

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, May 21, 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

5. PRESENTATIONS/RECOGNITIONS

*****6. SPECIAL BUSINESS**

Resolution accepting for filing the Second Amended and Restated Petition for Creation of Transportation Development District for the One Nineteen Development located on the southeast corner of 119th Street and Roe Avenue, pursuant to K.S.A. §12-12,144 et seq.; calling and providing for the giving of notice of a public hearing on the advisability of amending the 119th Transportation Development District [CIP #80456] – ***THIS ITEM HAS BEEN WITHDRAWN***

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. 2012-17, 2012-18 and 2012-19 - *Accepted*
- B. Accept minutes of the May 7, 2012 Governing Body meeting - *Accepted*

- C. Accept minutes of the May 7, 2012 Governing Body Work Session - *Accepted*
- D. Accept minutes of the April 12, 2012 Sustainability Advisory Board - *Accepted*
- E. Accept minutes of the April 11, 2012 Public Work Committee meeting - *Accepted*
- F. Accept minutes of the February 29, 2012 Stormwater Management Committee meeting - *Accepted*
- G. Accept minutes of the March 13, 2012 Historic Commission meeting - *Accepted*
- H. Approve Change Order No. 1 in the amount of \$167,501.24, to Vance Brothers pertaining to the 2012 Slurry Seal Program [Project # 70011] - *Approved*
- I. Mayoral Appointments of Council Liaisons and Volunteers for Committees, Commissions and Boards - *Approved*
- J. **Resolution No. 3808** approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$799,990.42 between the City and McAnany Construction Co., Inc., pertaining to the 2012 Residential Mill and Overlay Project [Project # 70012] - *Approved*
- K. **Resolution No. 3809** approving and authorizing the Mayor to execute a Statement of Concurrence to allow the transfer of existing licensee operations on certain 800MHz channels to Johnson County, Kansas - *Approved*
- L. **Resolution No. 3810** approving a Final Plan-Landscape Plan, for Park Place – Barclay Park - Artificial Turf, located at the northeast corner of 117th Street and Nall Avenue. (PC Case # 51-12) [from the April 24, 2012 Planning Commission meeting] - *Approved*
- M. Declaration of Surplus Property; 18” Planer - *Approved*
- N. Fire Department Monthly Report
- O. Police Department Monthly Report
- P. Municipal Court Monthly Report

8. MAYOR’S REPORT

9. COUNCILMEMBERS’ REPORT

10. STAFF REPORT Richard Coleman, Community Development Director

[From the February 6, 2012 Governing Body meeting]

Follow-up report on Massage Outcalls and Illumination for massage therapy establishments – *CONTINUED FROM THE APRIL 2, 2012 GOVERNING BODY MEETING – Approved to reduce foot candles from 40’ to 2’*

COMMITTEE RECOMMENDATIONS

11. LEAWOOD ARTS COUNCIL

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

Resolution No. 3811 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 FROM THE MAY 7, 2012 GOVERNING BODY MEETING - Approved*

12. PLANNING COMMISSION

[From the October 25, 2011 Planning Commission meeting]

- A. Ordinance amending Section 16-4-9 of the Leawood Development Ordinance [LDO], Fences and Walls, pertaining to fences constructed on top of a deck (PC Case # 119-11) ***Continued From The November 21, 2011, March 5, 2012, March 19, 2012, and April 2, 2012 Governing Body Meetings -- [Roll Call Vote] -CONTINUED TO THE JUNE 18, 2012 GOVERNING BODY MEETING***

[From the April 24, 2012 Planning Commission meeting]

- B. **Resolution No. 3812** approving a Final Plan for Park Place – Site Signage, located at the northeast corner of 117th Street and Nall Avenue (PC Case # 45-12) - *Approved*

[From the January 24, 2012 Planning Commission meeting]

- C. Resolution approving a Final Plan for Ranchmart – Slab N Pickle, located north of 95th Street and east of Mission Road (PC Case # 109-11) –***Continued From the February 20, 2012, March 5, 2012, and March 19, 2012 Governing Body Meetings - CONTINUED TO THE JUNE 4, 2012 GOVERNING BODY MEETING***

[From the April 24, 2012 Planning Commission meeting]

- ***D. Zoning, Preliminary and Final Plat, Preliminary and Final Plan for Ranchmart North, located north of 95th Street and east of Mission Road

Staff Comment: A Protest Petition was received on May 8, 2012, and has been determined to be valid.

