



# CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, June 5, 2017  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:30 P.M.

JUNE 2017						
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	<b>19</b>	20	21	22	23	24
25	26	27	28	29	30	

JULY 2017						
S	M	T	W	T	F	S
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2	<b>3</b>	4	5	6	7	8
9	10	11	12	13	14	15
16	<b>17</b>	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

Jim Rawlings  
Vacant

Ward Three

Chuck Sipple  
Lisa Harrison

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 use profanity or 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**

**Mark Andrasik, IS Director, retiring after 34 years of service [1983-2017]**

**Joe Johnson, PW Director, retiring after 21 years of service [1996-2017]**

**Introduction of newest K-9 Unit Officers: Officer Josh Hayes and K-9 Kimo**

**6. SPECIAL BUSINESS**

*[from the April 25, 2017 Planning Commission meeting]*

- A. **Ordinance No. 2837**, approving a Special Use Permit [SUP] for Packaged Liquor Sales for Plaza Pointe- 5 O'Clock Liquor, located at 4821 W. 135<sup>th</sup> Street [PC Case # 44-17] [ROLL CALL VOTE] - **Passed**

- B. Approve Retail Liquor Store License for 5 O’Clock Liquor, located at 4821 W. 135 St. [f/n/a Par4 Liquor] - **Approved**
- C. Appointment of David Ley as Interim Public Works Director, effective June 13, 2017 - **Approved**
- D. **Public Hearing** Consider the 2018-2022 Capital Improvement Program [C.I.P.] for the City of Leawood
- E. **Resolution No. 4793**, approving the 2018-2022 Capital Improvement Program [C.I.P.] for the City of Leawood [PC Case # NC-2117] - **Approved**
- F. Consideration of accepting a Kansas Warranty Deed for real property, specifically a pedestrian bridge, located north of 91<sup>st</sup> Street and east of High Drive, pertaining to rezoning from REC [Planned Recreation] to RP-2 [Planned Cluster Detached Residential District], Preliminary Plan, Final Plan, and Final Plat, for Village of Leawood [f/k/a Estates of Old Leawood] located north of 91<sup>st</sup> Street and east of High Drive [PC Case # 113-16] [See Ordinance No. 2832] - **Approved**

**7. CONSENT AGENDA**

Consent agenda items have been studied by the Governing Body and determined to be routine enough to be acted upon 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. 2017-17, 2017-18, 2017-19, 2017-20 and 2017-21 - **Accepted**
- B. Accept minutes of the May 1, 2017 Governing Body meeting - **Accepted**
- C. Accept minutes of the April 11, 2017 Parks & Recreation Advisory Board meeting - **Accepted**
- D. Accept minutes of the April 6, 2017 Leawood Foundation meeting - **Accepted**
- E. Accept minutes of the March 29, 2017 Stormwater Management Committee meeting - **Accepted**
- F. Accept minutes of the March 28, 2017 Leawood Arts Council meeting - **Accepted**
- G. Accept minutes of the March 14, 2017 Historic Commission meeting - **Accepted**
- H. Accept minutes of the March 2, 2017 Leawood Foundation meeting - **Accepted**
- I. Accept minutes of the March 1, 2017 Bicycle Friendly Committee meeting - **Accepted**
- J. Accept minutes of the February 23, 2017 Ironhorse Advisory Board meeting - **Accepted**
- K. Approve Mayoral Appointments of Ronald L. Schikevitz and Barry E. Nelson to the Bicycle Friendly Committee for 2-year terms - **Approved**
- L. Approve renewal of Cereal Malt Beverage [CMB] license for Price Chopper # 500, located at 13551 Mission Road - **Approved**
- M. Approve purchase in the amount of \$23,455.83 from Weis Fire & Safety for the purchase of [3] thermal imaging cameras for Fire Dept. - **Approved**
- N. Approve 9<sup>th</sup> and Final Pay Request in the amount of \$500.00, to Phoenix Concrete & Underground pertaining to the 2016 Curb & Mill & Overlay Project [Project Nos. 80253, 70020, 70156, & 85200] - **Approved**
- O. Approve Change Order No. 4 in the amount of \$11,033.00 to Excel Constructors, pertaining to the Ironhorse Clubhouse Expansion Project [Project # 49133] - **Approved**

