



**CITY OF LEAWOOD  
GOVERNING BODY  
MEETING AGENDA**

Monday, March 20, 2017  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:30 P.M.

MARCH 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
19	20	21	22	23	24	25
26	27	28	29	30	31	

APRIL 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	19	20	21	22
23	24	25	26	27	28	29
30						

**ACTION AGENDA**

(This agenda is subject to changes, additions or deletions at the discretion of the City Council)

**Mayor Peggy Dunn**

**Councilmembers**

<u>Ward One</u>	<u>Ward Two</u>	<u>Ward Three</u>	<u>Ward Four</u>
Debra Filla Andrew Osman	Jim Rawlings Steven Kaster	Chuck Sipple Lisa Harrison	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**

**6. SPECIAL BUSINESS**

- A. **Ordinance No. 2826C**, amending Code § 15-542 of the Code of the City of Leawood, Kansas, 2000, entitled, ‘Grading, Erosion and Sediment Control Site Plan Requirements,’ and repealing existing § 15-542 and other sections in conflict herewith [ROLL CALL VOTE] - **Passed**
- B. **Ordinance No. 2827C**, amending Code Sections 15-302 and 15-303 of the Code of the City of Leawood, Kansas, 2000, entitled, ‘Incorporating Division V-Section 5600 Design Criteria for Storm Drainage Systems and Facilities,’ and ‘Incorporating Division V-Design Criteria-Division 5100 Erosion and Sediment Control,’ respectively, and repealing existing § 15-302 and 15-303 and other sections in conflict herewith [ROLL CALL VOTE] - **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](http://www.leawood.org) no later than 96 hours prior to the scheduled commencement of the meeting.

## **COMMITTEE RECOMMENDATION**

### **7. PUBLIC WORKS COMMITTEE**

*[from the January 11, 2017 and March 1, 2017 Public Work Committee meetings]*

*[from the November 7, 2016 Governing Body meeting]*

- A. **Recommendation:** Engineering study be conducted for a sidewalk located on the east side of Mission Road from 92<sup>nd</sup> Street to 95<sup>th</sup> Street [near Cure-of-Ars Church, 9401 Mission Road] for an approximate cost of \$22,245.00 - **Approved**

*[from the March 1, 2017 Public Work Committee meeting]*

*[from the November 21, 2016 Governing Body meeting]*

- B. **Recommendation:** No action be taken regarding request from Verona Gardens Homes Association for assistance with sidewalk repairs - **Approved**

### **8. 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. 2017-9 and 2017-10 - **Accepted**
- B. Accept minutes of the March 6, 2017 Governing Body meeting - **Accepted**
- C. Accept minutes of the January 19, 2017 Leawood Foundation meeting - **Accepted**
- D. Accept minutes of the January 11, 2017 Public Works Committee meeting - **Accepted**
- E. Accept minutes of the January 12, 2017 Sustainability Advisory Board meeting - **Accepted**
- F. Accept minutes of the November 10, 2016 Sustainability Advisory Board meeting - **Accepted**
- G. Accept minutes of the November 2, 2016 Bicycle Friendly Committee meeting - **Accepted**
- H. Approve Change Order No. 4 in the amount of \$688,000.00 to Phoenix Concrete & Underground, LLC, pertaining to the 2016 Curb Rehabilitation and Mill & Overlay Program [Project # 80253] - **Approved**
- I. Approve purchase in the amount of \$333,046.57, from KA-Comm, Inc., for the purchase of [81] Harris portable 2-way police radios; and [10] Harris mobile 2-way police radios - **Approved**
- J. **Resolution No. 4746**, calling for a Pre-Budget Public Hearing to be heard on Monday, April 17, 2017, at 7:30 P.M., or as soon thereafter as may be heard on the 2018 Fiscal Budget for the City of Leawood, Kansas - **Approved**
- K. **Resolution No. 4747**, approving and authorizing the Mayor to execute the City of Leawood, Kansas' Supplemental Retirement Plan [401(a)] - **Approved**
- L. **Resolution No. 4748**, approving and authorizing the Mayor to execute the City of Leawood, Kansas' Deferred Compensation Plan [457(b)] - **Approved**
- M. **Resolution No. 4749**, approving and authorizing the Mayor to execute an Administrative Services Agreement between the City of Leawood, Kansas and ICMA Retirement Corporation, pertaining to the City's 457(b) and 401(a) Plans - **Approved**
- N. **Resolution No. 4750**, approving and authorizing the Mayor to execute a 401(a) non-ERISA Custody Agreement between the City of Leawood, Kansas and VOYA, pertaining to the City's 401(a) Plan - **Approved**

