

# CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, October 18, 2010  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:30 P.M.

OCTOBER 2010							NOVEMBER 2010						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
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24	25	26	27	28	29	30	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. **APPROVAL OF CARRIE REZAC AS WARD THREE CITY COUNCILMEMBER -**  
*Approved*
4. **OATH OF OFFICE ADMINISTERED TO CARRIE REZAC, TO FILL A PORTION OF FORMER COUNCILMEMBER MIKE GILL'S UNEXPIRED TERM UNTIL APRIL, 2012 FOR WARD THREE**
5. **ROLL CALL OF NEW COUNCIL**
6. **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.
7. **PROCLAMATIONS**                      **Double Ten Day, October 10, 2010**  
**Leawood Historic District II**  
**Sypher House, 8746 High Drive, Historic Structure**
8. **PRESENTATIONS/RECOGNITIONS**    **County Commissioner Ed Peterson- Johnson**  
**County Budget Update**

## 9. SPECIAL BUSINESS

## 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. 2010-37, 2010-38, 2010-39, & 2010-40 - **Accepted**
- B. Accept minutes of the September 20, 2010 Governing Body meeting - **Accepted**
- C. Accept minutes of the September 20, 2010 Governing Body Work Session - **Accepted**
- D. Accept minutes of the September 7, 2010 Governing Body Work Session - **Accepted**
- E. Accept minutes of the August 25, 2010 Stormwater Committee meeting - **Accepted**
- F. Accept minutes of the August 24, 2010 Arts Council meeting - **Accepted**
- G. Accept minutes of the August 10, 2010 Parks and Recreation Advisory Board - **Accepted**
- H. Accept minutes of the August 10, 2010 Historic Commission meeting - **Accepted**
- I. Accept minutes of the July 22, 2010 Ironhorse Advisory Board meeting – ***[Continued from the September 7, 2010 and September 20, 2010 Governing Body meetings]-  
CONTINUED TO THE NOVEMBER 1, 2010 GOVERNING BODY MEETING***
- J. Accept minutes of the June 24, 2010 Leawood Foundation meeting - **Accepted**
- K. Authorize staff to proceed with Request for Proposals [RFP] for Geotechnical Services for future Justice Center to be located at 117<sup>th</sup> & Tomahawk Creek Parkway - **Approved**
- L. Approve Mayoral Appointment of Anne Blessing to the Leawood Arts Council [Term: 2011] - **Approved**
- M. Approve Mayoral Appointment of Councilmember Andrew Osman as Vice-Chair of the Gezer Region Sister City Committee - **Approved**
- N. Approval Mayoral Appointment of William ‘Bill’ Ramsey to Planning Commission to fill former Commissioner Rezac’s unexpired term to 2012 - **Approved**
- O. Approval of 2011 Budget and Capital Improvement Project [CIP] Calendars - **Approved**
- P. Approve purchase in the amount of \$41,166.57, to Professional Turf Products pertaining to parts for the irrigation system - **Approved**
- Q. Approve renewal of retail liquor store license for Lancaster Liquor, located at 3731 W. 133<sup>rd</sup> Street - **Approved**
- R. Approve issuance of Temporary Alcohol Permit to conduct DeLaSalle 19<sup>th</sup> Annual Movie Benefit Event at AMC Town Center Theatre, 11701 Nall Avenue, on Wednesday, November 10, 2010, in accordance with Code § 3-216 - **Approved**
- S. Approve Massage Therapist License for Ahimsa Massage & Healing, to be located at 11111 Nall - **Approved**
- T. **Resolution No. 3467** approving and authorizing the Mayor to execute 2011 Employee Benefit Plan documents - **Approved**
- U. Approve renewal for employee assistance program [EAP] with New Directions; life/AD&D; and long term insurance with Sun Life Assurance - **Approved**
- V. **Resolution No. 3469** designating holidays for the year 2011, in accordance with the personnel rules and regulations of the City of Leawood, Kansas - **Approved**
- W. **Resolution No. 3466** calling for a public hearing to be heard on Monday, November 1, 2010, regarding amendments to the 2010 Fiscal Budget for the City of Leawood, Kansas - **Approved**
- X. **Resolution No. 3470** approving and authorizing the Mayor to execute a Letter of Engagement between the City and Rubin Brown, LLP, for an amount not to exceed \$38,100, pertaining to 2010 audit services - **Approved**

