

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, December 3, 2012
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

DECEMBER 2012							JANUARY 2013						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30	31		
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
Carrie Rezac

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

5. PRESENTATIONS/RECOGNITIONS

6. SPECIAL BUSINESS

- A. Public Hearing- Amendments to the 2012 Fiscal Budget for the City of Leawood, Kansas
- B. **Resolution No. 3935** adopting amendments to the 2012 Fiscal 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. 2012-45, 2012-46, and 2012-47 - *Accepted*

- B. Accept minutes of the November 19, 2012 Governing Body meeting - *Accepted*
- C. Accept minutes of the September 27, 2012 Leawood Foundation meeting - *Accepted*
- D. Approve renewal of Cereal Malt Beverage [CMB] license for Walgreens Co., located at 4701 Town Center Drive - *Approved*
- E. Approve renewal of Cereal Malt Beverage [CMB] license for Cosentino Price Chopper, located at 3700 W. 95th Street - *Approved*
- F. Approve 5th and Final Payment in the amount of \$29,695.89 to Hayes Brothers Construction, Co., Inc., pertaining to the North Lake & Trail Project [Project # 71011] - *PULLED*
- G. Approve Change Order No. 4 in the amount of \$28,351.00 to Titan Built Construction, pertaining to the Leawood Justice Center Project to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76008] - *Approved*
- H. **Resolution No. 3936** approving and authorizing the Mayor to execute Amendment No. 4 to that certain Professional Architectural Service Agreement, dated December 20, 2010, in the amount of \$10,620.00, between the City and Hoefer Wysocki Architects, LLC [HWA] pertaining to the Leawood Justice Center Construction Project to be located at 117th & Tomahawk Creek Parkway [Project # 76008] - *Approved*
- I. **Resolution No. 3937** approving the recommended distribution of alcohol taxes by Johnson County Drug and Alcoholism Council [DAC] for allocations of the 2013 alcohol tax fund for an amount not to exceed \$175,000 - *Approved*
- J. **Resolution No. 3938** approving and authorizing the Mayor to execute a Letter of Engagement between the City and Rubin Brown, LLP, for an amount not to exceed \$34,000, pertaining to 2012 audit services - *Approved*
- K. **Resolution No. 3939** approving and authorizing the Mayor to execute an Amendment to that certain Real Estate Agreement between the City and Block Development Company, dated June 18, 2012, pertaining to the real property located at approximately 114th Street and Tomahawk Creek Parkway, and extending the time for zoning and planning consideration by ninety [90] days - *Approved*
- L. **Resolution No. 3940** approving and authorizing the Mayor to execute a Video Service Provider Agreement between the City and Time Warner Cable Midwest LLC - *Approved*
- M. **Resolution No. 3941** approving a Final Sign Plan for Ironhorse Centre - Midwest Dermatology, located south of 151st Street and east of Nall Avenue (PC Case 145-12) [from the November 27, 2012 Planning Commission meeting] - *Approved*
- N. **Resolution No. 3942** approving a Final Sign Plan for Leawood Presbyterian Church - Monument Sign, located at 2715 W. 83rd Street (PC Case 146-12) [from the November 27, 2012 Planning Commission meeting] - *Approved*
- O. **Resolution No. 3943** approving a Final Plan for Market Square - Sunrise Advisors (Financial Services), located at the northwest corner of 135th Street and Pawnee Street (PC Case 147-12) [from the November 27, 2012 Planning Commission meeting] - *Approved*
- P. **Resolution No. 3944** approving a Revised Final Plat for Leabrooke - 8th Plat, located south of W.146th Street and west of Manor Road (PC Case 148-12) [from the November 27, 2012 Planning Commission meeting] - *Approved*
- Q. **Resolution No. 3945** approving a Final Sign Plan for Camelot Court - Red Door Grill (Wood Fired Grill Restaurant), located at the northeast corner of 119th Street and Roe Avenue (PC Case 154-12) [from the November 27, 2012 Planning Commission meeting] - *Approved*

