



**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, April 18, 2016
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

APRIL 2016						
S	M	T	W	T	F	S
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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 2016						
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	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
Chuck Sipple

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

Arbor Day, April 29, 2016

5. PRESENTATIONS/RECOGNITIONS

MARC Outstanding Individual Performance in a Critical Incident Award to Communications Officer III, Regina Ellis-Shaw

6. SPECIAL BUSINESS

Public Hearing

Pre-Budget Public Hearing for 2017 Fiscal Budget

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. 2016-10, 2016-11, 2016-12 and 2016-13 - **Accepted**
- B. Accept March 21, 2016 Governing Body minutes - **Accepted**
- C. Accept March 28, 2016 Executive Session minutes - **Accepted**
- D. Accept January 26, 2016 Leawood Arts Council 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 no later than 96 hours prior to the scheduled commencement of the meeting.

- E. Approve Renewal of Cereal Malt Beverage [CMB] license for Hallbrook Country Club, located at 11200 Overbrook Road - **Approved**
- F. Approve Massage Therapy Establishment, Hand & Stone Massage & Facial Spa, located at 11725 Roe Avenue, in accordance with Code § 5-510 - **Approved**
- G. Accept Leawood Chamber of Commerce 2015 Economic Development Council Summary Report - **Accepted**
- H. Approve Co-op bid from Shawnee Mission Ford in the amount of \$62,817.00 for the purchase of two [2] Ford Police Interceptor Vehicles and one [1] Service Manual - **Approved**
- I. Approve Change Order No. 1, in the amount of \$7,489.63 [deduct] to Mega Industries, pertaining to the Leawood City Park Access Improvement Project, located at 10601 Lee Boulevard [Project # 71021] - **Approved**
- J. Approve 6th and Final Pay Request in the amount of \$17,536.44 to Mega Industries, pertaining to the Leawood City Park Access Improvement Project, located at 10601 Lee Boulevard [Project # 71021] - **Approved**
- K. Approve 22nd and Final Pay Request in the amount of \$535.14 to Affinis Corporation, pertaining to the Leawood Heritage Storm Drainage Channel and corresponding roadway located near 87th & Ensley Lane [Stormwater Improvement Project DB-04-027] [Project # 77014] - **Approved**
- L. **Resolution No. 4596**, approving and authorizing the Mayor to execute a Restatement Agreement for the City's 401a plans [ICMA] - **Approved**
- M. **Resolution No. 4597**, approving and authorizing the Mayor to execute a Services Agreement between the City and New Directions Behavioral Health for Employee's Assistance Program [EAP] - **Approved**
- N. **Resolution No. 4598**, expressing the intent of the Governing Body of the City of Leawood, Kansas to finance the cost of a new ladder fire truck and appurtenant equipment and support systems and to reimburse costs of the equipment so incurred from proceeds of a lease purchase financing; and authorizing and approving certain related matters and actions - **Approved**
- O. **Resolution No. 4599**, approving a Federal Emergency Management Agency [FEMA] Matching Grant Request in the amount of \$10,000, with a 5% match for fire prevention - **Approved**
- P. **Resolution No. 4600**, requesting Johnson County, Kansas participation in the City of Leawood's 5-year Capital Improvement Program [CIP] through 2017-2021 County Assistance Road System [CARS] - **Approved**
- Q. **Resolution No. 4601**, approving and authorizing the Mayor to execute an Inter-local Agreement between the City of Leawood and City of Overland Park, Kansas, pertaining to the 119th Street Improvement Project between Nall Avenue to Roe Avenue [MR-1711] [Project # 72064] - **Approved**
- R. **Resolution No. 4602**, approving and authorizing the Mayor to execute an Inter-local Agreement between the City of Leawood and City of Overland Park, Kansas, pertaining to the Kenneth Road Improvement Project south of 143rd Street to southern city limits [Project # 72072] - **Approved**
- S. **Resolution No. 4603**, approving and authorizing the Mayor to execute a Professional Service Agreement in the amount of \$29,100.00 between the City and George Butler Associates [GBA], pertaining to the biennial bridge inspections - **Approved**