- Y. **Resolution No. 3471** approving and authorizing the Mayor to execute a Service Agreement in the amount of \$46,766.00 to Regents Flooring, for carpet replacement of Council Chambers, stairwell, 1<sup>st</sup> and 2<sup>nd</sup> lobby areas - **Approved**
- Z. **Resolution No. 3472** approving and authorizing the Mayor to execute a Service Agreement in the amount of \$46,195.00, to MTS Contracting, Inc., for the City Hall Exterior Concrete Replacement Project - **Approved**
- \*AA. Resolution approving and authorizing the Mayor to execute a Service Agreement in the amount of \$45,400.00 to KR Lamming, for Parks Maintenance Emergency Generator replacement - ***THIS ITEM HAS BEEN CONTINUED TO NOVEMBER 1, 2010 GOVERNING BODY MEETING***
- BB. Approve Change Order No. 1 in the amount of \$ 26,695.70, to Miles Excavating, Inc., pertaining to the 2010 Parking Lot Improvement Project [Parks Maintenance # 76012; Public Works Facility # 76015; and Ironhorse Golf Course Maintenance # 49116] - **Approved**
- CC. Approve Change Order No. 1 in the amount of \$58,683.50, to Wiedenmann & Godfrey, for the 98<sup>th</sup> Street Storm Sewer Improvement Project [Project # 76022] - **Approved**
- DD. Approve Change Order No. 2 in the amount of \$18,965.00, to Miles Excavating, Inc., pertaining to the 103rd Street Mill & Overlay Project between Mission Road and State Line Road [Project # 72014] - **Approved**
- EE. **Resolution No. 3473** approving and authorizing the Mayor to execute an Inter-local Agreement between the City of Leawood and the City of Overland Park, pertaining to the operation and maintenance of the Street Light System - **Approved**
- FF. **Resolution No. 3474** approving and authorizing the Mayor to execute a renewal to that certain Maintenance Agreement dated January 14, 2002, between the City and Harris Corporation [f/n/a M/A-COM Private Radio Systems, Inc.] for the annual maintenance of police radio equipment - **Approved**
- GG. **Resolution No. 3476** approving and authorizing the Mayor to execute an Inter-local Agreement between the City of Leawood and the City of Prairie Village pertaining to the usage of the 800 MHz police radio system - **Approved**
- HH. **Resolution No. 3477** adopting the National Incident Management System [NIMS] for the City of Leawood, Kansas - **Approved**
- II. **Resolution No. 3478** approving a Sign Plan for Ironhorse Centre - Trendz, located at 5409 W. 151<sup>st</sup> Street (PC Case #84-10) [from the September 28, 2010 Planning Commission meeting] - **Approved**
- JJ. **Resolution No. 3479** approving a Final Plan for a tenant finish for Sullivan's Steakhouse – Power Screen, located at the southeast corner of 119<sup>th</sup> Street and Roe Avenue (PC Case #87-10) [from the September 28, 2010 Planning Commission meeting] - **Approved**
- KK. **Resolution No. 3480** approving a Sign Plan for Parkway Plaza Offices – Mohn & Smiley Dental, located at 13430 Briar (PC Case #88-10) [from the September 28, 2010 Planning Commission meeting] - **Approved**
- LL. **Resolution No. 3481** approving a Sign Plan for Tomahawk Pointe – Euronet Worldwide, located at 3500 College Boulevard (PC Case #93-10) [from the September 28, 2010 Planning Commission meeting] - **Approved**
- MM. **Resolution No. 3482** approving a Final Plan for a tenant finish for Town Center Plaza – Dr. Deb's, located at 4817 W. 117<sup>th</sup> Street (PC Case #90-10) [from the September 28, 2010 Planning Commission meeting] - **Approved**