- R. **Resolution No. 3946** approving a Final Sign Plan for Tomahawk Creek Office Park - Murphy Hoffman Co. (MHC) (Heavy Duty Truck Services), located at 11120 Tomahawk Creek Parkway (PC Case 156-12) *[from the November 27, 2012 Planning Commission meeting] - Approved*
- S. **Resolution No. 3947** approving a Final Sign Plan for Town Center Plaza - Brooks Brothers (Apparel), located north of 119th Street and east of Nall Avenue (PC Case 157-12) *[from the November 27, 2012 Planning Commission meeting] - Approved*
- T. **Resolution No. 3948** approving a Final Sign Plan for Leawood Corporate Manor Sign Criteria, located at the southwest corner of College Boulevard and Roe Avenue (PC Case 158-12) *[from the November 27, 2012 Planning Commission meeting] - Approved*
- U. **Resolution No. 3949** approving a Final Sign Plan for Leawood Corporate Manor - Citizens Bank & Trust, located at the southwest corner of College Boulevard and Roe Avenue (PC Case 155-12) *[from the November 27, 2012 Planning Commission meeting] - Approved*

8. MAYOR’S REPORT

9. COUNCILMEMBERS’ REPORT

- | | |
|------------------------|--|
| Councilmember Rawlings | Update on Justice Center Construction Project |
| Councilmember Filla | Recommendation regarding Sienna HOA well for non-chlorinated water |

10. STAFF REPORT – CITY ADMINISTRATOR SCOTT LAMBERS

Update on Special Animal Permits

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the November 13, 2012 Planning Commission meeting]

- A. **Ordinance No. 2603** amending Article 9 of the Leawood Development Ordinance, [LDO], entitled, ‘Definitions,’ to add a new section defining ‘Research Services – Limited’ (PC Case 128-12) [Roll Call Vote] - *Passed*
- B. **Ordinance No. 2604** mending Section 16-2-7, of the Leawood Development Ordinance [LDO], Table of Uses, pertaining to research services - limited (PC Case 127-12) [Roll Call Vote] - *Passed*

12. OLD BUSINESS

13. OTHER BUSINESS

14. NEW BUSINESS

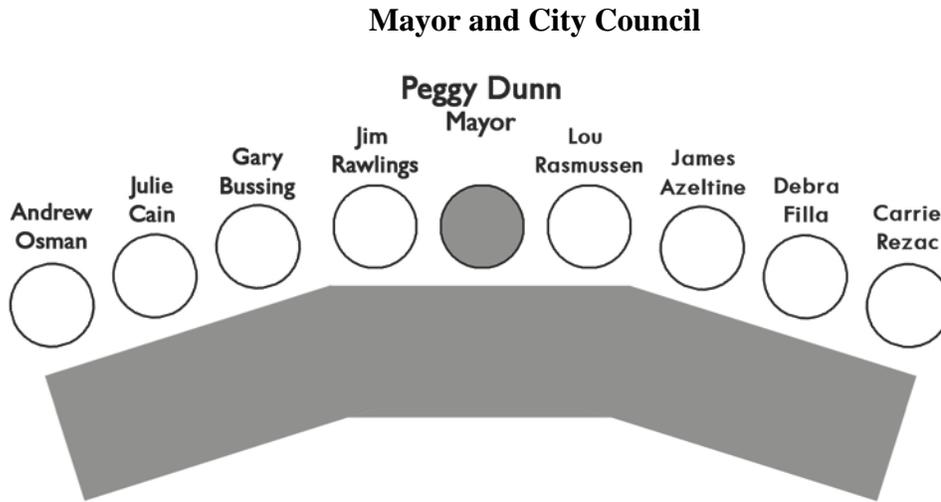
- A. **Ordinance No. 2602** appropriating the amounts set up in each fund in the budget for fiscal year 2013, providing for the payment of all claims and charges against the accounts provided for therein; and approving and ratifying the payment of all claims against the accounts [Roll Call Vote] - *Passed*

