

# CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, August 16, 2010  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:30 P.M.

AUGUST 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				

SEPTEMBER 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		

## \*\*\*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
	Andrew Osman	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

- A. **Resolution No. 3437** amending the 2011-2015 Capital Improvement Program [C.I.P.] for the City of Leawood, Kansas - **Approved**
- B. **Ordinance No. 2456** attesting to an increase in taxes [.11 % ] levied for the budget year 2011 for the City of Leawood, Kansas, Johnson County, Kansas [Roll Call Vote] **[CONTINUED FROM THE AUGUST 2, 2010 GOVERNING BODY MEETING] - Passed**
- C. **Resolution No. 3438** adopting the Fiscal Year 2011 Annual Budget for the City of Leawood, Kansas - **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. 2010-29 and 2010-30 - **Accepted**
- B. Accept minutes of the August 2, 2010 Governing Body meeting - **Accepted**
- C. Accept minutes of the July 19, 2010 Governing Body Work Session - **Accepted**
- D. Approve Mayoral Appointment of Steve Hassler to Bicycle Friendly Committee - **Approved**
- E. Approve 2<sup>nd</sup> and Final Pay Request in the amount of \$27,007.96 to Musselman & Hall Contractors, pertaining to the 2010 Slurry Seal Program [Project # 70007] - **Approved**
- F. **Resolution No. 3439** approving and authorizing the Mayor to execute a Community Service Agreement between the City and Blue Valley Unified School District No., 229, pertaining to the assignment of School Resource Officers [SRO] - **Approved**
- G. **Resolution No. 3440** approving and authorizing the Mayor to renew the Service Agreement in the amount of \$41,000, between the City and Securitas Security Services USA, to provide School Crossing Guard Services - **Approved**
- H. **Resolution No. 3441** approving and authorizing the Mayor to execute a Professional Service Agreement for an amount not to exceed \$295,500 between the City and MC Realty Group, LLC, as Owner's Representative for the management and administrative services during construction of the Leawood Justice Center to be located at 117<sup>th</sup> & Tomahawk Creek Parkway - **Approved**
- I. **Resolution No. 3442** accepting a Permanent Storm Sewer Easement from Vernon and Connie Fraley, 9712 State Line Road, [Leawood Estates, Lot 373B Replat], pertaining to the 97<sup>th</sup> Street Storm Sewer Project - **Approved**
- J. **Resolution No. 3443** accepting a Permanent Storm Sewer Easement from Vernon W. Thompson & Lori Ann Thompson, 9704 State Line Road, [Leawood Estates, Lot 372], pertaining to the 97<sup>th</sup> Street Storm Sewer Project - **Approved**
- K. **Resolution No. 3444** accepting a Permanent Storm Sewer Easement from Patricia K. and Lawrence G. Kennedy, 9714 State Line Road, [Leawood Estates, Lot 373], pertaining to the 97<sup>th</sup> Street Storm Sewer Project - **Approved**
- L. **Resolution No. 3445** accepting a Permanent Storm Sewer Easement from Leah B. Burkhead, Trustee of the Leah B. Burkhead Revocable Trust, 9717 Overbrook Road, [Leawood Estates, Lot 355], pertaining to the 97<sup>th</sup> Street Storm Sewer Project - **Approved**
- M. **Resolution No. 3446** accepting a Permanent Storm Sewer Easement from Arthur R. Korn, 2001 W. 97<sup>th</sup> Street, [Leawood Estates, Lot 192] pertaining to the 97<sup>th</sup> Street Storm Sewer Project - **Approved**
- N. **Resolution No. 3447** accepting a Permanent Storm Sewer Easement from The Chandra Oyer Living Trust, 9710 State Line Road, [Leawood Estates, Lot 373A], pertaining to the 97<sup>th</sup> Street Storm Sewer Project - **Approved**
- O. **Resolution No. 3448** approving a Final Sign Plan for Market Square – American Footwear, located at 3610 W. 135<sup>th</sup> Street (PC Case # 38-10) [from the July 27, 2010 Planning Commission meeting] - **Approved**
- P. **Resolution No. 3449** approving a Final Sign Plan for Leawood Square – Shelter Insurance, located at 12910 State Line Road (PC Case # 72-10) [from the July 27, 2010 Planning Commission meeting] - **Approved**

- Q. **Resolution No. 3450** approving a Final Sign Plan for Bi-State Centennial Park – Terra Technologies, located at 1920 W. 143<sup>rd</sup> Street, Suite 140 (PC Case # 69-10) *[from the July 27, 2010 Planning Commission meeting]* - **Approved**
- R. **Resolution No. 3451** approving a Final Site Plan for One Nineteen, - The Roasterie Café, located at the southeast corner of 119<sup>th</sup> Street and Roe Avenue (PC Case # 67-10) *[from the July 27, 2010 Planning Commission meeting]* - **Approved**
- S. **Resolution No. 3452** approving a Final Site Plan for a Tenant Finish for Leawood Plaza – Peachwave Frozen Yogurt, located at 12130 State Line Road (PC Case # 71-10) *[from the July 27, 2010 Planning Commission meeting]* - **Approved**
- T. **Resolution No. 3453** approving a Final Site Plan for a Tenant Finish for Jiffy Lube, located at the southwest corner of 103<sup>rd</sup> Street and State Line Road (PC Case # 63-10) *[from the July 27, 2010 Planning Commission meeting]* - **Approved**
- \*U. **Approval of installation of 13-land banked parking spaces for Tomahawk Pointe Development, located on the northwest corner of Tomahawk Creek Parkway & College Boulevard, pertaining to the Final Site Plan approved by Governing Body on November 7, 2005, by Resolution No. 2495- CONTINUED FROM THE JULY 6, 2010 GOVERNING BODY MEETING – WITHDRAWN BY APPLICANT**
- V. Fire Department Monthly Report [July]
- W. Police Department Monthly Report [July]
- X. Municipal Court Monthly Report [July]

