

# CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, May 19, 2014  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:30 P.M.

MAY 2014							JUNE 2014						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	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**

Carrie Rezac  
Tom Robinett

**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**

**National Public Works Week, May 18-24, 2014**

**5. PRESENTATIONS/RECOGNITIONS**

**Introduction of Deb Vermillion, Pro-Tem Prosecutor**

**6. SPECIAL BUSINESS**

**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. 2014-16 and 2014-17 - **Accepted**
- B. Accept minutes of the May 5, 2014 Governing Body meeting- **Accepted**
- C. Accept April 21, 2014 Governing Body Work Session minutes- **Accepted**
- D. Accept April 10, 2014 Sustainability Advisory Board minutes- **Accepted**
- E. Accept April 8, 2014 Park and Recreation Advisor Board minutes- **Accepted**
- F. Accept March 11, 2014 Historic Commission minutes- **Accepted**
- G. Accept March 27, 2014 Leawood Foundation meeting minutes- **Accepted**

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](http://www.leawood.org) no later than 96 hours prior to the scheduled commencement of the meeting.

- H. Accept January 29, 2014 Stormwater Management Committee minutes- **Accepted**
- I. Approve renewal of Cereal Malt Beverage [CMB] license to Price Chopper # 500, located at 13351 Mission Road- **Approved**
- J. Approve bid in the amount of \$20,489.00 from American Equipment Company for the purchase of 2014-4 Nine-foot Platform Body and bid in the amount of \$20,775.00, from American Equipment Company, for the purchase of 2014-5 Eleven-foot Platform body- **Approved**
- K. Approve purchase in the amount of \$104,237.00, from Victor L. Philips Company, to purchase a backhoe loader- **Approved**
- L. Approve payment in the amount of \$64,203.00, to Microsoft Corporation via Software House International, Inc., pertaining to the annual Microsoft license renewal- **Approved**
- M. Mayoral Appointments of Council Liaisons and Volunteers for Committees, Commissions and Boards- **Approved**
- N. **Resolution No. 4226**, accepting a Permanent Utility Easement from Tran Q. to Trustee and Jimmy Lo Trustee, for property located at 4902 W. 143<sup>rd</sup> Terrace, pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- O. **Resolution No. 4227** accepting a Permanent Utility Easement from Christopher J. and Julia Hayward Smith, for property located at 14301 Cedar, pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- P. **Resolution No. 4228** accepting a Temporary Construction Easement from Deborah Brenner, for property located at 3912 W. 143<sup>rd</sup> Street, pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- Q. **Resolution No. 4229** accepting a Temporary Construction Easement from Calvin Cochran and Patricia Logan, for property located at 3910 W. 143<sup>rd</sup> Street, pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- R. **Resolution No. 4230** accepting a Temporary Construction Easement from Gerald Euston and Connie Euston, for property located at 3906 W. 143<sup>rd</sup> Street, pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- S. **Resolution No. 4231** accepting a Temporary Construction Easement from Tim Tiegreen and Jessica Tiegreen, for property located at 3904 W. 143<sup>rd</sup> Street, pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- T. **Resolution No. 4232** accepting a Temporary Construction Easement from Unified School District No. 229, for property located at 3800 W. 143<sup>rd</sup> Street, pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- U. **Resolution No. 4233** accepting a Permanent Sidewalk Easement from Paul and Barbara Kellerman, for property located at 3204 W. 143<sup>rd</sup> Terrace, pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- V. **Resolution No. 4234** accepting a Permanent Utility Easement from Tamara A. Jackson, Trustee, for property located at 3909 W. 143<sup>rd</sup> Street, pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**

