



**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, March 18, 2019
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

MARCH 2019						
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	31					

APRIL 2019						
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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	Jim Rawlings	Chuck Sipple	Julie Cain
Andrew Osman	Mary Larson	Lisa Harrison	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** **Recognition Resolution No. 5140 of
Mary Tearney, former Arts Council Chair
- Approved**
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 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. 2019-9 and 2019-10 - **Accepted**
 - B. Accept minutes of the March 4, 2019 Governing Body meeting - **Accepted**
 - C. Accept minutes of the January 30, 2019 Stormwater Management Committee - **Accepted**
 - D. Accept minutes of the October 25, 2018 Ironhorse Advisory Board meeting - **Accepted**
 - E. Accept minutes of the October 23, 2018 Leawood Foundation meeting - **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.

- F. Approve purchase in the amount of \$111,036.00, from Shawnee Mission Ford for the purchase of [3] vehicles for Public Works - **Approved**
- G. **Resolution No. 5142**, accepting the 2018 Annual Report regarding the Leawood Park Impact Fee, pursuant to § 12-409, of the Code of the City of Leawood, Kansas, 2000 - **Approved**
- H. **Resolution No. 5143**, accepting the 2018 Annual Report regarding the Public Art Impact Fee, pursuant to § 12-609, of the Code of the City of Leawood, Kansas, 2000 - **Approved**
- I. **Resolution No. 5144**, approving and authorizing the Mayor to execute a Service Agreement in the amount of \$68,820.00, between the City and Next to Nature, pertaining to right-of-way [ROW] and median maintenance - **Approved**
- J. **Resolution No. 5145**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$3,219,842.85, between the City and J. M. Fahey Construction Company, pertaining to the Mission Road Improvement Project, between 119th Street and 127th Street [Project # 72065] - **Approved**
- K. **Resolution No. 5146**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,466,445.30, between the City and McAnany Construction, pertaining to the 2019 Residential Mill & Overlay Program [Project # 70026] - **Approved**
- L. **Resolution No. 5147**, approving and authorizing the Mayor to execute Amendment No. 1 to that certain Engineering Service Agreement dated March 19, 2018, between the City and HDR Engineering, Inc., for a total amount not to exceed \$70,035.00, pertaining to the Preliminary Engineering Study for drainage improvements north of I-435 between Mission Farms and Lee Boulevard [Project # 73004] - **Approved**
- M. **Resolution No. 5148**, approving and authorizing the Mayor to execute a Reimbursement Agreement for an amount not to exceed \$1,300,000.00, between the City and Magellan Pipeline Company, L.P., pertaining to the 143rd Street Improvement Project from Windsor to Kenneth Road [Project # 80129] - **Approved**
- N. **Resolution No. 5149**, accepting a Deed of Dedication for Right-of-Way from Grantors Pedro L. and Susan B. Rodriguez, for property located at 14204 Canterbury Court, Lot 4, Block 4, Charlemagne Manor Subdivision, pertaining to the 143rd Street Improvement Project from Windsor to Kenneth Road [Project # 80129] - **Approved**
- O. **Resolution No. 5150**, accepting a Temporary Construction Easement from Grantors Pedro L. and Susan B. Rodriguez, for property located at 14204 Canterbury Court, Lot 4, Block 4, Charlemagne Manor Subdivision, pertaining to the 143rd Street Improvement Project from Windsor to Kenneth Road [Project # 80129] - **Approved**
- P. **Resolution No. 5151**, accepting a Temporary Construction Easement from Grantors Mujeep A. Noorani and Maria Noorani, for property located at 12851 Pembroke Circle, Lot 3, Block 3, Leawood South, Second Plat, pertaining to the 2018 CMP Replacement Project [Project # 80255] - **Approved**
- Q. **Resolution No. 5152**, approving a Revised Final Plat for the Smith Estate, located south of 143rd Street and west of Mission Road. (PC Case 07-19)[*from the February 26, 2019 Planning Commission meeting*] - **Approved**
- R. **Resolution No. 5153**, approving a Revised Final Sign Plan for Plaza Pointe – Revised Sign Criteria, located south of 135th Street and east of Briar Street (PC Case 08-19) [*from the February 26, 2019 Planning Commission meeting*] - **Approved**

- S. **Resolution No. 5154**, approving a Final Plan for changes to the façade of a tenant space for Town Center Crossing – Lovesac (Retail: Furniture), located south of 119th Street and east of Roe Avenue. (PC Case 09-19) [*from the February 26, 2019 Planning Commission meeting*] - **Approved**
- T. Police Department Monthly Report
- U. Fire Department Monthly Report
- V. Municipal Court Monthly Report

8. MAYOR’S REPORT

9. COUNCILMEMBERS’ REPORT

10. CITY ADMINISTRATOR REPORT

11. STAFF REPORT

COMMITTEE RECOMMENDATIONS

12. ARTS COUNCIL

[from the January 22, 2019 Arts Council meeting]

Repair of Art Piece, ‘Faith,’ located at Brook Beatty Park, located at 8646 Lee Boulevard
- **Approved**

