

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, June 16, 2014
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

JUNE 2014						
S	M	T	W	T	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

JULY 2014						
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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

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

5. PRESENTATIONS/RECOGNITIONS

6. SPECIAL BUSINESS

- A. **Resolution No. 4256**, accepting proposed assessments for tax year 2015 for construction of certain public and private road and parking lot related improvements and other such transportation related improvements approved by the City, located within 119th Street Development District, within the City of Leawood, Kansas; and authorizing and directing the City Clerk to give notice thereof to the owners of properties within the District by publishing notice thereof and providing written notice to owners of property of such proposed assessments [One Nineteen Transportation Development District] [CIP #80456] - **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.

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- B. **Resolution No. 4257**, accepting proposed assessments for tax year 2015 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, Kansas; and authorizing and directing the City Clerk to give notice thereof to the owners of properties within the District by publishing notice thereof and providing written notice to owners of property of such proposed assessments [Park Place Development] [CIP #83196] - **Approved**

- C. **Resolution No. 4258**, approving the Planning Commission's recommendation to adopt the 135th Street Community Plan (PC Case 83-14) [from the May 27, 2014 Planning Commission meeting] - **Approved**

- D. **Resolution No. 4259**, approving the Planning Commission's recommendation to adopt an update to the Leawood Comprehensive Plan text and Map (PC Case 84-14) [from the May 27, 2014 Planning Commission meeting] - **Approved**

- E. **Ordinance No. 2669**, repealing Ordinance No. 2656, establishing a Temporary Moratorium ending on July 22, 2014, on all Planning Activity, including, but not limited to Rezoning, Site Plans, Plats, and Special Use Permits for property located in the 135th Street Corridor, as depicted on the exhibit attached hereto and incorporated herein by reference [Roll Call vote] - **Passed**

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. 2014-20, 2014-21, and 2014-22 - **Accepted**
- B. Accept minutes of the June 2, 2014 Governing Body meeting - **Accepted**
- C. Accept minutes of the June 2, 2014 Governing Body Work Session - **Accepted**
- D. Accept minutes of the May 19, 2014 Governing Body Work Session - **Accepted**
- E. Accept minutes of the May 13, 2014 Park and Recreation Advisory Board meeting - **Accepted**
- F. Approve purchase in the amount of \$36,597.00 from ABCreative, pertaining to amenities for the Leawood Dog Park, located at 10601 Lee Boulevard - **Approved**
- G. Approve Change Order No. 16 in the amount of \$35,194.00 to Titan Built pertaining to the Leawood Justice Center Project to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76008] - **Approved**
- H. Approve Change Order No. 1 in the amount of \$429,125.63 to Miles Excavating, Inc., pertaining to the 85th Terrace and High Drive Sewer Line improvement, in connection with the 2014 Residential Street Reconstruction Project [Project # 80214, 721045, and 80251] - **Approved**
- I. Approve Change Order No. 1, and 3rd and Final Pay Request in the amount of \$48,915.00 to Jays Plumbing, Heating Air Conditioning and Excavating, pertaining to repair of sewer line located at Leawood Fire Station No. 2, 12701 Mission Road [Project # 74052] - **Approved**

