

# CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

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

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

## 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

**Bike to Work Week, May 14-18, 2012**  
**National Public Works Week, May 20-26, 2012**  
**Municipal Clerks Week, April 29-May 5, 2012**

5. PRESENTATIONS/RECOGNITIONS

**Introduction of French Firefighter Exchange Student, Marius Dore**

6. OATH OF OFFICE ADMINISTERED TO COUNCILMEMBER-ELECT LOU RASMUSSEN, [TERM EXPIRES 2016]

7. SPECIAL BUSINESS

A. Presentation of 2011 Annual Audit

B. **Resolution No. 3795** accepting the 2011 Comprehensive Annual Financial Report [Audit] for the City of Leawood, Kansas - *Approved*

- C. Public Hearing Park Place Development Improvement District Assessments [Project # 83196]
- D. **Ordinance No. 2540**, levying assessments on lots, pieces, and parcels of ground in the City of Leawood, Kansas, for the purpose of paying for construction of improvements to Nall Avenue, 117<sup>th</sup> Street, Town Center Drive and Roe Avenue and construction of Storm Water Improvements within the City of Leawood for establishment of an Improvement District, pursuant to K.S.A. § 12-6a01, et. seq., and the City's home rule authority of Article 12, Section 5 of the Kansas Constitution, located in Park Place Development [Project # 83196] - *Passed*
- E. Public Hearing One Nineteen Transportation Development District Assessments [Project # 80456]
- F. **Ordinance No. 2541**, levying assessments on lots, pieces, and parcels of ground in the City of Leawood, Kansas, for the purpose of construction of certain public and private road and parking lot related improvements and other such transportation related improvements, located within 119<sup>th</sup> Street Development District, within the City of Leawood, Kansas, [One Nineteen Transportation Development District] [Project # 80456] - *Passed*
- G. **Resolution No. 3796** approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$20,389,844.00, between the City and Titan Built Construction as the General Contractor for the Leawood Justice Center to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76008] - *Approved*

## 8. **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. 2012-14, 2012-15, 2012-16 - *Accepted*
- B. Accept minutes of the April 16, 2012 Governing Body meeting - *Accepted*
- C. Accept minutes of the April 9, 2012 Governing Body Work Session - *Accepted*
- D. Accept minutes of the March 27, 2012 Arts Council meeting - *Accepted*
- E. Accept minutes of the March 22, 2012 Leawood Foundation meeting - *Accepted*
- F. Accept minutes of the February 16, 2012 Sustainability Advisory Board meeting - *Accepted*
- G. Accept minutes of the February 8, 2012 Public Works Committee meeting - *Accepted*
- H. Accept minutes of the November 2, 2011 Bicycle Friendly Committee meeting - *Accepted*
- I. Mayoral Appointment for Governing Body Presiding Officers from May 2012 through April 2013 - *Approved*
- J. Approve renewal of Cereal Malt Beverage [CMB] license for Hallbrook Country Club, located at 11300 Overbrook Road - *Approved*
- K. Approve renewal of Retail Liquor License for Par 4 Liquor, LLC [f/n/a ZIPZ Spiritz] located at 4821 W. 135<sup>th</sup> Street - *Approved*
- L. Approve 2<sup>nd</sup> and Final Payment in the amount of \$785.00 to Premier Contracting, Inc., pertaining to the roof replacement at Ironhorse Maintenance Building, located at 15400 Mission Road [Project # 74045] - *Approved*