- B. **Ordinance No. 2593C** amending Chapter 4, Article 2 of the Code of the City of Leawood, 2000, incorporating the International Building Code 2012, save and except such articles, sections, parts or portions which are omitted, deleted, modified or changed, and making additions thereto, and repealing existing Article 2, and other sections in conflict herewith [Roll Call Vote] - *Passed*
- C. **Ordinance No. 2594C** amending Chapter 4, Article 3 of the City of Leawood, 2000, incorporating the National Electrical Code, 2011, save and except such articles, sections, parts or portions which are omitted, deleted, modified or changed, and making additions thereto, and repealing existing Article 3, and other sections in conflict herewith [Roll Call Vote] - *Passed*
- D. **Ordinance No. 2595C** amending Chapter 4, Article 4 of the City of Leawood, 2000, incorporating the International Plumbing Code, 2012, save and except such articles, sections, parts or portions which are omitted, deleted, modified or changed, and making additions thereto, and repealing existing Article 4, and other sections in conflict herewith [Roll Call Vote] - *Passed*
- E. **Ordinance No. 2596C** amending Chapter 4, Article 5 of the Code of the City of Leawood, 2000, incorporating the International Mechanical Code 2012, save and except such articles, sections, parts or portions which are omitted, deleted, modified or changed, and making additions thereto, and repealing existing Article 5, and other sections in conflict herewith [Roll Call Vote] - *Passed*
- F. **Ordinance No. 2597C** amending Chapter 4, Article 6 of the Code of the City of Leawood, 2000, incorporating the International Fuel Gas Code, 2012, save and except such articles, sections, parts or portions which are omitted, deleted, modified or changed, and making additions thereto, and repealing existing Article 6, and other sections in conflict herewith [Roll Call Vote] - *Passed*
- G. **Ordinance No. 2598C** amending Chapter 4, Article 8 of the City of Leawood, 2000, incorporating the international energy conservation code, 2012, save and except such articles, sections, parts or portions which are omitted, deleted, modified or changed, and making additions thereto, and repealing existing article 8, and other sections in conflict herewith. [Roll Call Vote] - *Passed*
- H. **Ordinance No. 2599C** amending Chapter 4, Article 9 of the Code of the City of Leawood, 2000, incorporating the International Residential Code 2012, save and except such articles, sections, parts or portions which are omitted, deleted, modified or changed, and making additions thereto, and repealing existing Article 9, and other sections in conflict herewith [Roll Call Vote] - *Passed*
- I. **Ordinance No. 2600C** amending Chapter 7, Article 2 of the Code of the City of Leawood, 2000, incorporating the International Fire Code 2012, save and except such articles, sections, parts or portions which are omitted, deleted, modified or changed, and making additions thereto, and repealing existing Article 2, and other sections in conflict herewith [Roll Call Vote] - *Passed*

- J. **Ordinance No. 2601C** amending §8-504 entitled ‘International Property Maintenance Code, Section 102.3,’ and §8-537, entitled ‘International Property Maintenance Code, Section 604.2,’ of the Code of the City of Leawood, 2000, and repealing existing Sections 8-504 and 8-537 and other sections in conflict herewith [Roll Call Vote] - *Passed*

- K. Schedule a Governing Body Work Session on Tuesday, January 22, 2013 at 6:00 P.M., to discuss potential amendments to the Leawood Development Ordinance [LDO] regarding signage - *Approved*

ADJOURN



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.

DATE	TIME	SUBJECT	LOCATION
		2012 Work Sessions	
December 3	6:00 P.M.	Discussion regarding Kansas City Orthopaedic Institute's Generator, located at 3651 College Boulevard	Main Conf. Room
December 17	6:00 P.M.	Discuss Justice Center Art Pieces	Main Conf. Room
		2013 Work Sessions	
January 7	6:00 P.M.	Continued discussion on Review of Community Improvement Development [CID] Application for Ranchmart	Main Conf. Room
January 14	6:00 P.M.	Discuss Short, Near and Long-term Goals	Main Conf. Room
January 22	6:00 P.M.	Discuss potential amendments to LDO signage	Main Conf. Room
February 4	6:00 P.M.	Presentation of Capital Improvement Projects [CIP]	Main Conf. Room
March 18	6:00 P.M.	Discuss 2014-2018 Budget Model Assumptions; Review and Discuss 2014 Budget Presentations	Main Conf. Room
March 25	6:00 P.M.	Executive Session; Personnel Matter; City Administrator's Annual Review	Main Conf. Room
April 15	6:00 P.M.	Discuss Public Input- <i>Tentative</i>	Main Conf. Room
June 17	6:00 P.M.	Pre-Budget 2014-2018 C.I.P. Discussion	Main Conf. Room
June 24	6:00 P.M.	Council/Budget & Finance Committee	Main Conf. Room
June 25	6:00 P.M.	Council/Budget & Finance Committee	Main Conf. Room