- NN. **Resolution No. 3483** approving a Final Plan for a tenant finish for One Nineteen – Fo Thai Restaurant, located at the southeast corner of 119<sup>th</sup> Street and Roe Avenue (PC Case #91-10) *[from the September 28, 2010 Planning Commission meeting]* - **Approved**
- OO. **Resolution No. 3484** approving a Final Plan for City of Leawood Parks Maintenance Facility Emergency Generator, located at 2008 W. 104<sup>th</sup> Street (PC Case #94-10) *[from the September 28, 2010 Planning Commission meeting]* - **Approved**
- PP. Fire Department Monthly Report [September]
- QQ. Police Department Monthly Report [September]
- RR. Municipal Court Monthly Report [September]

**11. MAYOR’S REPORT**

**12. COUNCILMEMBERS’ REPORT – Councilmember James Azeltine**

**13. STAFF REPORT**

**COMMITTEE RECOMMENDATIONS**

**14. ARTS COUNCIL**

*[from the May 25, 2010 Arts Council meeting]*

**Resolution No. 3485** approving and authorizing the Mayor to execute an Artwork Agreement in the amount of \$50,000 between the City and Jesse Small, for the purchase and installation of public art piece, ‘Gate to I-Lan,’ to be placed at I-Lan Park, 12601 Nall Avenue - **Approved**

**15. IRONHORSE ADVISORY BOARD**

*[from the August 26, 2010 Ironhorse Advisory Board meeting]*

**Resolution No. 3486** approving and authorizing the Mayor to execute an Independent Contractor Agreement for an amount not to exceed \$50,772, between the City and Rasmuson Contracting Services, LLC, pertaining to irrigation retro-fit project at Ironhorse Golf Course, located at 15400 Mission Road - **Approved**

**16. 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 146<sup>th</sup> Terrace and Mission Road (PC Case #70-10) –*[Continued from the August 16, 2010 and September 7, 2010 Governing Body meeting]* -**APPLICANT HAS REQUESTED A REMAND TO THE PLANNING COMMISSION TO MODIFY THE PLAN TO INCLUDE ADDITIONAL NEIGHBORING PROPERTIES – REMANDED TO THE PLANNING COMMISSION**

*[from the August 24, 2010 Planning Commission meeting]*

B. Resolution approving the Planning Commission’s recommendation to deny an amendment to Section 16-4-1.3 of the Leawood Development Ordinance entitled, “Permitted Accessory Uses, Buildings and Structures”, pertaining to Recycle Bins (PC Case #73-10) – **REMANDED TO THE PLANNING COMMISSION FOR FURTHER CONSIDERATION**

**[from the September 28, 2010 Planning Commission meeting]**

- C. **Resolution No. 3487** approving a Final Plan for Ranchmart North – Signage and Remodel, located at the northeast corner of 95<sup>th</sup> Street and Mission Road (PC Case #47-10) - **Approved**
- D. **Ordinance No. 2464** approving a Special Use Permit for a temporary bank building for Plaza Pointe – Crossfirst Bank Leawood, located at the southwest corner of 135<sup>th</sup> Street and Roe Avenue (PC Case #89-10) [ROLL CALL VOTE] - **Passed**
- E. **Ordinance No. 2465** approving a Preliminary Plan for a drugstore with drive-thru for Town Center Plaza – Lot 9 – Walgreens, located at 4701 Town Center Drive (PC Case #64-10) [ROLL CALL VOTE] - **Passed**
- F. **Ordinance No. 2466** approving a for a Special Use Permit for a drugstore with drive-thru for Town Center Plaza – Lot 9 – Walgreens, located at 4701 Town Center Drive (PC Case #64-10) [ROLL CALL VOTE] - **Passed**
- G. **Resolution No. 3488** approving a Final Plan for a tenant finish for One Nineteen – Rasputin Restaurant and Vodka Bar, located at the southeast corner of 119<sup>th</sup> Street and Roe Avenue (PC Case #77-10) - **Approved**