- O. **Resolution No. 4751**, approving and authorizing the Mayor to execute a 457 Custody Agreement between the City of Leawood, Kansas and VOYA, pertaining to the City’s 457(b) Plan - **Approved**
- P. **Resolution No. 4752**, approving and authorizing the Mayor to execute an Independent Contractor Agreement for an annual amount not to exceed \$25,000.00, between the City and Western Enterprises, Inc., for a 3-year term, providing for fireworks displays for the City’s Fourth of July Celebrations - **Approved**
- Q. **Resolution No. 4753**, approving and authorizing the Mayor to execute an Escrow Agreement between the City and Bank of Blue Valley and the Perry M. Sharp Trust C [‘Owner’], pertaining to the Stormwater Improvement SBD # 2779, in the amount of \$58,875.00 [Project # 198 Storm, Parcel B-2 North] - **Approved**
- R. **Resolution No. 4754**, approving and authorizing the Mayor to execute an Escrow Agreement between the City and Bank of Blue Valley and CBC Brightspace Leawood, LLC [‘Owner’], pertaining to the Stormwater Improvement SBD # 2779, in the amount of \$31,413.00 [Project # 198 Storm, Parcel B-2 South] - **Approved**
- S. **Resolution No. 4755**, approving a Final Plan for Parkway Plaza – Hunter Family Vision, located north of 135<sup>th</sup> Street and west of Roe Avenue. (PC Case 05-17) *[From the February 28, 2017 Planning Commission meeting]* - **Approved**
- T. **Resolution No. 4756**, approving a Final Sign Plan for Manildra Group USA (International Agribusiness Company) – Wall Sign, located south of College Boulevard and east of Roe Avenue. (PC Case 09-17) *[From the February 28, 2017 Planning Commission meeting]* - **Approved**
- U. **Resolution No. 4757**, approving a Revised Final Plan for Camelot Court – Hen House Generator, located north of 119<sup>th</sup> Street and east of Roe Avenue. (PC Case 10-17) *[From the February 28, 2017 Planning Commission meeting]* - **Approved**
- V. **Resolution No. 4758**, approving a Revised Final Plan for a change to the facade of a storefront for Town Center Plaza – J. Jill (Women’s Apparel), located north of 119<sup>th</sup> Street and west of Roe Avenue. (PC Case 12-17) *[From the February 28, 2017 Planning Commission meeting]* - **Approved**
- W. **Resolution No. 4759**, approving a Revised Final Plat for Longwood Forest - Lot 5, located south of 110<sup>th</sup> Street and west of Delmar Street. (PC Case 14-17) *[From the February 28, 2017 Planning Commission meeting]* - **Approved**
- X. **Resolution No. 4760**, approving a Final Plan for Leawood Plaza – Dalmark Management Group (Property Management Company), located north of 123<sup>rd</sup> Street and west of State Line Road. (PC Case 15-17) *[From the February 28, 2017 Planning Commission meeting]* - **Approved**
- Y. Fire Department Monthly Report
- Z. Municipal Court Monthly Report
- AA. Police Department Monthly Report

**9. MAYOR’S REPORT**

**10. COUNCILMEMBERS’ REPORT**

**11. STAFF REPORT**

**COMMITTEE RECOMMENDATION**

**12. PLANNING COMMISSION**

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

- A. 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) [ROLL CALL VOTE] - **Continued to April 17, 2017**
  
- B. **Ordinance No. 2828**, approving a Special Use Permit [SUP] for packaged liquor sales for Market Square Center – Lancaster Liquor, located south of 133<sup>rd</sup> Street and east of Mission Road (PC Case 17-17) [ROLL CALL VOTE] - **Passed**
  
