

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

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

JULY 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			

AUGUST 2013						
S	M	T	W	T	F	S
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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

Resolution No. 4078 of Recognition to Councilmember Gary Bussing - *Approved*

6. SPECIAL BUSINESS

A. Public Hearing Park Place Development Improvement District Assessments
[Project # 83196]

B. **Ordinance No. 2631** 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, 117th 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*

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. Public Hearing One Nineteen Transportation Development District Assessments [Project # 80456]
- D. **Ordinance No. 2632** 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 119th Street Development District, within the City of Leawood, Kansas [One Nineteen Transportation Development District] [Project # 80456] - *Passed*
- E. **Resolution No. 4077** authorizing the sale by the City of Leawood, Kansas of General Obligation Temporary Notes of the City to provide funds to finance the costs of certain public improvements within said 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*

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. 2013-23, 2013-24 and 2013-25 - *Accepted*
- B. Accept minutes of the June 17, 2013 Governing Body meeting - *Accepted*
- C. Accept minutes of the June 24, 2013 Governing Body Budget & Finance Committee Work Session - *Accepted*
- D. Accept minutes of the May 9, 2013 Sustainability Advisory Board meeting - *Accepted*
- E. Accept minutes of the April 25, 2013 Leawood Foundation meeting - *Accepted*
- F. Accept minutes of the May 14, 2013 Parks and Recreation Advisory Board - *Accepted*
- G. Approve bid in the amount of \$6,360.00 from American Equipment, for 2013 Tower/Body Transfer [Public Works] - *Approved*
- H. Approve bid in the amount of \$19,417.00 from American Equipment, for Sign Truck Body [Public Works] - *Approved*
- I. Approve purchase in the amount of \$60,605.09 from RoadBuilders Machinery and Supply Co. Inc., for the purchase of [1] Finn 5 Series Towable Bark Blower [with trade-in of 2003 Finn Bark Blower] - *Approved*
- J. Approve purchase in the amount of \$22,360.80 from Van Wall Equipment for the purchase of [3] John Deere Gator TX Turf Units - *Approved*
- K. First and Final Pay Request in the amount of \$338,829.40 to Vance Brothers, Inc., pertaining to the 2013 Slurry Seal Project [Project # 70013] - *Approved*
- L. Approve First and Final Pay Request in the amount of \$26,378.00 to GBA Builders, LLC [George Butler Associates] for the Emergency Bridge Repair Project of Mission Road Bridge over Indian Creek [near Lee Boulevard] - *Approved*
- M. Approve Change Order No. 1 in the amount of \$1,000.00 to C.V. Anderson Commercial Services, pertaining to the painting and siding repairs to The Lodge, Nature Center and Maintenance Building located within Ironwoods Park, at 14701 Mission Road - *Approved*

- N. Approve Third and Final Pay Request in the amount of \$1,246.60 to C.V. Anderson Commercial Services, pertaining to the painting and siding repairs to The Lodge, Nature Center and Maintenance Building located within Ironwoods Park, at 14701 Mission Road - *Approved*
- O. **Resolution No. 4079** approving and authorizing the Mayor to execute a Service Agreement in the amount of \$38,363.00 between the City and All City Management Services [ACMS], to provide School Crossing Guard Services - *Approved*
- P. **Resolution No. 4080** approving and authorizing the Mayor to execute a Memorandum of Understanding between the City and the Board of County Commissioners of Johnson County [BOCC] to participate in the Countywide Mass Notification System - *Approved*
- Q. **Resolution No. 4081** approving and authorizing the Mayor to execute a Service Agreement in the amount of \$24,182.00 between the City and Professional Video Supply, pertaining to the installation of overhead speaker and paging system for the Leawood Justice Center Project to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76029] - *Approved*
- R. **Resolution No. 4082** approving and authorizing the Mayor to execute a Service Agreement in the amount of \$76,903.62 between the City and SKC, pertaining to the installation of an enterprise based [IP] video system for the Leawood Justice Center Project to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76029] - *Approved*
- S. **Resolution No. 4083** approving and authorizing the Mayor to execute a Construction Agreement between the City and Leath & Sons in the amount \$185,334.15, pertaining to the State Line Road Traffic Signal Improvement Project between 128th Street and 135th Street [Project # 72042] - *Approved*
- T. **Resolution No. 4084** approving and authorizing the Mayor to execute a Construction Agreement between the City and Freeman Construction, in the amount of \$ 2,122,908.39, pertaining to the 2013 Curb Program [Project # 80250] - *Approved*
- U. **Resolution No. 4085** approving and authorizing the Mayor to execute a First Amendment to that certain Professional Service Agreement dated December 19, 2011, in the amount of \$31,196.00, between the City and Black & McDonald pertaining to Street Light and Traffic Maintenance - *Approved*
- V. **Resolution No. 4086** approving and authorizing the Mayor to execute a Professional Engineering Service Agreement in the amount of \$28,000 between the City and Continental Consulting Engineers, Inc., pertaining to engineering and architectural services for the Ironwoods Park Rest Station [restrooms] located at 14701 Mission Road - *Approved*
- W. **Resolution No. 4087** approving and authorizing the Mayor to execute a Professional Engineering Service Agreement in the amount of \$40,000 between the City and Continental Consulting Engineers, Inc., pertaining to engineering services for the Ironhorse Golf Course Expansion Project [Project # 49132] - *Approved*
- X. **Resolution No. 4088** approving and authorizing the Mayor to execute an Easement Agreement between the City and The Wells Fund XI-XII-Reit Joint Venture, pertaining to the bicycle/pedestrian trail easement located at 2020 W. 89th Street - *Approved*
- Y. **Resolution No. 4089** accepting a Permanent Storm Sewer Easement from Jeffrey S. Myers Trust located approximately at 14601 Delmar, pertaining to the 2014 Stormwater Project [Project # 77009] - *Approved*

