

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, December 20, 2010
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

DECEMBER 2010

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JANUARY 2011

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*****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	Carrie Rezac	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

** Authorize staff to enter into negotiations with Park Place Partners, LLC, to prepare a Development Agreement between the City and Park Place Partners, LLC, for the one level of parking in the parking structure adjacent to the existing Aloft Hotel; replacing that certain Development Agreement, dated October 17, 2005, between the City of Leawood and Park Place Partners, LLC, for property located at 117th and Nall Avenue, pertaining to the Park Place Improvement Project [CIP # 83196] – **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. 2010-47 and 2010-48 – Accepted
- B. Accept minutes of the December 6, 2010 Governing Body meeting – Accepted
- C. Accept minutes of the December 6, 2010 Governing Body Work Session – Accepted
- D. Accept minutes of the October 6, 2010 Bicycle Friendly Committee – Accepted
- E. Accept minutes of the November 11, 2010 Sustainability Advisory Board meeting – Accepted
- F. Accept bid in the amount of \$126,272.00 from Precision Construction and Contracting, LLC, pertaining to play area, garden shelter and fire pit at Gezer Park, located at 13300 Mission Road – Accepted
- G. Approve 4th and Final Pay Request in the amount of \$30,138.67 to Miles Excavating, Inc., pertaining to the 2010 Parking Lot Improvement Project [Project # 76012] – Approved
- H. Approve Change Order No. 3 in the amount of \$235,732.86 to Linaweaver Construction Company, pertaining to the 2010 Residential Street Reconstruction Project, [Project # 80210] – Approved
- I. Approve 6th and Final Pay Request in the amount of \$304,773.55 to Linaweaver Construction Company, pertaining to the 2010 Residential Street Reconstruction Project, [Project # 80210] – Approved
- J. Approve quote in the amount of \$200,352.00 from Traveler’s Insurance Company for 2011 property/casualty insurance with brokerage services from Monte Giddings of CBIZ – Approved
- K. **Resolution No. 3519** approving and authorizing the Mayor to execute Amendment No. 1 to that certain Engineering Service Agreement dated December 7, 2009, in the amount of \$36,500.00 between the City and Continental Consulting Engineers, pertaining to the Amphitheater Project, Phase I, located at Ironwoods Park, 14701 Mission Road [Project # 80118] – Approved
- L. **Resolution No. 3520** approving and authorizing the Mayor to execute documents pertaining the City of Leawood’s account at Commerce Bank and the City’s credit card accounts, and authorizing certain related matters and actions – Approved
- M. **Resolution No. 3521** amending the 2011 Fee Schedule as it pertains to re-instatement of expired permit [Building Codes] – Approved
- N. **Resolution No. 3522** approving and authorizing the Mayor to execute a Settlement Agreement between the City and MD Associates No. 4, Inc., for property located at the northeast corner of 117th Street and Roe Avenue, Leawood, Johnson County, Kansas, for a public park and park facilities – Approved
- O. **Resolution No. 3523** authorizing the City to purchase real property commonly known as Town Center Business Park Lots 4, 5 and 6, located at the northeast corner of 117th Street and Roe Avenue, Leawood, Johnson County, Kansas, for a public park and park facilities, in accordance with K.S.A. § 26-501 **ET SEQ.** – Approved
- P. Approval of installation of 13-land banked parking spaces for Tomahawk Pointe Development, located on the northwest corner of College Boulevard and Tomahawk Creek Parkway, pertaining to the Final Site Plan approved by the Governing Body on November 7, 2005, by Resolution No. 2495 – Approved
- Q. Fire Department Monthly Report [November]
- R. Police Department Monthly Report [November]

S. Municipal Court Monthly Report [November]

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the November 23, 2010 Planning Commission meeting]

- A. **Resolution No. 3524** approving a Revised Final Plan for One Nineteen – Trader Joe's, located at the southwest corner of 119th Street and Tomahawk Creek Parkway. (PC # 107-10) – **Approved**

- B. **Ordinance No. 2474** approving a Revised Preliminary Plat, Revised Final Plat, Revised Preliminary Plan and Final Plan, for Park Place Building J and 5th Plat, located south of 117th Street and east of Nall Ave. (PC Case #112-10) [Roll Call Vote] - **Passed**

- **C. **Ordinance No. 2475** amending § 16-2-5.3, R-1 of the Leawood Development Ordinance [LDO] (Planned Single Family Low Density Residential District) (15,000 sq.ft. Per Dwelling), of the Leawood Development Ordinance [LDO], to provide for modification of required height and square footage restrictions in certain limited instances [residential height and massing] (PC Case # 56-06) [Roll Call Vote] – **Passed (with 23' foot sidewalk)**

