CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA
Monday, September 20, 2010
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

***ACTION AGENDA***

(This agenda is subject to changes, additions or deletions at the discretion of the City Council)

<table>
<thead>
<tr>
<th>Mayor Peggy Dunn</th>
<th>Councilmembers</th>
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<tr>
<td></td>
<td>Ward One</td>
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<tr>
<td></td>
<td>Debra Filla</td>
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<td>Andrew Osman</td>
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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
Fire Prevention Week, October 3-9, 2010
Leawood Lions Pancake Days, October 15-17, 2010
American Mensa’s 50th Anniversary Day

5. PRESENTATIONS/RECOGNITIONS

6. SPECIAL BUSINESS
Mayoral Appointment of Councilmember Jim Rawlings on Selection Panel for review and selection of Architectural Engineering Services for the Justice Center to be located at 117th & Tomahawk Creek Parkway - Approved

If you require any accommodation (i.e. qualified interpreter, hearing assistance, etc.) in order to attend this meeting, please notify this office at 913.339.6700 no later than 48 hours prior to the scheduled commencement of the meeting.
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 No. 2010-34, 2010-35, and 2010-36 - Accepted
B. Accept minutes of the September 7, 2010 Governing Body meeting - Accepted
C. Accept minutes of the July 28, 2010 Stormwater Management Committee meeting - Accepted
D. Accept minutes of the July 27, 2010 Arts Council - Accepted
E. Accept minutes of the July 22, 2010 Ironhorse Advisory Board meeting – [Continued from the September 7, 2010 Governing Body meeting] - CONTINUED TO THE OCTOBER 18, 2010 GOVERNING BODY MEETING
F. Approve retail liquor store license for Camelot Court Wine & Spirits Liquors, located at 11841 Roe Avenue - Approved
G. **Resolution No. 3462** approving and authorizing the Mayor to execute a Mutual Release and Settlement Agreement by and between the City, Oddo Development Company, Inc., Diane Binckley, and Ochsner, Hare & Hare LLC, - Approved
H. **Resolution No. 3463** approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of $2,500 between the City and Larry Young, pertaining to the placement of temporary art, ‘Introspection,’ to be placed to the west of the Leawood City Hall, 4800 Town Center Drive - Approved
I. Fire Department Monthly Report [August]
J. Police Department Monthly Report [August]
K. Municipal Court Monthly Report [August]

8. **MAYOR’S REPORT**

9. **COUNCILMEMBERS’ REPORT**
Councilmember Filla - Volunteer ‘Stream Teams’

10. **STAFF REPORT**

**COMMITTEE RECOMMENDATIONS**

11. **ARTS COUNCIL**
 *[from the May 25, 2010 Arts Council/APPI meeting]*
Accept recommendation for placement of permanent art piece, ‘Gate to I-Lan’ by Jesse Small, to be placed at I-Lan Park, 12601 Nall Avenue - Approved

12. **PARKS AND RECREATION ADVISORY BOARD**
 *[from the July 7, 2010 Parks and Recreation Advisory Board]*
Approve referral to Planning Commission for further review of the Complete Streets Policy [Bicycle Friendly] - Approved

13. **STORMWATER MANAGEMENT**
 *[from the July 28, 2010 and August 25, 2010 Stormwater Management meeting]*
Approve recommendation not to take action at this time regarding flooding concerns for properties located at 10421 Sagamore, 10330 State Line, and 8505 Lee Boulevard - Approved
14. PLANNING COMMISSION

[from the August 16, 2010 Planning Commission meeting]
A. 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 and September 7, 2010 Governing Body meeting] – CONTINUED TO THE OCTOBER 18, 2010 GOVERNING BODY MEETING

[from the August 24, 2010 Planning Commission meeting]
B. Ordinance No. 2460 amending § 16-4-1 of the Leawood Development Ordinance [LDO], entitled, Accessory Uses, pertaining to permanent generators for residential structures (PC Case # 20-09) - Passed