- J. Approve 4th and Final Pay Request in the amount of \$12,900.00, to O'Donnell & Sons Construction, pertaining to the 119th Street Mill & Overlay Program [Project Nos. 72017, 80250, 70513, 72017, and 71014] - **Approved**
- K. Approve Massage Therapy License for Healing Process Massage Therapy, located at 11213 Nall Avenue, in accordance with Code § 5-510 - **Approved**
- L. **Resolution No. 4260**, approving and authorizing the Mayor to execute an Inter-local Agreement between the City and the Board of County Commissioners of Johnson County, Kansas [BOCC] for the construction of Sewer Line Improvements near the 85th Terrace and High Drive intersection, in connection with the 2014 Residential Street Reconstruction Project [Project # 80214, 721045, and 80251] - **Approved**
- M. **Resolution No. 4261**, calling for a Public Hearing to be held on Monday, August 4, 2014 at 7:30 P.M., or as soon thereafter as may be heard to consider the 2015 Fiscal Budget for the City of Leawood, Kansas - **Approved**
- N. **Resolution No. 4262**, accepting a Permanent Utility Easement and Temporary Construction Easement from Glen Abbey, LLC, for Tract 12/13; property located on the northeast corner of 143rd Street & Juniper property, pertaining to the 143rd Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- O. **Resolution No. 4263**, accepting a Permanent Utility Easement from Glen Abbey, LLC, for Tract 14A; property located on the northeast quadrant of 143rd Street & Juniper property, pertaining to the 143rd Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- P. **Resolution No. 4264**, accepting a Permanent Utility Easement from Worthington Homes Association, Inc., for property located at 4609 W. 140th Street, pertaining to the 143rd Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- Q. **Resolution No. 4265**, accepting a Permanent Utility Easement from Stephen M. Palermo and Debra Beth Palermo, for property located at 5102 W. 143rd Terrace, pertaining to the 143rd Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- R. **Resolution No. 4266**, accepting a Permanent Utility Easement and Temporary Construction Easement from Velinda J. Ingram Trust dated March 1, 2011, and Jeffrey S. Ingram Trust dated March 1, 2011, for property located at 4601 W. 143rd Street, pertaining to the 143rd Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- S. **Resolution No. 4267**, accepting a Permanent Utility Easement from Keshava N. Kumar and Vinutha K. Kumar, for property located at 4906 W. 143rd Terrace, pertaining to the 143rd Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- T. **Resolution No. 4268**, accepting a Permanent Utility Easement from Nasser Khaleghi and Maria Toeticia A. Khaleghi, for property located at 14200 Windsor, pertaining to the 143rd Street Improvement Project between Nall and Windsor [Project # 80162] - **Approved**
- U. **Resolution No. 4269**, accepting a Deed of Dedication from Barbara A. Patterson, Trustee, for Tract 55, for property located at 3208 W. 143rd Street, pertaining to the 143rd Street Improvement Project between Nall and Windsor, in accordance with the GASB-34 Guidelines of Reporting Inventory of Assets [Project # 80162] - **Approved**

- V. **Resolution No. 4270**, accepting a Deed of Dedication from Velinda J. Ingram Trust dated March 1, 2011, and Jeffrey S. Ingram Trust dated March 1, 2011, for property located at 4601 W. 143rd Street, pertaining to the 143rd Street Improvement Project between Nall and Windsor, in accordance with the GASB-34 Guidelines of Reporting Inventory of Assets [Project # 80162] - **Approved**
- W. **Resolution No. 4271**, accepting a Deed of Dedication from Nasser Khaleghi and Maria Toeticia A. Khaleghi, for property located at 14200 Windsor, pertaining to the 143rd Street Improvement Project between Nall and Windsor, in accordance with the GASB-34 Guidelines of Reporting Inventory of Assets [Project # 80162] - **Approved**
- X. Fire Department Monthly Report
- Y. Police Department Monthly Report
- Z. Municipal Court Monthly Report

8. MAYOR’S REPORT

9. COUNCILMEMBERS’ REPORT

Councilmember Azeltine - Request consideration of funding Economic Development position with the Chamber of Commerce; and

Schedule a Governing Body Work Session on Monday, September 15, 2014 at 6:00 P.M. to discuss consideration of funding Economic Development position with the Chamber of Commerce

10. STAFF REPORT

A. Chris Claxton, Parks & Recreation Director

Update on status of Restrooms located at Ironwoods Park, 14701 Mission Road; the trail located on 123rd Street; and the Dog Park located at City Park, 10601 Lee Boulevard

B. Introduction of Cindy Jacobus, Assistant City Clerk

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the April 29, 2014 Planning Commission meeting]

A. Ordinance No. 2670, amending Article 9, Definitions, of the Leawood Development Ordinance [LDO], by adding Section 16-9-2362A entitled, ‘Retail Sales with Limited Manufacturing’ (PC Case 47-14) [Roll Call Vote] - **Passed**

