

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, April 15, 2013
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

APRIL 2013						
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				

MAY 2013						
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

Crime Victims' Week, April 21-27, 2013
National Volunteer Week, April 21-27, 2013
Earth Day, April 22, 2013

5. PRESENTATIONS/RECOGNITIONS

6. SPECIAL BUSINESS

**A. Public Hearing Regarding The Community Improvement District [CID] Application For Camelot Court Shopping Center, Located At 119th And Roe Avenue, Leawood, Kansas – CONTINUED TO MAY 6, 2013

B. Resolution No. 4011 approving and authorizing the Mayor to execute a Corporation Warranty Deed and other related closing documents pertaining to the sale of real property located on 114th Street, west of Tomahawk Creek Parkway - *Approved*

If you require any accommodation (i.e. qualified interpreter, hearing assistance, etc.) in order to attend this meeting, please notify this office at 913.339.6700 or at www.leawood.org no later than 96 hours prior to the scheduled commencement of the meeting.

- C. **Resolution No. 4012** approving the assignment of rights and delegation of duties pertaining to the Real Estate Contract between the City of Leawood and Block Development Company from Block Development Company to Chymiak Pinnacle V, LLC and Pinnacle V Associates, LLC - *Approved*
- **D. **Resolution No. 4010** calling for a public hearing to be held on Monday, May 6, 2013, regarding the Community Improvement District [CID] application for Camelot Court Shopping Center, located at 119th and Roe Avenue, 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. 2013-11, 2013-12, and 2013-13 - *Accepted*
- B. Accept minutes of the April 1, 2013 Governing Body meeting - *Accepted*
- C. Accept minutes of the April 1, 2013 Governing Body Work Session - *Accepted*
- D. Accept minutes of the February 19, 2013 Arts Council meeting - *Accepted*
- E. Accept minutes of the January 31, 2013 Leawood Foundation meeting - *Accepted*
- F. Accept minutes of the November 13, 2012 Historic Commission meeting - *Accepted*
- G. Accept minutes of the March 12, 2013 Historic Commission meeting - *Accepted*
- H. Accept minutes of the March 12, 2013 Parks and Recreation Advisory Board meeting - *Accepted*
- I. Accept minutes of the October 31, 2012 Stormwater Management Committee meeting - *Accepted*
- J. Mayoral Appointment for Governing Body Presiding Officers from May 2013 through April 2014 - *Approved*
- K. Approve issuance of Temporary Alcohol Permit to conduct The Taste of Leawood Fundraising Event on Saturday, June 15, 2013, in accordance with Code § 3-216 - *Approved*
- L. Approve Change Order No. 7 in the amount \$40,675.00, to Titan Built Construction, pertaining to the Leawood Justice Center Project to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76008] - *Approved*
- M. **Resolution No. 4013** approving and authorizing the Mayor to execute an Independent Contractor Agreement for the purchase, delivery, and installation in the amount of \$60,945.28 between the City and Xybiz Systems for Justice Center Dispatch Center workstation furniture pertaining to the Leawood Justice Center Construction Project to be located at 117th & Tomahawk Creek Parkway [Project # 76008] - *Approved*
- N. **Resolution No. 4014** approving and authorizing the Mayor to execute an Inter-local Agreement and Letter of Understanding by and among the City of Leawood and cities of Fairway, Merriam, Mission, Prairie Village, Roeland Park, and the Johnson County Parks and Recreation District, pertaining to the SuperPass Program at the Leawood Aquatic Center, located at 10601 Lee Boulevard - *Approved*
- O. **Resolution No. 4015** approving and authorizing participation in the County Assistance Road System [CARS] proposed for 2014-2018 five-year program - *Approved*

- P. **Resolution No. 4016** accepting a Permanent Storm Sewer Easement from Grantor, Roger M. Fallek, for property located at 10409 Sagamore Road, Lots 999 & 999A, pertaining to the SMAC; Indian Creek; SMAC Project JB-04-008; Lee Boulevard to State Line and 103 to I-435 - *Approved*
- Q. **Resolution No. 4017** accepting a Permanent Storm Sewer Easement from Grantors, William D. Smith and Jacqueline R. Smith, for property located at 10425 Sagamore Road, Lot 1364, pertaining to the SMAC; Indian Creek; SMAC Project JB-04-008; Lee Boulevard to State Line and 103 to I-435 - *Approved*
- R. **Resolution No. 4018** accepting a Permanent Storm Sewer Easement from Grantors, Richard L. Boren and Denise W. Boren, for property located at 10429 Sagamore Road, Lot 1363, pertaining to the SMAC; Indian Creek; SMAC Project JB-04-008; Lee Boulevard to State Line and 103 to I-435 - *Approved*
- S. **Resolution No. 4019** accepting a Permanent Storm Sewer Easement from Grantors, Alan R. Petersen and Marcia K. Petersen, for property located at 10421 Sagamore Road, Lots 1001 and 1001A, pertaining to the SMAC; Indian Creek; SMAC Project JB-04-008; Lee Boulevard to State Line and 103 to I-435 - *Approved*
- T. Fire Department Monthly Report
- U. Police Department Monthly Report
- V. Municipal Court Monthly Report

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

- A. Councilmember Rawlings Update on Justice Center Construction Project

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. ARTS COUNCIL

[From the March 26, 2013 Arts Council meeting]