- T. **Resolution No. 4604**, approving and authorizing the Mayor to execute a Professional Engineering Service Agreement in the amount of \$913,914.00 between the City and Burns & McDonnell Engineering Company, Inc., pertaining to the design of 143rd between Windsor Lane and Kenneth Road [Project # 80129] - **Approved**
- U. **Resolution No. 4605**, approving and authorizing the Mayor to execute a Service Agreement in the amount of \$73,800.00 between the City and Lexington Plumbing and Heating Company, Inc., pertaining to repairs at the Aquatic Center, located at 10601 Lee Boulevard [Project # 74078] - **Approved**
- V. **Resolution No. 4606**, reaffirming the City Administrator’s decision to authorize a Service Agreement between the City and GMF INC., d/b/a Foundation Recovery Systems, in an amount not to exceed \$14,450.00, for repair and stabilization of the concrete slab located at the Leawood Aquatic Center, 10601 Lee Boulevard [Project # 74078] - **Approved**
- W. **Resolution No. 4607**, approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$9,381.00, between the City and RTI Consultants, to provide consulting services for structural repairs located at the Leawood Aquatic Center, 10601 Lee Boulevard [Project # 74078] - **Approved**
- X. **Resolution No. 4608**, approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$14,980.00, between the City and JACOR Contracting, Inc., to provide services for structural repairs located at the Leawood Aquatic Center, 10601 Lee Boulevard [Project # 74078] - **Approved**
- Y. **Resolution No. 4609**, approving a Final Landscape Plan for Leawood Subdivision – Lot 629 – Emergency Generator, located north of 88th Street and east of Meadow Lane (PC Case 27-16) [*From the March 22, 2016 Planning Commission Meeting*] - **Approved**
- Z. **Resolution No. 4610**, approving a Revised Final Plan for Park Place – The Residences, located south of Town Center Drive and east of Nall Avenue (PC Case 30-16) [*From the March 22, 2016 Planning Commission Meeting*] - **Approved**
- AA. **Resolution No. 4611**, approving a Revised Final Plat for LeaBrooke – 13th Plat, located north of 148th Street and west of Kenneth Road (PC Case 31-16) [*From the March 22, 2016 Planning Commission Meeting*] - **Approved**
- BB. **Resolution No. 4612**, approving a Revised Final Plat for Hazelwood Seventh Plat, located north of 119th Street and west of Mohawk Lane (PC Case 38-16) [*From the April 12, 2016 Planning Commission Meeting*] - **Approved**
- CC. Fire Department Monthly Report
- DD. Municipal Court Monthly Report
- EE. Police Department Monthly Report

8. MAYOR’S REPORT

9. COUNCILMEMBERS’ REPORT

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the March 22, 2016 Planning Commission Meeting]

- A. **Ordinance No. 2775**, approving a Revised Preliminary Plan and Final Plan for Parkway Plaza – Lot 10, located north of 135th Street and east of Briar Street (PC Case 19-16) [ROLL CALL VOTE] - **Passed**
- B. **Resolution No. 4613**, approving a Revised Final Plan for Camelot Court – Red Door Grill – Patio, located north of 119th Street and east of Roe Avenue (PC Case 26-16) - **Approved**
- C. **Ordinance No. 2776**, approving a Revised Preliminary Plan and Final Plan for The Enclave At Highland Villas, located south of 143rd Street and east of Nall Avenue (PC Case 28-16) [ROLL CALL VOTE] - **Passed**
- D. **Resolution No. 4614**, approving a Final Plan and Final Plat for LeaBrooke Town Manors, located north of 148th Street and west of Kenneth Road (PC Case 29-16) - **Approved**

12. OLD BUSINESS

13. OTHER BUSINESS

Ordinance No. 2777, amending Ordinance No. 2727, extending the Temporary Moratorium on the enforcement of the Leawood Development Ordinance [LDO] pertaining to containers designed to hold books or other media to be shared by members of the community [Little Libraries] [ROLL CALL VOTE] - **Passed**