- C. **Ordinance No. 2829**, amending Section 16-2-6.4 of the Leawood Development Ordinance [LDO] entitled ‘MXD [Mixed Use Development District]’ and repealing existing section 16-2-6.4 and other sections in conflict herewith (PC Case 37-17) [ROLL CALL VOTE] - **Passed**
  
- D. **Ordinance No. 2830**, amending Section 16-9-219 of the Leawood Development Ordinance [LDO] entitled ‘Public Utility Facilities’ and repealing existing Section 16-9-219 and other sections in conflict herewith (PC Case 38-17) [ROLL CALL VOTE] - **Passed**
  
- E. **Ordinance No. 2831**, amending Section 16-2-4.7 of the Leawood Development Ordinance [LDO] entitled ‘Structures Permitted Above the Height Limits’ and repealing existing Section 16-2-4.7 and other sections in conflict herewith (PC Case 39-17) [ROLL CALL VOTE] - **Passed**

*[from the January 10, 2017 Planning Commission meeting]*

- F. Ordinance approving Planning Commission’s recommendation of denial of requests for 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)[ROLL CALL VOTE]- **CONTINUED FROM THE FEBRUARY 20, 2017 GOVERNING BODY MEETING - Planning Commission recommendation of denial not approved; super-majority vote in the affirmative to approve the rezoning with a revised ordinance title and with modified stipulations Ordinance No. 2832**

**Staff Comment:** *It is the position of the City Administrator that the property west of Sagamore that is being proposed to be zoned RP-2 with four [4] lots be zoned R-1 with three [3] lots.*

*It is also the position of the City Administrator that the property planned for open space east of the residential development be private open space and improved as contained in the application with the ownership, maintenance and liability being assumed by the future residents, as proposed by the applicant.*

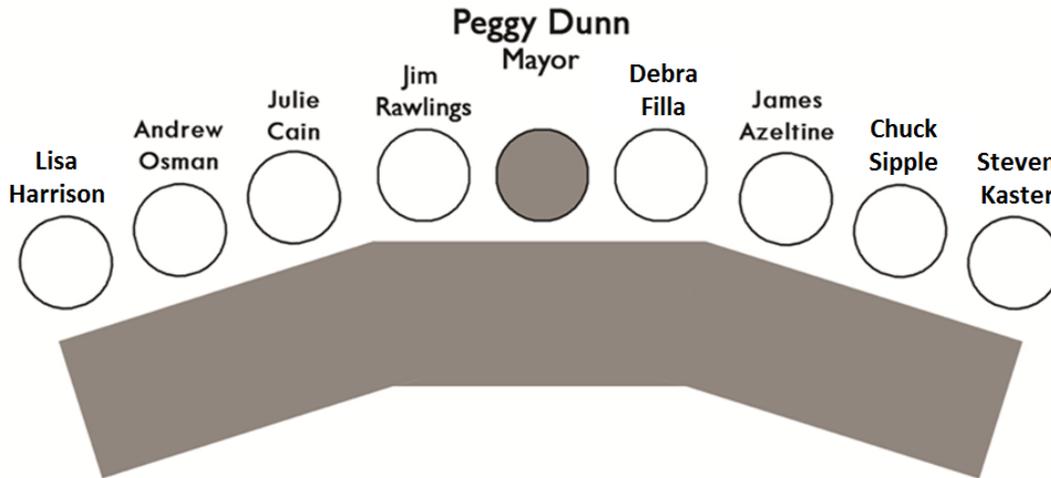
**13. OLD BUSINESS**

**14. OTHER BUSINESS**

**15. NEW BUSINESS**

**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>March 27</b>	<b>6:00 P.M.</b>	Personnel Matter: City Administrator's Annual Review	<b>Main Conf. Room</b>
<b>March 28</b>	<b>6:00 P.M.</b>	Joint Governing Body & Planning Commission meeting to discuss 135 <sup>th</sup> Street Corridor Study	<b>Oak Room in Community Center</b>
<b>April 17</b>	<b>6:00 P.M.</b>	Presentation of 2018-2022 CIP; and 2018 Budget Model Assumptions	<b>Main Conf. Room</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>	