- P. Approve Change Order No. 1 in the amount of \$ 160,000.00 to V. F. Anderson Corporation pertaining to the 2017 Residential Reconstruction Project [Project # 77015] - **Approved**
- Q. **Resolution No. 4794** approving a Special Event at Park Place at 116<sup>th</sup> & Ash Street for a Street Fair ‘Chick Event’ to be conducted on Saturday, July 22, 2017 in Leawood, Kansas - **Approved**
- R. **Resolution No. 4795**, requesting Johnson County, Kansas to participate in the City of Leawood’s Five-Year Capital Improvement Program through the 2018-2022 County Assistance Road System [CARS] Program - **Approved**
- S. **Resolution No. 4796** approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,142,336.95, between the City and J. M. Fahey Construction Co., pertaining to the 2017 Arterial Mill & Overlay Project [On Roe between Tomahawk Creek Parkway & 135<sup>th</sup> Street; and on 133<sup>rd</sup> Street between State Line Road and the western city limits] [Project # 72053] - **Approved**
- T. **Resolution No. 4797**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$362,184.00, between the City and Mega Industries Corporation, pertaining to the Tomahawk Park to Roe Avenue Trail Rehabilitation Project [Project # 71024] - **Approved**
- U. **Resolution No. 4798**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$874,703.00, between the City and GBA Builders, LLC, to repair the retaining wall located on College Boulevard between Indian Creek Bridge and Brookwood [Project # 80602] - **Approved**
- V. **Resolution No. 4799**, accepting a Permanent Storm Sewer Easement from James and Michele Allen, for property located at 12472 Linden Street, pertaining to the Patrician Woods Stormwater Improvement Project [Project # 77015] - **Approved**
- W. **Resolution No. 4800**, accepting a Permanent Storm Sewer Easement from Marilyn L. and Thomas R. Bruce, III, for property located at 12504 Cedar Street, pertaining to the Patrician Woods Stormwater Improvement Project [Project # 77015] - **Approved**
- X. **Resolution No. 4801**, approving a Revised Final Plan and Revised Final Plat for Camelot Court – Parking Expansion, located north of 119<sup>th</sup> Street and east of Roe Avenue (PC Case 76-16) [*from the April 25, 2017 Planning Commission Meeting*] - **Approved**
- Y. **Resolution No. 4802**, approving a Revised Final Sign Plan for the United Methodist Church of the Resurrection – Campus Signage, located south of 137<sup>th</sup> Street and east of Nall Avenue (PC Case 28-17) [*from the May 23, 2017 Planning Commission Meeting*] - **Approved**
- Z. **Resolution No. 4803**, approving a Revised Final Plan for Church of the Nativity – Church Expansion, located north of 119<sup>th</sup> Street and east of Tomahawk Creek Parkway (PC 35-17) [*from the May 23, 2017 Planning Commission Meeting*] - **Approved**
- AA. **Resolution No. 4804**, approving an Eligible Facilities Request for the addition of RRUs (Remote Radio Units) and associated equipment at Parkway Plaza Cell Tower for T-Mobile, located north of 135<sup>th</sup> Street and west of Briar Street (PC 43-17) - **Approved**
- BB. Declaration of Surplus Property: PW 2001 Midwest Utility Trailer [Unit # 484]; last 4 VIN/0270 - **Approved**
- CC. Police Department April Monthly Report
- DD. Fire Department April Monthly
- EE. Municipal Court April Monthly

## 8. MAYOR’S REPORT

**9. COUNCILMEMBERS' REPORT**

- A. **Councilmember Filla-** Main Routes to School [MR2S] Mission Trails Elementary School - **Approved**
- B. **Councilmember Osman-** Referral to Public Works Committee, Street Parking Policy during Residential Construction/Renovation - **Approved**

**10. CITY ADMINISTRATOR REPORT**

Request authorization to initiate search to fill the Public Works Director position - **Approved**

**11. STAFF REPORT**

- A. **Comm. Director Richard Coleman-** Moratorium on enforcement of Leawood Development Ordinance [LDO] § 16-2-6.5, pertaining to wholesale businesses in business parks [*from the May 1, 2017 Governing Body meeting*] – **Rescind moratorium approved**
- B. **City Clerk Debra Harper-** Request to Confirm Attendance at Monday, July 3, 2017 Governing Body Meeting

**COMMITTEE RECOMMENDATIONS**

**12. STORMWATER MANAGEMENT COMMITTEE**

*[from the April 26, 2017 Stormwater Management Committee meeting]*

- A. Recommendation regarding stormwater improvements in Bradford Place Subdivision [3604 W. 122<sup>nd</sup> Street] - **Approved**

*[from the April 26, 2017 Stormwater Management Committee meeting]*

- B. Recommendation of dissemination of educational material of BMP Program/offering of funds - **Approved**

**13. BICYCLE FRIENDLY COMMITTEE**

*[from the May 1, 2017 Bicycle Friendly Committee meeting]*

- Accept recommendation to rename Bicycle Friendly Committee to Bike/Walk Committee and updated Bylaws - **Approved**