1. **Resolution No. 3813** approving Preliminary and Final Plat for Ranchmart North located north of 95th Street and east of Mission Road. [PC-52-12]
2. **Ordinance No. 2542** approving zoning to R-1 [Planned Low Density Single Family Residential], preliminary plan and final plan for a portion of Ranchmart North [cemetery portion] located north of 95th Street and east of Mission Road. [PC-52-12] [Roll Call Vote]
3. **Ordinance No. 2543** approving zoning to SD-CR [Planned General Retail], Preliminary Plan and Final Plan for a portion of Ranchmart North, Lots 1, 2 and 4, located north of 95th Street and east of Mission Road. [PC-52-12] [Roll Call Vote]
4. Ordinance approving zoning to SD-CR [Planned General Retail], Preliminary Plan and Final Plan for a portion of Ranchmart North, Lot 3, located north of 95th Street and east of Mission Road. [PC-52-12] [Roll Call Vote] – *Continued to the June 4, 2012, Governing Body meeting*

13. OLD BUSINESS

Continued from the May 7, 2012 Governing Body meeting

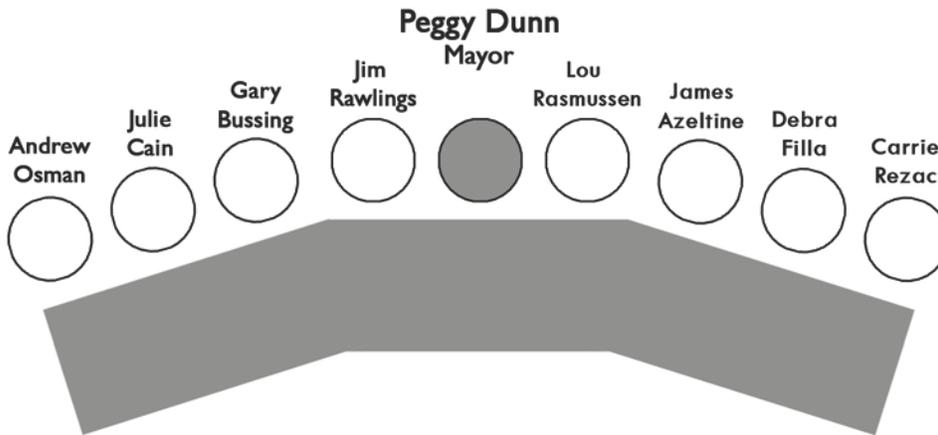
Continued discussion of Walgreen's [located at Town Center Drive and Roe] lighting issue

14. OTHER BUSINESS

15. 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:** 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	
May 21	6:00 P.M.	Discuss expansion of Transportation Development District [TDD] Issuance of Bonds for One Nineteen Development [Project # 80456]; and Continued Discussion of Establishment of a Community Improvement District [CID] for redevelopment	Main Conf. Room
June 4	6:00 P.M.	Final Discussion of Establishment of a Community Improvement District [CID] for redevelopment	Main Conf. Room
June 18	6:00 P.M.	Pre-budget; 2013-2017 CIP Discussion; and Review Debt Financing Plan; and Discuss Parks & Recreation Cost Recovery Study	Main Conf. Room
June 25	6:00 P.M.	Budget & Finance Committee Work Session	Main Conf. Room
June 26	6:00 P.M.	Budget & Finance Committee Work Session [<i>if needed</i>]	Main Conf. Room
July 16	6:00 P.M.	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	Main Conf. Room
September 4	6:00 P.M.	Executive Session; Personnel Matter; City Administrator’s 6-month Review	Main Conf. Room