

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Tuesday, September 7, 2010
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

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		

OCTOBER 2010						
S	M	T	W	T	F	S
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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

Ward One

Debra Filla
Andrew Osman

Ward Two

Louis Rasmussen
Jim Rawlings

Ward Three

Gary Bussing

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

Constitution Week, September 17-23, 2010

5. PRESENTATIONS/RECOGNITIONS

6. SPECIAL BUSINESS

- A. Mayoral Appointment of Councilmember Julie Cain for replacement of Presiding Officer position for the period from August 2010 through October 2010, due to the resignation of Councilmember Mike Gill, effective August 31, 2010 - **Approved**
- B. Mayoral Appointment of Councilmember James Azeltine as Public Works Committee Chairman, due to the resignation of Councilmember Mike Gill, effective August 31, 2010 - **Approved**
- C. Approve form for RFP/RFQ for Architectural/Engineering Services for the Justice Center to be located at 117th & Tomahawk Creek Parkway; to include a member of the Governing Body on the selection panel - **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. 2010-31, 2010-32, and 2010-33 - **Accepted**
- B. Accept minutes of the August 16, 2010 Governing Body meeting - **Accepted**
- C. Accept minutes of the August 16, 2010 Governing Body Work Session - **Accepted**
- D. Accept minutes of the August 2, 2010 Governing Body Work Session - **Accepted**
- E. Accept minutes of the July 27, 2010 Arts Council meeting - **Accepted**
- F. Accept minutes of the July 22, 2010 Ironhorse Advisory Board meeting – **CONTINUED TO THE SEPTEMBER 20, 2010, GOVERNING BODY MEETING**
- G. Accept minutes of the July 13, 2010 Historic Commission meeting - **Accepted**
- H. Accept minutes of the July 13, 2010 Parks and Recreation Advisory Board meeting - **Accepted**
- I. Accept minutes of the July 8, 2010 Sustainability Advisory Board meeting - **Accepted**
- J. Accept minutes of the July 7, 2010 Bicycle Friendly Committee meeting - **Accepted**
- K. Accept minutes of the June 28, 2010 Joint Governing Body/Budget Committee meeting - **Accepted**
- L. Approve renewal of Retail Liquor Store License for Ranchmart Wine & Spirits, located at 3748 W. 95th Street - **Approved**
- M. Approve 7th and Final Payment in the amount of \$15,700 to Amino Brothers Construction, pertaining to the Roe Avenue Improvement Project between 135th & 143rd Streets [Project # 80189] - **Approved**
- N. Approve Change Order No. 2 in the amount of \$73,000 to O'Donnell & Sons Construction, pertaining to the 2010 Residential Mill & Overlay Project [Project # 70008] - **Approved**
- O. Approve Change Order No. 1 in the amount of \$35,600 to Linaweaver Construction pertaining to the 2010 Residential Reconstruction Project [Project # 80210] - **Approved**
- P. Approve Change Order No. 1 in the amount of \$6,945 to Miles Excavating pertaining to the 103rd Street Mill & Overlay Project between Mission Road and State Line Road- **Approved**
- Q. Approve co-op bid in the amount of \$22,706.00 from Shawnee Mission Ford for purchase of Parks & Recreation vehicle [flood replacement- Unit # 601] - **Approved**
- R. Approve co-op bid in the amount of \$24,773.00 from Olathe Ford for purchase of Parks and Recreation vehicle [flood replacement-Unit # 604] - **Approved**
- S. **Resolution No. 3454** accepting a Permanent Storm Sewer Easement from Mary Gorman, 9702 State Line, [Leawood Estates, Lot 371] pertaining to the 97th Street Storm Sewer Project - **Approved**
- T. Declaration of Surplus Property; 1996 Roadbuilder Trailer, last 4 VIN/7016 - **Approved**
- U. **Resolution No. 3455** approving a Final Site Plan for a Tenant Finish for Town Center Plaza – Clarks, located at 5000 W. 119th Street, Suite 400. (Planning Commission Case # 75-10) [from the August 24, 2010 Planning Commission meeting] - **Approved**
- V. **Resolution No. 3456** approving a Revised Final Sign Plan for Market Square Center – China King, located at 3634 W. 135th Street (Planning Commission Case # 74-10) [from the August 24, 2010 Planning Commission meeting] - **Approved**
- W. **Resolution No. 3457** approving a Final Sign Plan for Parkway Plaza – Sazzy's, located at 4800 W. 135th Street (Planning Commission Case # 76-10) [from the August 24, 2010 Planning Commission meeting] - **Approved**