**14. PLANNING COMMISSION**

*[from the May 23, 2017 Planning Commission meeting]*

- A. Resolution approving and authorizing the Mayor to execute an Amendment to that certain Inter-local Agreement dated April 6, 2017, between the City and the Board of County Commissioners of Johnson County, Kansas, pertaining to the approval process for the improvement of the Tomahawk Creek Wastewater Treatment Facility, located at 10701 Lee Boulevard (PC 13-17) [**ROLL CALL VOTE**] - **[CONTINUED TO THE JUNE 19, 2017 GOVERNING BODY MEETING]**
- B. **Ordinance No. 2838**, approving a Zoning to R-1 (Planned Single Family Low Density Residential), Special Use Permit [SUP] for a Public Elementary School, Preliminary Plan and Preliminary Plat, for Brookwood Elementary School, located at 3411 W. 103<sup>rd</sup> Street (PC Case 31-17) [**ROLL CALL VOTE**] - **Passed**

*[from the April 25, 2017 Planning Commission meeting]*

- C. **Ordinance No. 2839**, approving a Rezoning from Limited Office District, B-4 Sub-Classification A (Limited Office – Previous development ordinance) to SD-O (Planned Office District), Special Use Permit for a Bank Drive-through, and Preliminary Plan for First Federal Bank of Kansas City, located at 8000 State Line Road. (PC Case 45-17) [ROLL CALL VOTE] - **Passed**

*[from the February 28, 2017 Planning Commission meeting]*

- D. Ordinance approving the renewal of a Special Use Permit [SUP] for a wireless communication facility including cellular tower, associated equipment and screening for Saddle and Sirloin Cellular Tower, located south of I-435 and east of Mission Road (PC Case 01-17) *[Continued From The March 20, 2017, April 17, 2017, And May 1, 2017 Governing Body Meetings]* [ROLL CALL VOTE] - **[CONTINUED TO THE JUNE 19, 2017 GOVERNING BODY MEETING]**

**15. OLD BUSINESS**

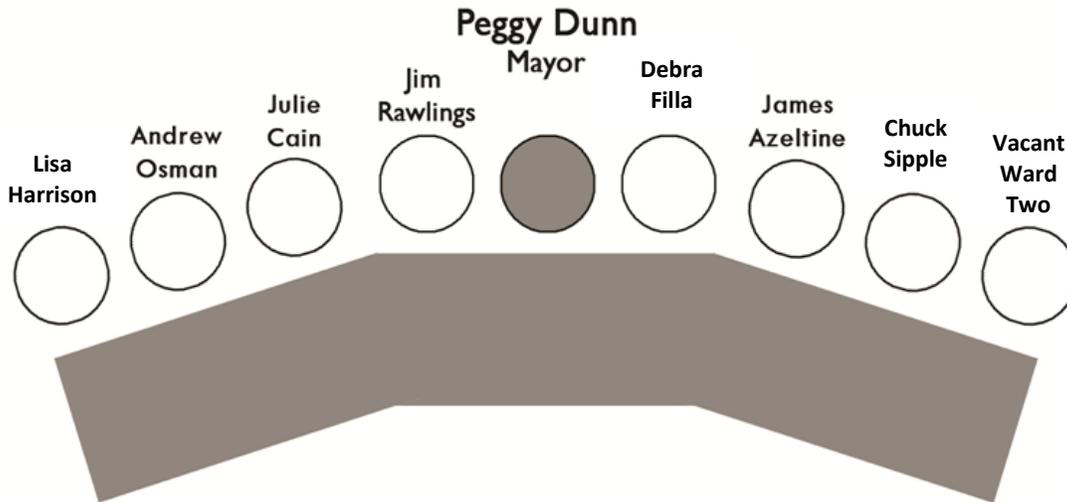
**16. OTHER BUSINESS**

**17. NEW BUSINESS**

- Ordinance No. 2840C**, amending Chapter 1, Article 8 of the Code of the City of Leawood, 2000, by adding new sections 1-859 through 1-862, establishing a New Economic Development Fund for the City of Leawood, Kansas [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.

<b>2017 SCHEDULED WORK SESSIONS</b>			
<b>DATE</b>	<b>TIME</b>	<b>SUBJECT</b>	<b>LOCATION</b>
<b>June 12</b>	<b>6:00 P.M.</b>	Budget & Finance Committee	<b>Main Conf. Room</b>
<b>June 13</b>	<b>6:00 P.M.</b>	Budget & Finance Committee <i>[if needed]</i>	<b>Main Conf. Room</b>
<b>June 19</b>	<b>6:00 P.M.</b>	Discuss 2018 Budget Tax Lid Election <i>[if needed]</i>	<b>Main Conf. Room</b>
<b>August 21</b>		<b>NO GOVERNING BODY MEETING</b>	
<b>August 21</b>		<b>NO WORK SESSION</b>	