildings; Master Plan & Preliminary Site Plan	Main Conf. Room
June 21	6:00 P.M.	Pre-Budget 2011-2015 CIP Discussion	Main Conf. Room
June 28	6:00 P.M.	Joint Governing Body/Budget & Finance Committee Work Session	Main Conf. Room
June 29	6:00 P.M.	Joint Governing Body/Budget & Finance Committee Work Session	Main Conf. Room
July 6	6:00 P.M.	Discuss Transient Guest Tax and Transportation Development District [TDD] financing for Park Place Improvement District [CIP # 80196]	Main Conf. Room
July 19	6:00 P.M.	Review of Mission Statements of various Committees and Boards	Main Conf. Room
September 7	6:00 P.M.	Personnel Matter; City Administrator's 6-month review	Main Conf. Room

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.