

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, July 16, 2012
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

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

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

6. SPECIAL BUSINESS

A. Continued discussion of proposed improvements to Brooke Beatty Park, located at 86th Terrace & Lee Boulevard – *STAFF TO SCHEDULE A NEIGHBORHOOD MEETING TO BE WITHIN THE NEXT 6 WEEKS*

B. **Resolution No. 3845**, authorizing the improvement of a certain section of 143rd Street, a Main Trafficway, between Nall Avenue and Windsor Lane within the City of Leawood; providing for issuance of General Obligation Improvement Bonds of the City to pay the costs thereof pursuant to K.S.A. § 12-689 and for the issuance of Temporary Notes of the City pending the issuance of said Bonds; and expressing the intent to reimburse costs of the Project so incurred from proceeds of General Obligation Bonds; and authorizing and improving certain related matters and actions [Project # 80162] - *Approved*

- C. **Resolution No. 3846**, Resolution determining it necessary and advisable and ordering the recurbing, reguttering and repair of certain residential streets or portions thereof within the City of Leawood, Kansas pursuant to Charter Ordinance No. 27 of the City [Project # 80250] - *Approved*
- D. **Ordinance No. 2550**, finding as to the advisability of and authorizing the construction of Storm Water Drainage Improvements in the vicinity of 89th Street and Mission Road within the City of Leawood, Kansas; providing for the issuance of General Obligation Bonds of the City to provide funds to pay the costs thereof, and for the issuance of Temporary Notes of the City pending the issuance of said Bonds; expressing the intent to reimburse costs of the project so incurred from proceeds of such Temporary Notes and General Obligation Bonds; and authorizing and approving certain related matters and actions [Project # 80550] [Roll Call Vote] - *Passed*
- E. **Resolution No. 3847**, authorizing the sale by the City of Leawood, Kansas, of General Obligation Bonds and General Obligation Temporary Notes of the City to provide funds to finance the costs of certain public improvements within said city; to refund certain outstanding General Obligation Bonds of the City; approving the form of Notice of Bond Sale and Preliminary Official Statement to be used in connection therewith; and authorizing and directing the City Finance Director to advertise such sale in the manner prescribed by law - *Approved*
- F. **Resolution No. 3843** approving and authorizing the Mayor to execute a Reimbursement Agreement between the City and Oddo Development Company, Inc., pertaining to the construction of 137th Street - *Approved*
- G. **Resolution No. 3844** accepting a Deed of Dedication of right-of-way from Terra-Bentley II, LLC, for construction of 137th Street from Mission Road to Pawnee Street and construction of left turn lane on Mission Road - *Approved*
- H. **Resolution No. 3848** accepting a Temporary Construction Easement from Terra-Bentley II, LLC, for construction of 137th Street from Mission Road to Pawnee Street and construction of left turn lane on Mission Road - *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. 2012-25, 2012-26, and 2012-27 - *Accepted*
- B. Accept minutes of the July 2, 2012 Governing Body meeting - *Accepted*
- C. Accept minutes of the June 25, 2012 Budget & Finance Committee Work Session - *Accepted*
- D. Accept minutes of the June 12, 2012 Parks and Recreation Advisory Board meeting - *Accepted*
- E. Accept minutes of the May 10, 2012 Sustainability Advisory Board meeting - *Accepted*

- F. Approve Certified Cost Summary in the amount of \$740,000, for City Facility Improvement Project [City Hall; Ironhorse Golf Maintenance Facility; Parks & Rec Maintenance Facility; Aquatic Center; Ironhorse Golf Club; and The Lodge [Project # 80165] - *Approved*
- G. Approve purchase for an amount not to exceed \$30,000 from Challenger Team Wear, for the purchase of soccer uniforms - *Approved*
- H. Approve Change Order No. 1 in the amount of \$85,000 to Bryant & Bryant Construction Company, pertaining to the 135th Street Partial Depth Repair Project [Project # 72027] - *Approved*
- I. **Resolution No. 3849** approving and authorizing the Mayor to execute an Extension to that certain Golf Facility Management Agreement dated December 21, 2009, between the City and Troon Golf, LLC, pertaining to the management of Ironhorse Golf Club, 15400 Mission Road - *Approved*
- J. **Resolution No. 3850** approving and authorizing the Mayor to execute a Service Agreement between the City and CitepayUSA, LLC, pertaining to internet payment services for Municipal Court - *Approved*
- K. **Resolution No. 3851** approving a Planning Sustainable Places [PSP] grant request for an amount not to exceed \$150,000 with a 20% match from the City for an amount not to exceed \$30,000 from Mid America Regional Council [MARC], to assist with funding for the 135th Street Corridor Plan - *Approved*
- L. **Resolution No. 3852** approving and authorizing the Mayor to execute a Service Agreement in the amount of \$38,520.00, between the City and Kruger Technologies, Inc., [KTI], to provide inspections for the Leawood Justice Center to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76008] - *Approved*
- M. **Resolution No. 3853** approving and authorizing the Mayor to execute Amendment No. 1 to that certain Professional Service Agreement dated August 16, 2010, between the City and Mc Realty Group, LLC, as Owner Representative pertaining to the construction of the Leawood Justice Center to be located at 117th & Tomahawk Creek Parkway [Project # 76008] - *Approved*
- N. **Resolution No. 3854** approving a Revised Final Sign Plan for Mission Farms – Revised Sign Criteria, located south of 105th Street and east of Mission Road (PC Case 137-11) [from the June 26, 2012 Planning Commission meeting] - *Approved*
- O. **Resolution No. 3855** approving a Final Sign Plan for Mission Farms – Development Sign, located south of 105th Street and east of Mission Road (PC Case 40-12) [from the June 26, 2012 Planning Commission meeting] - *Approved*
- P. **Resolution No. 3856** approving a Revised Final Plan for Park Place – Archer Park, located at the northeast corner of 117th Street and Nall Avenue (PC Case 69-12) [from the June 26, 2012 Planning Commission meeting] - *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** Richard Coleman, Community Development Director
[From the February 6, 2012 Governing Body meeting]
Follow-up report on Massage Outcalls for massage therapy establishments – *CONTINUED*
FROM THE MAY 21, 2012 GOVERNING BODY MEETING