- M. Approve 3<sup>rd</sup> and Final Payment in the amount of \$8,026.50 to Premier Contracting, Inc., pertaining to the roof replacement at Ironhorse Maintenance Building, located at 15400 Mission Road [Project # 74045] - *Approved*
- N. Approve purchase in the amount of \$34,970.00 from Van Wall Equipment, for the purchase of mower for Parks & Recreation Department - *Approved*
- O. **Resolution No. 3797** approving a Special Event at Park Place at 117<sup>th</sup> & Nall Avenue, for a Street Fair to be conducted on Friday, July 13, 2012 in Leawood, Kansas - *Approved*
- P. **Resolution No. 3798** accepting the Board of County Commissioners of Johnson County's Order of Detachment of certain property from the boundaries of the Fire District, and the transfer of such land to the City for fire protection services - *Approved*
- Q. **Resolution No. 3799** accepting a Quit Claim Deed from Hallmark Farms, pertaining to real property located north of I-435 and west of State Line Road, for additional Parkland - *Approved*
- R. **Resolution No. 3800** approving and authorizing the Mayor to execute a Service Contract in the amount of \$30,578.00 between the City and Motorola Solutions, pertaining to Inspection Services for R56 grounding for the Leawood Justice Center to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76029] - *Approved*
- S. **Resolution No. 3801** approving a Final Sign Plan for Park Place – Marv's Delicatessen, located at 11554 Ash Street (PC Case # 41-12) - *Approved*
- T. **Resolution No. 3802** approving a Revised Final Plan for Clare Bridge of Leawood – Roof (existing assisted living facility), located north of 128<sup>th</sup> Street and west of State Line Road (PC Case # 39-12) - *Approved*
- U. **Resolution No. 3803** approving a Final Sign Plan for Parkway Plaza - Oliver's Pizza, located north of 135<sup>th</sup> Street and west of Roe Avenue (PC Case # 42-12) - *Approved*
- V. **Resolution No. 3804** approving a Final Plan for a Tenant Finish for Park Place – Alysa Rene Boutique (women's apparel), located at 11555 Ash Street (PC Case # 44-12) - *Approved*
- W. **Resolution No. 3805** approving a Final Plan for a Tenant Finish for Park Place – Retail Space G-30 Storefront, located at 5262 W. 116<sup>th</sup> Place (PC Case # 46-12) - *Approved*
- X. **Resolution No. 3806** approving a Final Plan for a Tenant Finish for Park Place – Retail Space G-25 Storefront, located at 5275 W. 116<sup>th</sup> Place (PC Case # 47-12) - *Approved*
- Y. **Resolution No. 3807** approving a Final Plan for a Tenant Finish for Park Place – Geno's Clothiers (men's apparel), located at 5256 W. 116<sup>th</sup> Place (PC Case # 48-12) - *Approved*

## 9. MAYOR'S REPORT

## 10. COUNCILMEMBERS' REPORT – COUNCILMEMBER FILLA

Referral for Chair and Vice-Chair of Sustainability Advisory Board and Public Works Committee and staff for implementation of Complete Streets Policy

## 11. STAFF REPORT

## ***COMMITTEE RECOMMENDATIONS***

### 12. PUBLIC WORKS COMMITTEE

[from the August 16, 2011, October 18, 2011, November 9, 2011, December 14, 2011, February 8, 2012, and April 11, 2012 Public Works Committee meetings]

- A. Recommendation that Council approve the hiring of a consultant; and the creation of a Benefit District for traffic calming on 85<sup>th</sup> Terrace between State Line Road and Lee Boulevard - *Approved*

*[from the April 11, 2012 Public Works Committee meeting]*

- B. Recommendation that a separate budgetary line item be made on Pay as You Go [PAYGO] basis for sidewalks - *Approved*

*[from the April 11, 2012 Public Works Committee meeting]*

- C. Recommendation that \$167,000 of unused Salt Funds be used for micro-surfacing 133<sup>rd</sup> Street between State Line Road and western city limits; Pawnee, and Briar between 133<sup>rd</sup> Street and 135<sup>th</sup> Street - *Approved*

**\*\*\*13. LEAWOOD ARTS COUNCIL**

*[from the November 21, 2011 Leawood Arts Council meeting]*

Resolution approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$2,500.00 between the City and Jeffrey A. Rumaner, artist, pertaining to Art on Loan piece entitled, 'Guardian' - **CONTINUED TO THE MAY 21, 2012 GOVERNING BODY MEETING**