B. Ordinance No. 2671, amending Section 16-2-7, Table of Uses, of the Leawood Development Ordinance [LDO], pertaining to Retail Sales with Limited Manufacturing. (PC Case 52-14) [Roll Call Vote] – **Passed**

12. OLD BUSINESS

Resolution No. 4272, approving and authorizing the Mayor to execute a First Amended and Restated Camelot Court Shopping Center Redevelopment Agreement pertaining to the Community Improvement District [CID] for the Camelot Court Shopping Center located at 119th and Roe Avenue –***[CONTINUED FROM THE JUNE 2, 2014 GOVERNING BODY MEETING]*** - **Approved**

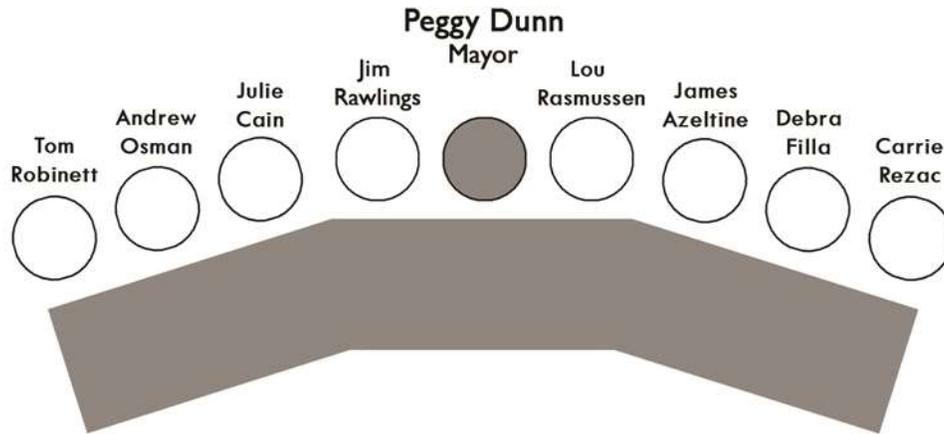
13. OTHER BUSINESS

14. NEW BUSINESS

- A. **Resolution No. 4273**, pledging the intentions of the Governing Body of the City of Leawood, Kansas, if the City is re-authorized by the electorate to levy a one-eighth of one percent [.125%] City Retailers' Sales Tax - **Approved**
- B. Authorizing staff to apply to the Mid-America Regional Council (MARC) in 2014 for a planning grant to create an implementation plan for mixed use development on 135th Street - **Approved**
- C. Authorize staff to initiate amendments to the Leawood Development Ordinance [LDO] to establish FAR standards for the 135th Corridor - **Approved**
- D. Authorize staff to initiate amendments to the Leawood Development Ordinance [LDO] for zoning classification minimums for the 135th Corridor for commercial, residential and retail/restaurant - **Approved**

ADJOURN

Mayor and City Council



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.

2014 SCHEDULED WORK SESSIONS			
DATE	TIME	SUBJECT	LOCATION
June 16		NO WORK SESSION	
June 23	6:00 P.M.	Budget & Finance Committee Work Session	Main Conf. Room
June 24	6:00 P.M.	Budget & Finance Committee Work Session <i>[Tentative]</i>	Main Conf. Room
July 7	6:00 P.M.	Presentation of Pedestrian/Bicycle Friendly Study	Oak Room Downstairs in Community Center
July 21	6:00 P.M.	Continued discussion from March 3, 2014 Work Session on Placement of Paley Art Piece; and Discussion of Public Art for Justice Center	Main Conf. Room
August 18		NO WORK SESSION OR REGULAR MEETING	
September 15	6:00 P.M.	Discuss consideration of funding Economic Development position with Leawood Chamber of Commerce	Main Conf. Room
November 17	6:00 P.M.	Holiday Lighting Ceremony	City Hall Courtyard