C. Resolution No. 3464 approving a Revised Final Site Plan for Bi-State/Centennial Park – Pars Consulting Engineering Building, located north of 141st Terrace and east of Cambridge. (PC Case # 67-09) - Approved

*D. Resolution approving Planning Commission recommendation of denial of a Final Sign Plan for Mission Farms – Development Monument Sign, located at Mission Road and 105th Street. (PC Case # 54-10) - WITHDRAWN

[from the September 14, 2010 Planning Commission meeting]
E. Resolution No. 3465 approving a Final Site Plan for Town Center Business Park – Lots 8 and 9, located east of Roe Avenue on Granada Road (PC Case # 83-10) - Approved

Staff Comment: It is the position of the City Administrator that the removal of the staff’s recommended stipulation by the Planning Commission regarding the installation and 50% payment of the pedestrian bridge is contrary to the City’s policy of providing connectivity to the City’s bike-hike trail system. The effective result of the removal of this stipulation would create a dead-end bike-hike trail that leads up to the creek and stops.

[from the March 24, 2009 Planning Commission meeting]
F. 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, MARCH 1, 2010, APRIL 5, 2010 AND SEPTEMBER 20, 2010 GOVERNING BODY MEETINGS – CONTINUED TO THE NOVEMBER 15, 2010, GOVERNING BODY MEETING

Staff Comment: Staff recommends a continuation to the November 15, 2010 Governing Body meeting

15. OLD BUSINESS

16. OTHER BUSINESS
17. **NEW BUSINESS**

A. Affirmation of appointment of Mayor Dunn as voting delegate to Kansas League of Municipalities at the 2010 LKM Conference to be held October 9-12, 2010 at the Overland Park Convention Center - Approved

B. **Ordinance No. 2461C** amending Chapter 11, Article 9 of the Code of the City Of Leawood, Kansas, 2000, entitled “Smoking” by amending § 11-903 through 11-906; and repealing existing § 11-903 Through 11-907, and other sections in conflict herewith [Roll Call Vote] - Passed

C. **Ordinance No. 2462C** amending Chapter 14, Article 1 of the Code of the City Of Leawood, Kansas, 2000, by amending § 14-101 through 14-113, pertaining to regulating traffic within the corporate limits of the City of Leawood; incorporating by reference the ‘Standard Traffic Ordinance For Kansas Cities, 2010 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 14-113; and other sections in conflict herewith [Roll Call Vote] - Passed


E. Schedule an Executive Session immediately following the regular October 18, 2010 Governing Body meeting, to discuss matters related to attorney-client privilege - Approved

**ADJOURN**
The next regular meeting of the Leawood Governing Body will be
Monday, October 18, 2010

### Regular Meetings of the Leawood Governing Body

<table>
<thead>
<tr>
<th>DATE</th>
<th>TIME</th>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>September 20</td>
<td>6:00 P.M.</td>
<td>Review of commercial sign approval process</td>
<td>Main Conf. Room</td>
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<tr>
<td>October 18</td>
<td>6:15 P.M.</td>
<td>Discuss Transient Guest Tax and Transportation Development District [TDD] and $5M Special Benefit District [SBD] financing for Park Place Improvement District [CIP # 80196]</td>
<td>Main Conf. Room</td>
</tr>
<tr>
<td>November 1</td>
<td>6:00 P.M.</td>
<td>Personnel Matter; City Administrator’s 6-month review</td>
<td>Main Conf. Room</td>
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<tr>
<td>November 15</td>
<td>6:00 P.M.</td>
<td>Discuss creation of Stormwater Utility User Fee</td>
<td>Main Conf. Room</td>
</tr>
<tr>
<td>December 6</td>
<td>6:00 P.M.</td>
<td>Discuss Transportation Development District [TDD] Financing for One Nineteen Development</td>
<td>Main Conf. Room</td>
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<tr>
<td>December 20</td>
<td>6:00 P.M.</td>
<td>Discuss future use of current Police Facility and former City Hall buildings</td>
<td>Main Conf. Room</td>
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### 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.