13. PLANNING COMMISSION

[from the February 26, 2019 Planning Commission meeting]

- A. **Resolution No. 5155**, approving a Revised Final Plan for Town Center Plaza – Chase Bank, located north of 119th Street and west of Roe Avenue. (PC Case 11-19) - **Approved**
- B. **Ordinance No. 2930**, approving a Special Use Permit [SUP] for a Place of Worship for Village of Seville – The New Apostolic Church USA, located north of 133rd Street and west of State Line Road. (PC Case 12-19) [ROLL CALL VOTE] - **Passed**
- C. **Ordinance No. 2931**, approving a Special Use Permit [SUP] for a before-and-after school program for Brookwood Elementary School, located south of 103rd Street and east of Mohawk Road. (PC Case 13-19) [ROLL CALL VOTE] - **Passed**
- D. **Ordinance No. 2932**, amending § 16-2-7 of the Leawood Development Ordinance entitled “Table of Uses” and repealing existing Section 16-2-7 and other sections in conflict herewith. (PC Case 17-19) [ROLL CALL VOTE] - **Passed**
- E. Resolution approving the 2018 Update to the Comprehensive Plan of the City of Leawood, Johnson County, Kansas. (PC Case 144-18) – [***CONTINUED TO THE APRIL 1, 2019 GOVERNING BODY MEETING***]

14. OLD BUSINESS

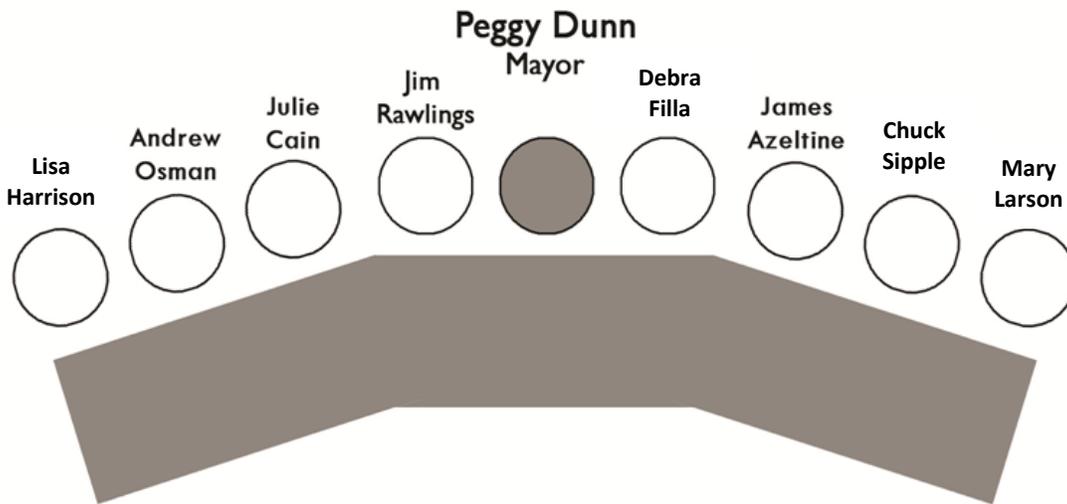
15. OTHER BUSINESS

16. NEW BUSINESS

- A. **Ordinance No. 2933C**, amending Chapter 3, Article 1 of the Code of the City of Leawood, Kansas, 2000, entitled, ‘Cereal Malt Beverages,’ by amending § 3-101, 3-102, 3-103, 3-107, 3-109, 3-111, 3-114, 3-115, and 3-116, and repealing existing sections and other provisions in conflict herewith [ROLL CALL VOTE] - **Passed**
- B. **Ordinance No. 2934C**, amending § 3-201 and 3-217 of the Code of the City of Leawood, Kansas, 2000, respectively entitled, ‘Definitions’ and ‘Revocation of Alcoholic Beverage Licenses’ and repealing existing § 3-201 and 3-217 sections and other provisions in conflict herewith [ROLL CALL VOTE] - **Passed**
- C. Schedule an Executive Session on Monday, April 1, 2019 for a Personnel Matter; City Administrator’s 6-month review - **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.

DATE	TIME	SUBJECT	LOCATION
March 18	6:30 P.M.	Executive Session; - Attorney-client privilege for discussion on possible acquisition of real property	Main Conf. Room
April 1	6:00 P.M.	Executive Session – Personnel Matter; City Administrator’s 6-month review	Main Conf. Room
April 9	6:00 P.M.	Discuss Future Housing Options for City of Leawood; Joint Meeting with Governing Body / Planning Commission / Leawood Chamber of Commerce Executive Board & Executive Economic Development Council	Vista 154
April 15	6:00 P.M.	Presentation of CIP; Discuss 2020-2024 Budget Model Assumptions	Main Conf. Room
June 10	5:30 P.M.	Budget & Finance Committee Work Session	Main Conf. Room
June 11	5:30 P.M.	Budget & Finance Committee Work Session <i>[tentative]</i>	Main Conf. Room
August 5		NO GOVERNING BODY MEETING; NO WORK SESSION	