- W. **Resolution No. 4235** accepting a Temporary Construction Easement and Permanent Easement from Timothy E. O'Brien and Corrine O'Brien, as Trustee, for property located at 4814 W. 143<sup>rd</sup> Street, pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- X. **Resolution No. 4236** accepting a Temporary Construction Easement from Hilltopper Assisted Living, LL [a/k/a Grace Gardens], for property located at 5201 W. 143<sup>rd</sup> Street, pertaining to the 143 Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- Y. **Resolution No. 4237** accepting a Permanent Utility Easement from Sangkyoo Kang and Insuk Han, for property located at 5002 W. 143<sup>rd</sup> Terrace, pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- Z. **Resolution No. 4238** accepting a Permanent Utility Easement from Highlands Creek Homes Association, Inc., for property located for Highland Creek, 1<sup>st</sup> Plat, Tract A, [southeast corner of 143 & Nall] pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- AA. **Resolution No. 4239** accepting a Permanent Storm Sewer Easement from Tabernacle Homes, LLC, for property located at 5012 W. 141<sup>st</sup> Terrace [Lot 18 Glen Abbey] - **Approved**
- BB. **Resolution No. 4240** accepting a Deed of Dedication from Timothy & Corrine O'Brien, for property located at 4814 W. 143<sup>rd</sup> Street, [Tract 15 & 16] pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- CC. **Resolution No. 4241** accepting a Deed of Dedication from Tamara A. Jackson, Trustee, for property located at 3909 W. 143<sup>rd</sup> Street, [Tract No. 30] pertaining to the 143<sup>rd</sup> Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- DD. **Resolution No. 4242** approving and authorizing the Mayor to execute a Letter Agreement between the City and M & M Golf Cars, LLC, in the amount of \$305,495.60, to provide golf cars to Ironhorse Golf Club, located at 15400 Mission Road- **Approved**
- EE. **Resolution No. 4243** approving and authorizing the execution and delivery of a State and Municipal Lease/Purchase Agreement between Clayton Holdings, llc, and the City of Leawood, Kansas with respect to certain golf carts for the City's public golf course facility, Ironhorse Golf Course, located at 15400 Mission Road- **Approved**
- FF. Fire Department Monthly Report
- GG. Police Department Monthly Report
- HH. Municipal Court Monthly Report

**8. MAYOR'S REPORT**

**9. COUNCILMEMBERS' REPORT**

**10. STAFF REPORT**

***COMMITTEE RECOMMENDATIONS***

**11. PLANNING COMMISSION**

*[From the April 29, 2014 Planning Commission meeting]*

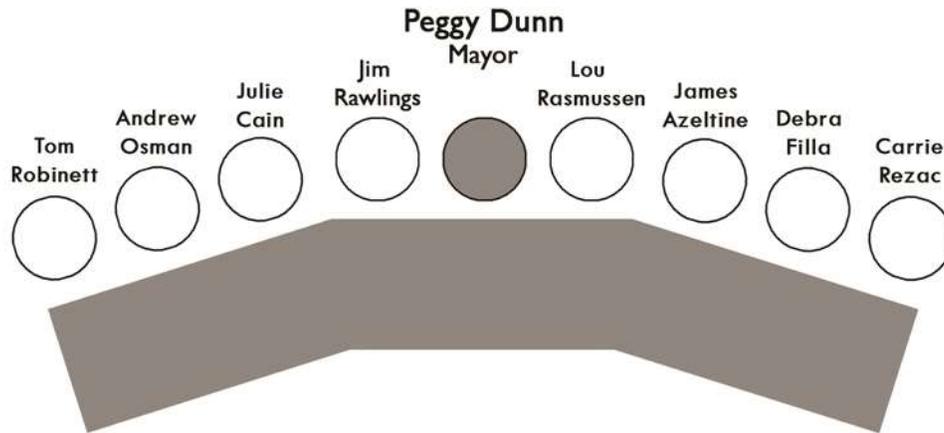
- A. **Resolution No. 4244** approving a Revised Final Plan for Tomahawk Creek Condominiums, located north of Town Center Drive and west of Tomahawk Creek Parkway (PC Case 56-14) - **Approved**