- **D. **Ordinance No. 2476** amending §16-2-5.4, of the Leawood Development Ordinance [LDO] RP-1 (Planned Single Family Residential District) (12,000 sq.ft. Per Dwelling), of the Leawood Development Ordinance [LDO], to provide for modification of required height and square footage restrictions in certain limited instances [residential height and massing] (PC Case # 57-06) [Roll Call Vote] – **Passed (with 23' foot sidewalk)**

- **E. **Ordinance No. 2477** amending § 16-2-5.3, of the Leawood Development Ordinance [LDO] R-1 (Planned Single Family Low Density Residential District) (15,000 sq.ft. Per Dwelling), of the Leawood Development Ordinance [LDO], for an exception process for front yard setback restrictions in certain limited instances. (PC Case # 72-09) [Roll Call Vote] - **Passed**

- **F. **Ordinance No. 2478** amending §16-2-5.4, of the Leawood Development Ordinance [LDO] RP-1 (Planned Single Family Residential District) (12,000 sq.ft. Per Dwelling), of the Leawood Development Ordinance [LDO], to provide for an exception process for front yard setback restrictions in certain limited instances (PC Case # 73-09) [Roll Call Vote] - **Passed**

12. OLD BUSINESS

13. OTHER BUSINESS

Accept recommendation by Troon Golf from Club Car, LLC., in the amount of \$247,670.45 for the purchase of new golf car fleet for Ironhorse Golf Course; and authorize staff to negotiate a lease agreement – **Approved**

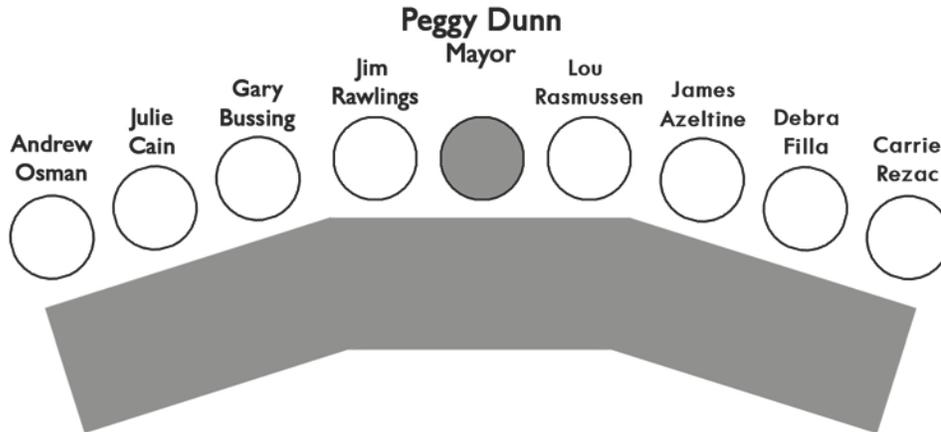
14. NEW BUSINESS

- A. **Resolution No. 3525** approving and authorizing the Mayor to execute a Professional Architectural Services Agreement for an amount not to exceed \$1,075,000.00, between the City and Hoefler and Wysocki Architects at future Justice Center, to be located at 117th & Tomahawk Creek Parkway [Project # 76008] – **Approved**

ADJOURN

DATE	TIME	SUBJECT	LOCATION
January 18	6:00 P.M.	Discuss Special Benefit District [SBD] financing for Park Place Improvement District [CIP # 80196]	Main Conf. Room
January 31	6:00 P.M.	Discuss 2011 Governing Body Short, Near, and Long Term Goals & Objectives	Main Conf. Room
February 7	6:00 P.M.	Presentation of 2012-2016 Capital Improvement Project [C.I.P.]	Main Conf. Room
February 21	6:00 P.M.	Review ‘Draft’ Proposals for design of Justice Center	Main Conf. Room
March 7	6:00 P.M.	Review ‘Draft’ Proposals for design of Justice Center	Main Conf. Room
March 28	6:00 P.M.	Personnel Matter; City Administrator’s 6-month review	Main Conf. Room
April 4	6:00 P.M.	Discuss 2012-2016 Budget Model Assumptions; and Review and Discuss 2012 Budget Presentations	Main Conf. Room
April 18	6:00 P.M.	Discuss Parks & Recreation Cost Recovery Study	Main Conf. Room
May 2	6:00 P.M.	Discuss Public Input [Tentative]	Main Conf. Room
June 20	6:00 P.M.	Pre-Budget 2012-2016 CIP Review	Main Conf. Room
June 27	6:00 P.M.	Joint Governing Body/Budget & Finance Committee Work Session	Main Conf. Room
September 6	6:00 P.M.	Personnel Matter; City Administrator’s annual 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.