14. NEW BUSINESS

- A. **Resolution No. 4615**, approving and authorizing the Mayor to execute a Public Lands Use Agreement with Zayo Group, LLC [formerly known as Abovenet] - **Approved**
- B. **Ordinance No. 2778**, granting to Zayo Group, LLC, formerly American Fiber Systems, Inc., and Formerly Abovenet Communications, Inc., a Contract Franchise to Construct, Operate and Maintain a Telecommunications System in the City of Leawood, Kansas and Prescribing the Terms of Said Contract Franchise, and repealing Ordinance No. 2508 and Ordinance No. 2610 [ROLL CALLVOTE] - **Passed**
- C. **Resolution No. 4616**, accepting a Third Amended and Restated Petition for the creation of a Transportation Development District, [TDD] to amend and reaffirm a Transportation Development District for the Park Place Development in Leawood, Kansas pursuant to the provisions of K.S.A. § 12-17,140 et seq.; and calling a Public Hearing on the advisability of amending a Transportation Development District in the City of Leawood, Kansas, and financing of certain transportation project improvements therein [SALES TAX] [PROJECT # 83196] - **Approved**

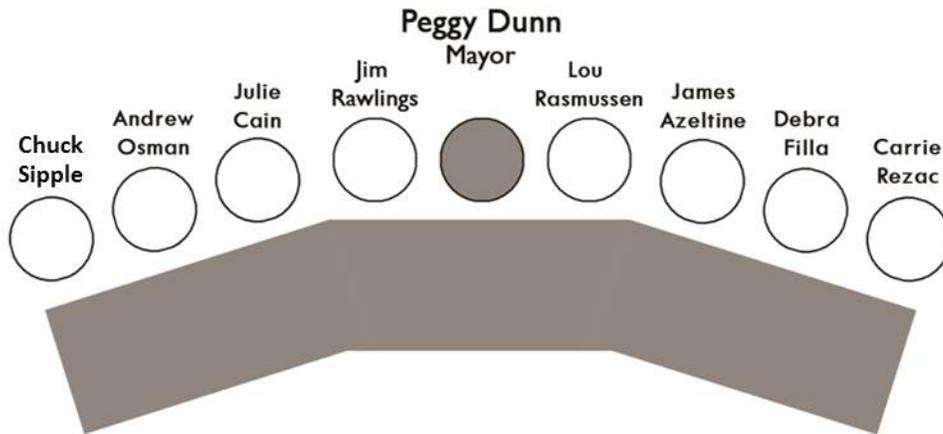
- D. **Resolution No. 4617**, accepting a Second Amended and Restated Petition for the creation of a Transportation Development District, [TDD] to amend and reaffirm a Transportation Development District for the Park Place Development in Leawood, Kansas pursuant to the provisions of K.S.A. § 12-17,140 et seq.; and calling a Public Hearing on the advisability of amending a Transportation Development District in the City of Leawood, Kansas, and financing of certain transportation project improvements therein [GUEST TAX] [PROJECT # 80455 & 80458] - **Approved**

- E. **Ordinance No. 2779C**, amending Section 6-101 of the Code of the City of Leawood, Kansas, 2000, entitled “City Elections; Terms of City Offices; Officer Qualifications” and repealing existing Section 6-101 and other sections in conflict herewith [ROLL CALL VOTE] - **Passed**

- F. **Charter Ordinance No. 43**, exempting the City of Leawood, Kansas, from the provisions of K.S.A. 12-104a, relating to the filling of Governing Body vacancies [ROLL CALL VOTE] - **Passed**

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.

2016 SCHEDULED WORK SESSIONS			
DATE	TIME	SUBJECT	LOCATION
April 18	6:00 P.M.	Discuss Tobacco 21 Initiative	Main Conf. Room
May 2	6:00 P.M.	Discuss 2017-2021 Budget Model Assumptions; Review & Discuss 2017 Budget Presentations	Main Conf. Room
June 7	6:00 P.M.	Budget & Finance Committee	Main Conf. Room
June 8 (if needed)	6:00 P.M.	Budget & Finance Committee	Main Conf. Room
July 5	6:00 P.M.	Discuss Redevelopment of Property located at 96 th & Lee Boulevard	Main Conf. Room
August 15	6:00 P.M.	Executive Session -Personnel Matter; City Administrator's Semi-Annual Review	Main Conf. Room
September 19		Proposed 2017 Fee Schedule	Main Conf. Room
October 3		NO COUNCIL MEETING-NO WORK SESSION	
October 17		NO COUNCIL MEETING - NO WORK SESSION	
November 7	6:00 P.M.	Chamber of Commerce's Annual Economic Plan	Main Conf. Room
November 21	6:00 P.M.	Holiday Lighting	
December 19		NO WORK SESSION	