

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, June 18, 2012
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

JUNE 2012							JULY 2012						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2	1	2	3	4	5	6	7
3	4	5	6	7	8	9	8	9	10	11	12	13	14
10	11	12	13	14	15	16	15	16	17	18	19	20	21
17	18	19	20	21	22	23	22	23	24	25	26	27	28
24	25	26	27	28	29	30	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
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 GFOA Distinguished Budget Presentation Awards Program for 2012

6. SPECIAL BUSINESS

- *** A. 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] – **CONTINUED TO THE JULY 2, 2012 GOVERNING BODY MEETING**

- B. **Resolution No. 3821** approving and authorizing the Mayor to execute a Land Purchase Agreement between the City and Block Development Company, in the amount of \$2,200,000.00, pertaining to the City real property located on 114th Street, west of Tomahawk Creek Parkway - *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. 2012-21, and 2012-22 - *Accepted*
- B. Accept minutes of the May 21, 2012 Governing Body Work Session - *Accepted*
- C. Accept minutes of the June 4, 2012 Governing Body meeting - *Accepted*
- D. Accept minutes of the May 8, 2012 Parks and Recreation Advisory Board - *Accepted*
- E. **Resolution No. 3833** calling for a public hearing to be held on Monday, August 6, 2012 at 7:30 P.M., to consider the 2013 Fiscal Budget for the City of Leawood, Kansas - *Approved*
- F. **Resolution No. 3822** approving and authorizing the Mayor to execute a Fiduciary Engagement Letter with George K. Baum & Company, to provide financial advisory services - *Approved*
- G. **Resolution No. 3823** accepting a Storm Sewer Easement from Bruce E. Ecton, Lot 979, 3000 W. 81 Terrace, pertaining to the 2012 Residential Street Reconstruction Project - *Approved*
- H. **Resolution No. 3824** accepting a Storm Sewer Easement from Brian L. and Tamara J. Faris, Lot 997, 3021 W. 81 Terrace, pertaining to the 2012 Residential Street Reconstruction Project - *Approved*
- I. **Resolution No. 3825** accepting a Storm Sewer Easement from Amy Lynne Bond, Lot 985, 3200 W. 81 Terrace, pertaining to the 2012 Residential Street Reconstruction Project - *Approved*
- J. **Resolution No. 3826** accepting a Storm Sewer Easement from Bryan Robert Bradford and Lindsay McWilliams Bradford, Lot 996, 3201 W. 81 Terrace, pertaining to the 2012 Residential Street Reconstruction Project - *Approved*
- K. **Resolution No. 3827** accepting a Storm Sewer Easement from Phil Buttell, Lot 986, 3204 W. 81 Terrace, pertaining to the 2012 Residential Street Reconstruction Project - *Approved*
- L. **Resolution No. 3828** accepting a Storm Sewer Easement from J. Michael Gillaspie and Lee Anne Hays, Lot 1005, 3022 W. 82 Street, pertaining to the 2012 Residential Street Reconstruction Project - *Approved*
- M. **Resolution No. 3829** accepting a Storm Sewer Easement from Dolores G. Berry, Trustee, Lot 1017, 3023 W. 82 Street, pertaining to the 2012 Residential Street Reconstruction Project - *Approved*
- N. **Resolution No. 3830** accepting a Storm Sewer Easement from Donald S. and Dorothy Jane Buell, Lot 1006, 3200 W. 82 Street, pertaining to the 2012 Residential Street Reconstruction Project - *Approved*
- O. **Resolution No. 3831** accepting a Storm Sewer Easement from J. David and Lauren L. Conderman, Lot 1016, 3201 W. 82 Street, pertaining to the 2012 Residential Street Reconstruction Project - *Approved*
- P. **Resolution No. 3832** accepting a Storm Sewer Easement from Dana Blay and Marsha Blay, Lot 965, 8031 Wenonga pertaining to the 2012 Residential Street Reconstruction Project - *Approved*

- Q. Fire Department Monthly Report
- R. Police Department Monthly Report
- S. Municipal Court Monthly Report