- Z. **Resolution No. 4090** accepting a Permanent Sidewalk Easement from Daniel L. Root, located approximately at College & Ash, pertaining to the College Boulevard Street Improvement Project [Project # 72044] - *Approved*
- AA. **Resolution No. 4091** approving and authorizing the Mayor to execute a First Amended Agreement to that certain Agreement dated January 22, 1996, by and between the City and area property owners regarding an illuminated sign located with the City's right-of-way adjacent to State Line Road and north of 103rd Terrace and State Line Road intersection - *Approved*
- BB. **Resolution No. 4092** approving a Final Sign Plan for 103rd Terrace and State Line Road Multi-tenant Monument Sign, located north of 103rd Terrace and west of State Line Road (PC Case 32-13) [From the May 28, 2013 Planning Commission meeting] - *Approved*
- CC. **Resolution No. 4093** accepting a Permanent Storm Sewer Easement, from BOKF N.A., for property located at 135th & Roe Avenue, Lot 1, The Villaggio at Leawood Subdivision, pertaining to the Villaggio Development Underground Basin - *Approved*
- DD. **Resolution No. 4094** approving a Final Plan for a Tenant Finish for Park Place – Space J-10 (Generic Storefront), located south of Town Center Drive and east of Nall Avenue (PC Case 68-13) [From the June 25, 2013 Planning Commission meeting] - *Approved*
- EE. **Resolution No. 4095** approving a Final Plan for a Tenant Finish for Park Place – Bella Bridesmaid (Retail: Wedding Apparel), located south of Town Center Drive and east of Nall Avenue (PC Case 69-13) [From the June 25, 2013 Planning Commission meeting] - *Approved*
- FF. **Resolution No. 4096** approving a Final Sign Plan for Camden Woods – Sign Criteria, located south of 143rd Street and west of Kenneth Road (PC Case 76-13) [From the June 25, 2013 Planning Commission meeting] - *Approved*
- GG. **Resolution No. 4097** approving a Revised Final Plan for Prairie Star Middle School Addition, located north of 143rd Street and east of Mission Road. (PC Case 65-13) [from the June 25, 2013 Planning Commission meeting] - *Approved*
- HH. Declaration of Surplus Property, 2003 Finn Bark Blower, last 4 VIN/S264 - *Approved*
- II. Declaration of Surplus Property; Units 631, 9612, 505, 606, 613, 408, 413, 424, and 425 - *Approved*
- JJ. Fire Department Monthly Report
- KK. Police Department Monthly Report
- LL. Municipal Court Monthly Report

8. MAYOR'S REPORT

Annual Report: American Revolution Tricentennial CD Fund

9. COUNCILMEMBERS' REPORT

- A. Councilmember Rawlings Update on Justice Center Construction Project
- B. Councilmember Filla Recommendation for referral to Public Works Committee regarding monument signs – *Referred to PW Committee for review*

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[from the June 25, 2013 Planning Commission meeting

- A. **Ordinance No. 2633** amending Section 16-2-9.1, of the Leawood Development Ordinance [LDO], Performance Criteria: All Districts, pertaining to noise associated with generators for hospitals installed on or before January 1, 2003. (PC Case 27-13) [Roll Call Vote] - *Passed*

- B. **Resolution No. 4098** approving a Revised Final Plan for Town Center Plaza – Bristol Addition (Retail: Restaurant), located north of 119th Street and east of Nall Avenue (PC Case 47-13) - *Approved*

- C. **Resolution No. 4099** approving a Revised Final Plan for Town Center Plaza – Dick’s Sporting Goods (Retail: Sporting Goods), located north of 119th Street and east of Nall Avenue (PC Case 73-13) - *Approved*

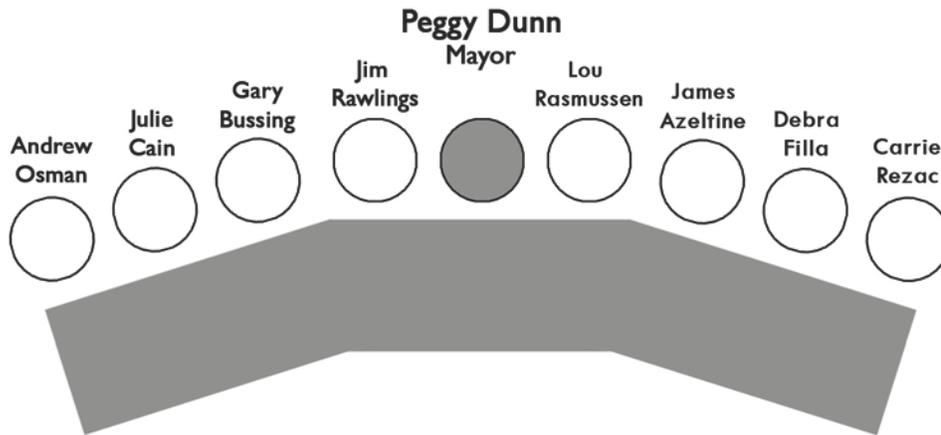
12. OLD BUSINESS

13. OTHER BUSINESS

14. 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
July 15	6:00 P.M.	Discussion of corrugated pipe replacement	Main Conf. Room
October 7		NO COUNCIL OR WORK SESSION MEETINGS	