

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, April 19, 2010
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

APRIL 2010						
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MAY 2010						
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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

- ▶ **National Crime Victims' Rights Week, April 18-24, 2010**
- ▶ **National Volunteer Week, April 18-24, 2010**
- ▶ **Arbor Day, April, 30, 2010**
- ▶ **National Bike to Work Week, May 2-8, 2010**

5. RESOLUTION NO. 3379 – RESOLUTION OF RECOGNITION TO COUNCILMEMBER GREGORY PEPPEES - *Approved*

6. **OATHS OF OFFICE ADMINISTERED TO MAYOR-ELECT PEGGY DUNN AND COUNCILMEMBERS-ELECT JIM RAWLINGS, MIKE GILL, JAMES AZELTINE, AND ANDREW OSMAN [TERMS EXPIRE 2014]**

7. **ROLL CALL OF NEW COUNCIL**

8. **PRESENTATIONS/RECOGNITIONS Annual County update from County Commissioner Ed Peterson**

9. **SPECIAL BUSINESS**

A. Pre-Budget Public Hearing on 2011 Fiscal Budget for the City of Leawood, Kansas

10. **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. 2010-12 and 2010-13 - **Accepted**
- B. Accept minutes of the April 5, 2010 Governing Body meeting- **Accepted**
- C. Accept minutes of the April 5, Governing Body Work Session - **Accepted**
- D. Approve issuance of Temporary Alcohol Permit to conduct The Taste of Leawood Fundraising Event on Saturday, June 12, 2010, in accordance with Code § 3-216 - **Approved**
- E. **Resolution No. 3380** approving and authorizing the Mayor to renew a Maintenance Agreement between the City and Intergraph Public Safety, Inc., in the amount of \$24,672.00, pertaining to the Intergraph Software System for the Police Department - **Approved**
- F. Approve expenditure in the amount of \$25,000 to Western Enterprises, Inc., pertaining to the fireworks display for 4th of July celebration - **Approved**
- G. **Resolution No. 3381** revising the 2010 Fee Schedule, not provided for in the Code of the City of Leawood, 2000, specifically for the SuperPass Program for the Aquatic Center, in accordance with § 1-701 of the Code of the City of Leawood, 2000 - **Approved**
- H. **Resolution No. 3382** approving and authorizing the Mayor to execute a Professional Architectural Service Agreement in the amount of \$19,200.00, between the City and Indigo Design, Inc., pertaining to Shelter No. 2 and playground area located at Gezer Park, 13300 Mission Road - **Approved**
- I. **Resolution No. 3383** approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$273,480, between the City and Musselman & Hall Contractors, pertaining to the 2010 Slurry Seal Program [Project # 70007] - **Approved**
- J. **Resolution No. 3384** approving and authorizing the Mayor to execute Supplemental Agreement No. 3 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**

- K. **Resolution No. 3385** approving and authorizing Mayor to execute an Agreement to Stay Litigation and For Consideration of Amended Development Plan by and Between the City, Oddo Development Company, Inc., Diane Binckley, and Ochsner, Hare & Hare LLC. - **Approved**
- L. **Resolution No. 3386** 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 FROM THE APRIL 5, 2010, GOVERNING BODY MEETING** - **Approved**
- M. **Resolution No. 3387** approving Revised Sign Criteria for Camelot Court, located at the northeast corner of 119th Street and Roe Avenue. [PC Case # 22-10] **[From the February 23, 2010 Planning Commission meeting]** - **Approved**
- N. **Resolution No. 3388** approving a Final Site Plan for a Tenant Finish for Town Center Plaza – Victoria’s Secret, located at 5000 W. 119th Street. [PC Case 26-10] **[From the March 23, 2010 Planning Commission meeting]** - **Approved**
- O. Fire Department Monthly Reports
- P. Police Department Monthly Reports
- Q. Municipal Court Monthly Reports

11. MAYOR’S REPORT

12. COUNCILMEMBERS’ REPORT

13. STAFF REPORT

COMMITTEE RECOMMENDATIONS

14. PUBLIC WORKS COMMITTEE

[From the February 16, 2010 Public Works Committee meeting]

Accept recommendation regarding accommodations for bike friendly mechanisms- **Accepted**

15. PLANNING COMMISSION

[From the March 23, 2010 Planning Commission meeting]

- A. **Ordinance No. 2440** approving a Special Use Permit wireless communication antennas on an existing tower for Clearwire Wireless Broadband, located at 13401 Nall Avenue [PC Case # 64-09] [Roll Call Vote] - **Passed**
- B. **Ordinance No. 2441** approving a Special Use Permit for wireless communication antennas for Bank of Blue Valley - Clearwire Wireless Broadband, located at 13401 Mission Road [PC Case # 31-10] [Roll Call Vote] - **Passed**
- C. **Resolution No. 3389** approving a Final Site Plan for a Tenant Finish for One Nineteen – La Bodega, located at the southeast corner of 119th Street and Roe Avenue [PC Case # 29-10] - **Approved**

16. OLD BUSINESS

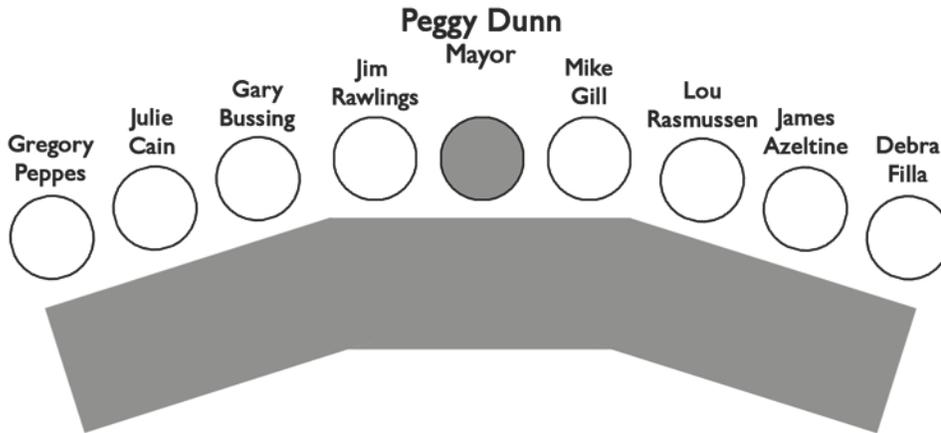
17. OTHER BUSINESS

18. NEW BUSINESS

ADJOURN

DATE	TIME	SUBJECT	LOCATION
May 3	6:00 P.M.	Discuss Public Input on 2011 Budget [Tentative] / Discuss Transportation Development District [TDD] financing for One Nineteen Development	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/ Stormwater Utility Fee	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:** $\frac{3}{4}$ 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.