**17. OLD BUSINESS**

**18. OTHER BUSINESS**

Discuss Committees and Boards' Mission Statements - **Approved**

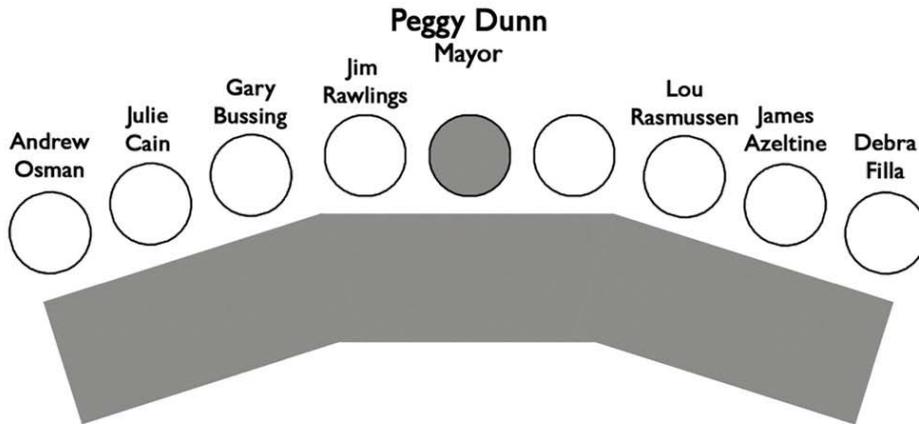
**19. NEW BUSINESS**

- A. Schedule a Governing Body Work Session on Monday, January 3, 2011, at 6:00 P.M., to discuss Transportation Development District [TDD] Financing for One Nineteen Development - **Approved**
- B. Schedule a Governing Body Work Session on Tuesday, January 18, 2011, at 6:00 P.M., for a continued discussion on future use of current Police Facility and former City Hall buildings - **Approved**
- C. Schedule a Governing Body Work Session on Monday, February 21, 2011, at 6:00 P.M., to review 'Draft' Proposals for design of Justice Center and former City Hall buildings - **Approved**
- D. Schedule a Governing Body Work Session on Monday, March 7, 2011, at 6:00 P.M., to review 'Draft' Proposals for design of Justice Center and former City Hall buildings - **Approved**

**ADJOURN**

<b>DATE</b>	<b>TIME</b>	<b>SUBJECT</b>	<b>LOCATION</b>
<b>October 18</b>	<b>6:00 P.M.</b>	<b>Discuss Transient Guest Tax and Transportation Development District [TDD] and \$5M Special Benefit District [SBD] financing for Park Place Improvement District [CIP # 80196]</b>	<b>Main Conf. Room</b>
<b>October 18</b>	<b>7:00 P.M.</b>	<b>Discuss matters related to attorney-client privilege</b>	<b>Main Conf. Room</b>
<b>November 15</b>	<b>6:00 P.M.</b>	<b>Discuss creation of Stormwater Utility User Fee</b>	<b>Main Conf. Room</b>
<b>December 6</b>	<b>6:00 P.M.</b>	<b>Discuss purchase of currently owned KCP&amp;L street and traffic signal lights</b>	<b>Main Conf. Room</b>
<b>December 20</b>	<b>6:00 P.M.</b>	<b>Discuss future use of current Police Facility and former City Hall buildings</b>	<b>Main Conf. Room</b>
<b>January 3</b>	<b>6:00 P.M.</b>	<b>Discuss Transportation Development District [TDD] Financing for One Nineteen Development</b>	<b>Main Conf. Room</b>
<b>January 18</b>	<b>6:00 P.M.</b>	<b>Continued discussion on future use of current Police Facility and former City Hall buildings</b>	<b>Main Conf. Room</b>
<b>January 31</b>	<b>6:00 P.M.</b>	<b>Discuss 2011 Governing Body Short, Near, and Long Term Goals &amp; Objectives</b>	<b>Main Conf. Room</b>
<b>February 7</b>	<b>6:00 P.M.</b>	<b>Presentation of 2012-2016 Capital Improvement Project [C.I.P.]</b>	<b>Main Conf. Room</b>
<b>February 21</b>	<b>6:00 P.M.</b>	<b>Review 'Draft' Proposals for design of Justice Center</b>	<b>Main Conf. Room</b>
<b>March 7</b>	<b>6:00 P.M.</b>	<b>Review 'Draft' Proposals for design of Justice Center</b>	<b>Main Conf. Room</b>

## 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.

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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:** 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.