- Relocation of art piece, 'Koinonia' to the Justice Center - *Approved*

12. IRONHORSE ADVISORY BOARD

[From the March 28, 2013 Ironhorse Advisory Board meeting]

- Resolution No. 4020** accepting the 2013 IRONHORSE Golf Course Business Plan, as submitted by Troon Golf, LLC - *Approved*

13. STORMWATER MANAGEMENT COMMITTEE

[From the April 25, 2012 and March 27, 2013 Stormwater Management Committee meetings]

- A. Discussion of a cost-share program regarding installation of stormwater treatment structures

Recommendation: Accept Johnson County Stormwater Management Program for Stormwater BMP Cost-Share Program and permit Leawood to apply to participate in program - *Approved*

[From the March 27, 2013 Stormwater Management Committee meeting]

- B. Discussion of 15310 Sherwood resident's request for sponsorship of a State Program home buy-out.

Recommendation: Move forward with sponsorship [no cost to City] of resident, Glenn Herneck for a Home Buy-out due to residence flooding - *Approved*

[From the March 27, 2013 Stormwater Management Committee meeting]

C. Discussion of Corrugated Pipe Replacement Update

Recommendation: Council to take a pro-active stance in fixing situations instead of failures by investing in pro-active corrugated pipe repairs/replacements – *Schedule a July 1, 2013, Governing Body Work Session*

14. PLANNING COMMISSION

[From the January 29, 2013 Planning Commission meeting]

A. **Ordinance No. 2617** approving a Revised Preliminary Plan for Camelot Court, located at the northeast corner of 119th Street and Roe Avenue (PC Case 15-13) [Roll Call Vote] - *Passed*

B. **Ordinance No. 2618** approving a Special Use Permit for a Dry Cleaner with a Drive-thru for Camelot Court – Dry Cleaner with Drive-thru, located at the northeast corner of 119th Street and Roe Avenue (PC Case 152-12) [Roll Call Vote] - *Passed*

C. **Ordinance No. 2619** approving a Special Use Permit for Drug Store with Drive-thru for Camelot Court – Drug store with Drive-thru, located at the northeast corner of 119th Street and Roe Avenue (PC Case 153-12) [Roll Call Vote] - *Passed*

[From the March 12, 2013 Planning Commission meeting]

D. **Ordinance No. 2620** approving a Special Use Permit for Big Box Retail for Camelot Court – Hen House Expansion, located at the northeast corner of 119th Street and Roe Avenue (PC Case 30-13) [Roll Call Vote] - *Passed*

E. **Resolution No. 4021** approving the Planning Commission’s recommendation to adopt an update to the Leawood Comprehensive Plan and Map (PC Case # 18-13) - *Approved*

F. **Resolution No. 4022** approving a Revised Final Plan for Residences at Park Place – Axis Lofts, located south of Town Center Drive and east of Nall Avenue. (PC Case 35-13) - *Approved*

G. **Resolution No. 4023** approving a Revised Final Sign Plan for Park Place – Revised Sign Criteria, located south of Town Center Drive and east of Nall Avenue. (PC Case 36-13) - *Approved*

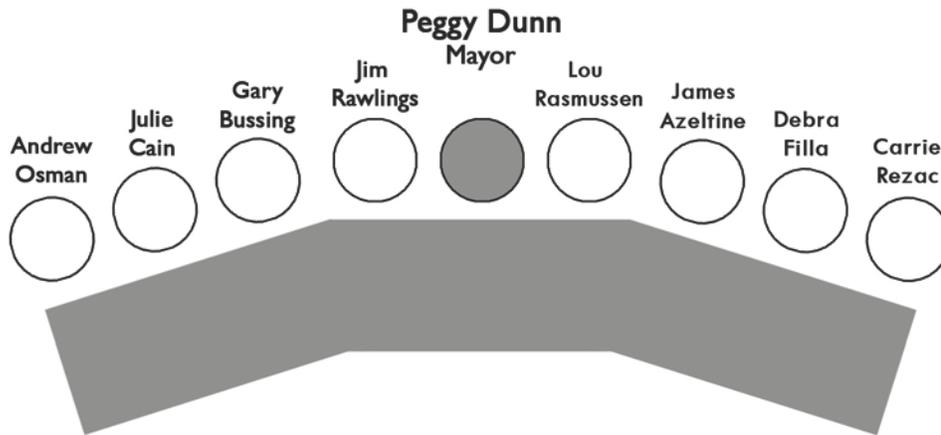
15. OLD BUSINESS

16. OTHER BUSINESS

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.

2013 SCHEDULED WORK SESSIONS			
DATE	TIME	SUBJECT	LOCATION
April 15	6:00 P.M.	Continued Discussion of Dog Park, to be located at 10601 Lee Boulevard	Main Conf. Room
April 22	6:00 P.M.	Executive Session; Personnel Matter; City Administrator's Annual Review	Main Conf. Room
May 6	6:00 P.M.	Discussion on Review of Community Improvement Development [CID] applications for Hy-Vee Food Store and Leawood Plaza, located at 12200 State Line Road	Main Conf. Room
June 3	6:00 P.M.	Pre-Budget and Pre-Budget 2014-2018 C.I.P. Discussion	Main Conf. Room
June 17	6:00 P.M.	Discuss potential expansion of Ironhorse Clubhouse Project	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 <i>[if necessary]</i>	Main Conf. Room
October 7		NO MEETINGS	