8. MAYOR’S REPORT

9. COUNCILMEMBERS’ REPORT

***** 10. STAFF REPORT**

Authorize participation in funding application and cost in the amount of \$75,000 for the installation of conduit & fiber along 135th Street corridor as part of the Mid-America Regional Council [MARC] Operation Green Light [OGL] Program - *Approved*

COMMITTEE RECOMMENDATIONS

11. 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, April 2, 2012 , May 21, 2012, and June 4, 2012 Governing Body Meetings -- -CONTINUED TO THE JULY 16, 2012 GOVERNING BODY MEETING*** [Roll Call Vote]

B. Ordinance approving zoning, 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] ***[A Protest Petition was received on May 8, 2012, and has been determined to be valid.] ; AND [From the January 24, 2012 Planning Commission meeting]*** A 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, May 21, 2012 and June 4, 2012 Governing Body Meetings -- [CONTINUED TO THE AUGUST 6, 2012 GOVERNING BODY MEETING]***

Staff Comment: A separate vote on the zoning ordinance and final plan resolution is necessary and it is recommended that the zoning ordinance be voted upon first.

[From the May 22, 2012 Planning Commission meeting]

C. **Ordinance No. 2544** approving a Preliminary Plan for Hallbrook Country Club, located north of 114th Street and west of State Line Road. (PC Case 35-12) [Roll Call Vote] - *Passed*

D. **Ordinance No. 2545** approving a Special Use Permit for a Commercial Daycare for Ironhorse Centre – Building 8 – Little Sunshine Daycare, located south of 151st Street and east of Nall Avenue. (PC Case 43-12) [Roll Call Vote] - *Passed*

E. **Ordinance No. 2546** approving a Preliminary Plan and Final Plan for Ironhorse Center – Building 8 – Little Sunshine Daycare, located south of 151st Street and east of Nall Avenue. (PC Case 43-12) [Roll Call Vote] - *Passed*

F. **Ordinance No. 2547** approving a Special Use Permit for an Assisted Living Facility for a new owner of Grace Gardens, located at the southeast corner of 143rd Street and Nall Avenue. (PC Case 58-12) [Roll Call Vote] - *Passed*

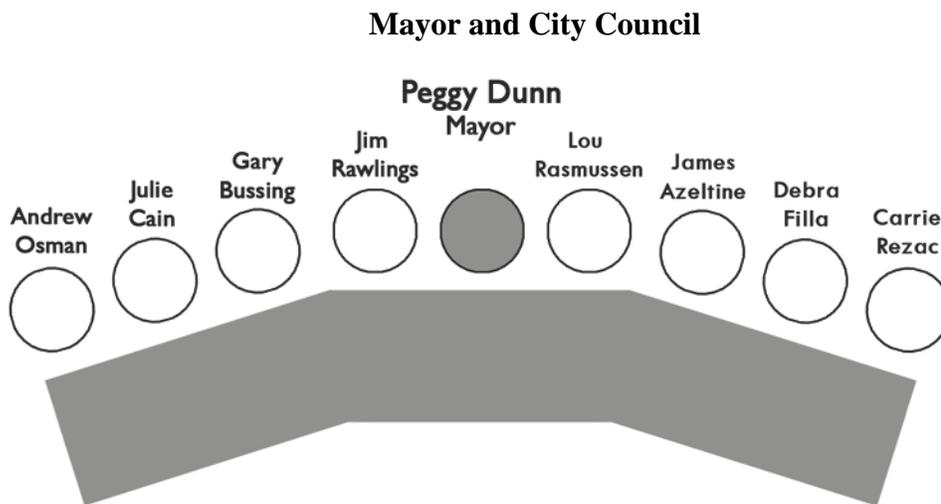
12. **OLD BUSINESS**

13. **OTHER BUSINESS**

14. **NEW BUSINESS**

Charter Ordinance No. 40 amending Charter Ordinance No. 27, exempting the City of Leawood, Kansas from the provisions of K.S.A. § 12-681, 12-682, and 13-1038, concerning improvement of certain streets and alleys and providing substitute and additional provisions on the same subjects and repealing any provisions in conflict herewith [Roll Call Vote] - *Passed*

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	
June 18	6:00 P.M.	Review Debt Financing Plan; and Pre-budget; 2013-2017 CIP Discussion; 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