- B. **Ordinance No. 2664**, approving a Preliminary Plan, Preliminary Plat, Final Plan and Final Plat for Hayward Estates, located south of 143<sup>rd</sup> Street and west of Mission Road (PC Case 59-14) [Roll Call Vote] - **Passed**
- C. **Ordinance No. 2665** approving a Rezoning from SD-O (Planned Office) to REC (Planned Recreation), Preliminary Plan, Preliminary Plat, Final Plan, and Final Plat for City of Leawood Dog Park, located west of State Line Road and north of College Boulevard (PC Case 60-14) [Roll Call Vote] - **Passed**
- D. **Ordinance No. 2666** amending Section 16-9-244 of the Leawood Development Ordinance [LDO], entitled, ‘School, Technical or Vocational’ (PC Case 48-14) [Roll Call Vote] - **Passed**
- E. **Ordinance No. 2667** amending the Leawood Development Ordinance [LDO], adding Section 16-9-242a, entitled, ‘Schools, Colleges and Universities’ (PC Case 55-14) [Roll Call Vote] - **Passed**
- F. **Ordinance No. 2668** amending Section 16-2-7, of the Leawood Development Ordinance [LDO], entitled, ‘Table of Uses,’ pertaining to Schools, Colleges and Universities (PC Case 51-14) [Roll Call Vote] - **Passed**
- 12. **OLD BUSINESS**  
**Ordinance No. 2661C**, amending § 14-302 of the Code of the City of Leawood, 2000, entitled “Parking of Trucks, Buses, and Trailers; Exemptions” and repealing existing § 14-302 and other sections in conflict herewith [Roll Call Vote] - **Passed**
- 13. **OTHER BUSINESS**
- 14. **NEW BUSINESS**
  - A. **Ordinance No. 2662C** amending Article 2 of Chapter 3 of the Code of the City of Leawood, Kansas, 2000 by amending Section 3-201 entitled “Definitions,” Section 3-202 entitled “Current State License,” Section 3-207 entitled “Drinking on Streets or in Public Places,” Section 3-211 entitled “Occupational License Fee for Retail Liquor Stores,” Section 3-215 entitled “Caterers,” Section 3-216 entitled “Temporary Permits,” and repealing Sections 3-206 entitled “Unlawful Acts; Minors, Incapacitated Persons,” Section 3-210 entitled “Consumption While Driving,” Section 3-211 entitled “Occupational License Fee for Retail Liquor Stores” and repealing existing Sections 3-201, 3-202, 3-207, 3-211, 3-215, and 3-216 and other sections in conflict herewith [Roll Call Vote] - **Passed**
  - B. **Ordinance No. 2663C** amending Section 3-109, of the Code of the City of Leawood, Kansas, 2000 entitled “Revocation of License,” and repealing existing Sections 3-109, 3-112 and 3-113 and other sections in conflict herewith [Roll Call Vote] - **Passed**
  - C. Schedule Governing Body Work Session to be held on Monday, July 7, 2014, at 6:00 P.M., regarding Presentation of Pedestrian/Bicycle Friendly Study - **Approved**

- D. Schedule Governing Body Work Session to be held on Monday, July 21, 2014, at 6:00 P.M., for continued discussion from March 3, 2014 Work Session on Placement of Paley Art Piece; and Discussion of Public Art for Justice Center - **Approved**

## ADJOURN

### Mayor and City Council



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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.

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#### 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.

<b>2014 SCHEDULED WORK SESSIONS</b>			
<b>DATE</b>	<b>TIME</b>	<b>SUBJECT</b>	<b>LOCATION</b>
<b>May 19</b>	<b>6:00 P.M.</b>	Continued discussion from May 6, 2013 Work Session regarding Community Development [CID] Application for Leawood Plaza; and Hy-Vee Food Store, both located at 12200 State Line Road	<b>Oak Room Downstairs in Community Center</b>
<b>June 2</b>	<b>5:45 P.M.</b>	Continued discussion on Review of Community Improvement Development [CID] Application for Camelot Court Shopping Center, located at 119 <sup>th</sup> & Roe Avenue	<b>Main Conf. Room</b>
<b>June 16</b>	<b>6:00 P.M.</b>	Pre-Budget 2015-2019 C.I.P. Discussion	<b>Main Conf. Room</b>
<b>June 23</b>	<b>6:00 P.M.</b>	Budget & Finance Committee Work Session	<b>Main Conf. Room</b>
<b>June 24</b>	<b>6:00 P.M.</b>	Budget & Finance Committee Work Session <i>[Tentative]</i>	<b>Main Conf. Room</b>
<b>July 7</b>	<b>6:00 P.M.</b>	Presentation of Pedestrian/Bicycle Friendly Study	<b>Oak Room Downstairs in Community Center</b>
<b>July 21</b>	<b>6:00 P.M.</b>	Continued discussion from March 3, 2014 Work Session on Placement of Paley Art Piece; and Discussion of Public Art for Justice Center	<b>Main Conf. Room</b>
<b>November 17</b>	<b>6:00 P.M.</b>	Holiday Lighting Ceremony	<b>City Hall Courtyard</b>