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the October 25, 2011 Planning Commission meeting]

- A. **Ordinance No. 2551** 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, June 4, 2012, and June 18, 2012 Governing Body Meetings --* [Roll Call Vote] - *Passed*

[From the June 26, 2012 Planning Commission meeting]

- B. **Resolution No. 3857** approving the Planning Commission's recommendation of denial of a Final Plan for a Tenant Finish for Somerset Shops – Dog Pawz, located at 7960 Lee Boulevard. (PC Case 64-12) – *Approved*
- C. **Ordinance No. 2552** approving a Special Use Permit [SUP] for a wireless antennae and associated equipment for Leawood South Country Club Maintenance Building – Sprint Wireless Antennae, located south of 123rd Street and east of Mission Road. (PC Case # 33-12) [Roll Call Vote] - *Passed*
- D. **Ordinance No. 2553** approving a Preliminary Plan, Final Plan, Preliminary Plat and Final Plat for Palo Verde – Lot 2 – iModules, located at 5101 College Blvd. (PC Case 57-12) [Roll Call Vote] - *Passed*
- E. **Resolution No. 3858** approving a Revised Final Sign Plan for Park Place – Revised Tenant Sign Criteria, located at the northeast corner of 117th Street and Nall Avenue. (PC Case 68-12) - *Approved*
- F. **Resolution No. 3859** approving a Final Sign Plan for Park Place – AMC Sign Plan, located at the southeast corner of Town Center Drive and Nall Avenue. (PC Case 66-12) - *Approved*
- G. **Resolution No. 3860** approving the Planning Commission's recommendation of denial of a Final Sign Plan for Park Place – 801 Chophouse, located at the northeast corner of 117th Street and Nall Avenue. (PC Case 67-12) - *Approved*
- H. **Resolution No. 3861** approving a Final Plan and Final Plat for Park Place Building J Expansion and Park Place 10th Plat, located at 11625 Rosewood Street. (PC Case 70-12) - *Approved*
- I. **Resolution No. 3862** approving a Final Plan and Final Plat for Somerset Shops, located south of Somerset Drive and west of Lee Blvd (PC Case 71-12) - *Approved*

12. OLD BUSINESS

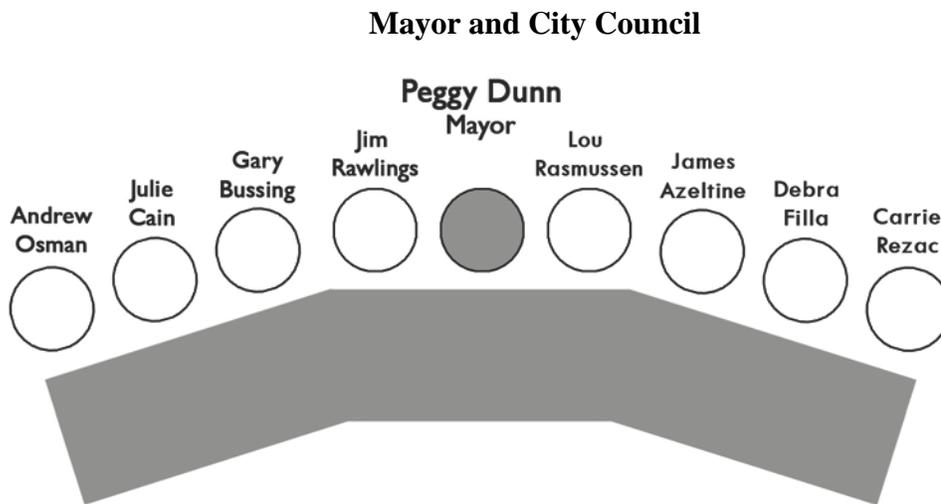
13. OTHER BUSINESS

14. NEW BUSINESS

- A. Ordinance amending Chapter 13, Article 5 of the Code of the City of Leawood, 2000, entitled, ‘135th Street Corridor Impact Fee,’ formerly known as ‘K-150 Corridor Impact Fee;’ and repealing existing Chapter 13, Article 5 and other sections in conflict herewith [Roll Call Vote] - *Passed*

- B. Schedule a Governing Body Work Session at 6:00 P.M., on Monday, November 5, 2012 to Review the Fee Policy; Proposed 2013 Fee Schedule; and participation levels and revenues for the Parks and Recreation Department - *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	
July 16	6:00 P.M.	<p>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; and</p> <p>Discuss amending Code § 4-304 the Code of the City of Leawood, 2000, entitled National Electrical Code, Article 110.5, Conductors; and amending Code § 4-958 the Code of the City of Leawood, 2000, entitled International Residential Code for one- and two-family dwellings, Section E3306.2, Conductor Material</p>	Main Conf. Room
August 6	6:00 P.M.	Review of the 135 th Street Corridor Study	Main Conf. Room
August 20	6:00 P.M.	Review of the 135 th Street Corridor Study	Main Conf. Room
September 4	6:00 P.M.	Executive Session; Personnel Matter; City Administrator’s 6-month Review	Main Conf. Room
November 5	6:00 P.M.	Review the Fee Policy; Proposed 2013 Fee Schedule; and participation levels and revenues for the Parks & Recreation Department	Main Conf. Room