- X. **Resolution No. 3458** approving a Final Site Plan for Plaza Pointe – Crossfirst Bank Leawood, located at the southwest corner of Roe Avenue and 135th Street (Planning Commission Case # 78-10) *[from the August 24, 2010 Planning Commission meeting]* - **Approved**
- Y. **Resolution No. 3459** approving a Final Sign Plan for Parkway Plaza Offices – Laser Sharp Fitness, located at 13420 Briar (Planning Commission Case # 79-10) *[from the August 24, 2010 Planning Commission meeting]* - **Approved**
- Z. **Resolution No. 3460** approving a Final Plat for Bi-State/Centennial Park – Leawood Highlands Business Center 2nd Plat, located north of 141st Terrace and east of Overbrook Road (Planning Commission Case # 80-10) *[from the August 24, 2010 Planning Commission meeting]* - **Approved**
- AA. **Resolution No. 3461** approving a Final Sign Plan for Somerset Shops – Dog Pawz, located at 7960 Lee Boulevard (Planning Commission Case # 82-10) *[from the August 24, 2010 Planning Commission meeting]* - **Approved**

8. MAYOR’S REPORT

9. COUNCILMEMBERS’ REPORT

- A. Councilmember Filla- Recommendation of referral to Stormwater Management Committee pertaining to issue on 81st Terrace - **Approved**
- B. Councilmember Azeltine- Traffic signalization at 133rd & Roe Avenue - **Approved**
- C. Councilmember Bussing- Recommendation of referral to Stormwater Management Committee pertaining to issue at 12600 Overbrook [Kerrigan residence] - **Approved**

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. ARTS COUNCIL

[from the July 27, 2010 Arts Council/APPI meeting]

Accept recommendation for placement of temporary art, ‘Introspection’ by Larry Young, to be placed to the west of the Leawood City Hall, 4800 Town Center Drive - **Approved**

12. PLANNING COMMISSION

[from the July 27, 2010 Planning Commission meeting]

- A. **Ordinance No. 2459** 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 FROM THE AUGUST 16, 2010 GOVERNING BODY MEETING** - **Passed**

***Staff Comment:** **The City Clerk’s Office has received a Protest Petition. While the area shown in the petition is adequate, one of the required signatures is not included on the petition. The petition has been determined to be invalid.**

- B. 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 146th Terrace and Mission Road (PC Case #70-10) [Continued from the August 16, 2010 Governing Body meeting] **-CONTINUED TO THE SEPTEMBER 20, 2010 GOVERNING BODY MEETING**

13. OLD BUSINESS

14. OTHER BUSINESS

15. NEW BUSINESS

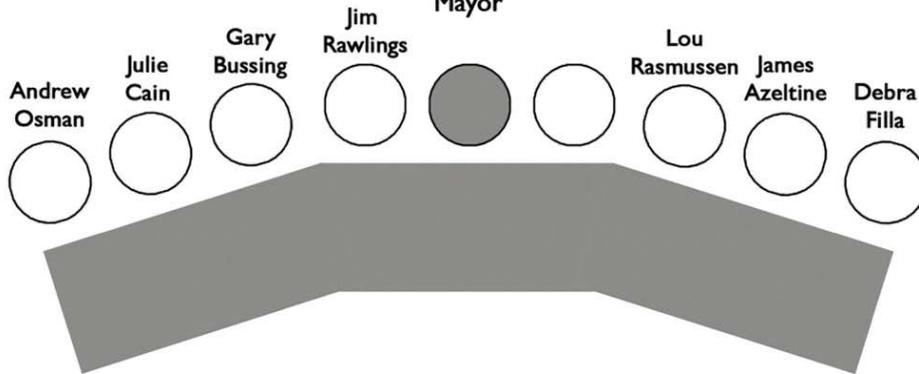
- A. Schedule a Governing Body Work Session at 6:00 PM on Monday, September 20, 2010, for review of commercial sign approval process - **Approved**
- B. Schedule a Governing Body Work Session at 6:00 PM on Monday, December 6, 2010, to discuss Transportation Development District [TDD] Financing for One Nineteen Development - **Approved**

ADJOURN

DATE	TIME	SUBJECT	LOCATION
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.	Review of commercial sign approval process	Main Conf. Room
October 18	6:15 P.M.	Personnel Matter; City Administrator’s 6-month review	Main Conf. Room
November 1	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
November 15	6:00 P.M.	Discuss creation of Stormwater Utility User Fee	Main Conf. Room
December 6	6:00 P.M.	Discuss Transportation Development District [TDD] Financing for One Nineteen Development	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

Peggy Dunn
Mayor



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.