## 8. MAYOR’S REPORT

## 9. COUNCILMEMBERS’ REPORT

- A. **Councilmember Filla** Johnson County Solid Waste Management Plan  
Mayor to forward letter supporting the intent of the county’s plan to encourage recycling and restrict yard waste from going to landfill
- B. **Councilmember Rawlings-** Request to refer Leawood Heritage storm drainage study to Stormwater Committee; potential SMAC project – **Approved**  
Forwarded to Stormwater Management Committee meeting on August 25, 2010, at 7:30 A.M.

## 10. STAFF REPORT

## COMMITTEE RECOMMENDATIONS

### 11. PLANNING COMMISSION

*[from the July 27, 2010 Planning Commission meeting]*

- A. **Ordinance No. 2457** approving a Special Use Permit for a Temporary Sales Trailer for Estates of Old Leawood, located at 8901 Sagamore Road (PC Case # 40-10) [Roll Call Vote] - **Passed**
- B. Ordinance approving a Revised Preliminary Site Plan, Revised Final Site Plan and Revised Final Plat for Mission Farms – First Replat, located at 10342 Mohawk Road (PC Case # 46-10) [Roll Call Vote] – **CONTINUED TO THE SEPTEMBER 7, 2010 GOVERNING BODY MEETING**

- \*C. **Resolution approving the Planning Commission’s recommendation to deny a request for a Rezoning, Preliminary Site Plan, and Preliminary Plat for Reed’s Addition, located at 146<sup>th</sup> Terrace and Mission Road (PC Case #70-10) - CONTINUED TO THE SEPTEMBER 7, 2010 GOVERNING BODY MEETING**

**12. OLD BUSINESS**

**13. OTHER BUSINESS**

Discussion and determination of Park Improvements to Ironwoods Park, located at 14701 Mission Road [Restrooms or parking lot] *[FROM THE JULY 6, 2010 GOVERNING BODY WORK SESSION]* – Restrooms Approved

**14. NEW BUSINESS**

A. **Ordinance No. 2458C** amending Chapter 5 of the Code of the City of Leawood, 2000, by adding a new Article 1B, entitled ‘Pawnbrokers and Precious Metals Dealers’ [Roll Call Vote] - Passed

B. Councilmember Mike Gill Resignation Announcement

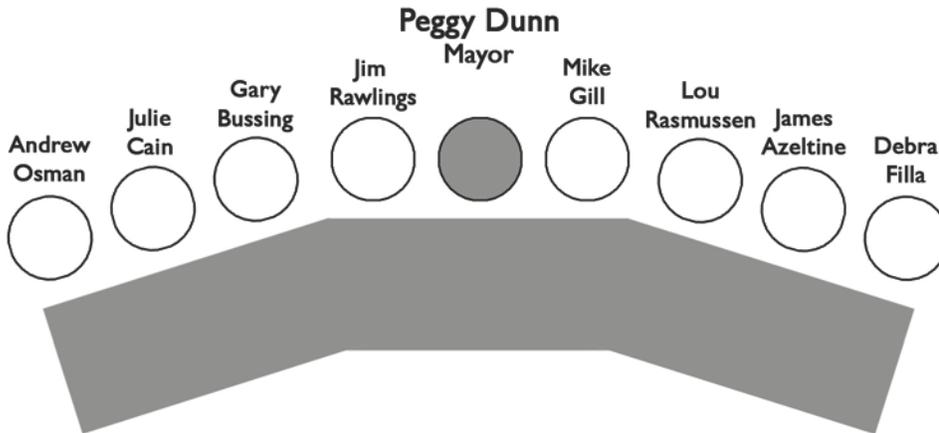
Councilmember Mike Gill stated that due to the selling of his home in Ward 3, he would no longer be able to be a Councilmember for the City of Leawood, effective September 7, 2010.

Mr. Lambers stated they would begin the selection process for the replacement of Councilmember Gill.

**ADJOURN**

DATE	TIME	SUBJECT	LOCATION
August 16	6:00 P.M.	Discuss Transient Guest Tax and Transportation Development District [TDD] and \$5M Special Benefit District [SBD] financing for Park Place Improvement District [CIP # 80196]	Main Conf. Room
September 7	6:00 P.M.	Discuss revisions to Leawood Development Ordinance [LDO] pertaining to height and massing	Main Conf. Room
September 20	6:00 P.M.	No Work Session Scheduled	
October 18	6:15 P.M.	Personnel Matter; City Administrator’s 6-month review	Main Conf. Room
November 1	6:00 P.M.	Discuss creation of Stormwater Utility User Fee	Main Conf. Room
November 15	6:00 P.M.	Discuss Transportation Development District [TDD] Financing for One Nineteen Development	Main Conf. Room
December 6	6:00 P.M.	Reserved for Discussion of Previous Work Session Topics	Main Conf. Room
December 20	6:00 P.M.	Discuss future use of current Police Facility and former City Hall buildings	Main Conf. Room

## Mayor and City Council



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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.

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### 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.