**14. PLANNING COMMISSION**

*[From the February 22, 2011 Planning Commission meeting]*

Resolution approving a Final Sign Plan for Ranchmart – U.S. Bank, located north of 95<sup>th</sup> Street and east of Mission Road (PC Case #18-11) **Continued From The March 21, 2011, March 5, 2012, March 19, 2012, April 2, 2012, and April 16, 2012 Governing Body Meetings - THIS APPLICATION HAS BEEN WITHDRAWN BY APPLICANT**

**15. OLD BUSINESS**

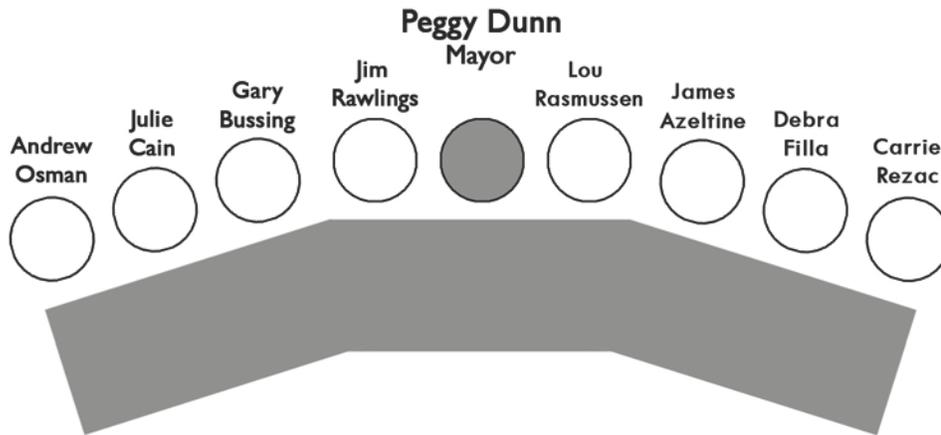
**16. OTHER BUSINESS**

Discussion of Walgreen's lighting issue – **CONTINUED TO THE MAY 21, 2012 GOVERNING BODY MEETING AND CONTINUE EXTENSION OF TCO TO MAY 23, 2012 UNLESS LIGHTING ISSUE RESOLVED**

**17. NEW BUSINESS**

**ADJOURN**

## 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.

<b>DATE</b>	<b>TIME</b>	<b>SUBJECT</b>	<b>LOCATION</b>
		<b>2012 Work Sessions</b>	
<b>May 7</b>	<b>6:00 P.M.</b>	<b>Continued Discussion of Establishment of a Community Improvement District [CID] for redevelopment [previous Oct. 17, 2011 Work Session]</b>	<b>Main Conf. Room</b>
<b>May 21</b>	<b>6:00 P.M.</b>	<b>Discuss expansion of Transportation Development District [TDD] Issuance of Bonds for One Nineteen Development [Project # 80456]</b>	<b>Main Conf. Room</b>
<b>June 4</b>	<b>6:00 P.M.</b>	<b>Pre-budget; 2013-2017 CIP Discussion; and Discuss Parks &amp; Recreation Cost Recovery Study</b>	<b>Main Conf. Room</b>
<b>June 25</b>	<b>6:00 P.M.</b>	<b>Budget &amp; Finance Committee Work Session</b>	<b>Main Conf. Room</b>
<b>June 26</b>	<b>6:00 P.M.</b>	<b>Budget &amp; Finance Committee Work Session [<i>if needed</i>]</b>	<b>Main Conf. Room</b>
<b>July 16</b>	<b>6:00 P.M.</b>	<b>Discuss amending Code § 4-937 of the Code of the City of Leawood, 2000, entitled ‘International Residential Code for One- and Two-Family Dwellings, Table R301.2(1), Climatic and Geographic Design Criteria, as it pertains to Ice Barrier Underlayment Requirement</b>	<b>Main Conf. Room</b>
<b>September 4</b>	<b>6:00 P.M.</b>	<b>Executive Session; Personnel Matter; City Administrator’s 6-month Review</b>	<b>Main Conf. Room</b>