



**CITY OF LEAWOOD  
GOVERNING BODY  
MEETING AGENDA**

Monday, August 12, 2019  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:00 P.M.

AUGUST 2019						
S	M	T	W	T	F	S
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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

SEPTEMBER 2019						
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					

**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**

**6. SPECIAL BUSINESS**

- A. **Public Hearing** Consider the 2020 Fiscal Budget for the City of Leawood, Kansas
- B. **Resolution No. 5232**, adopting the Fiscal Year 2020 annual budget for the City of Leawood, Kansas - **Approved**
- C. **Ordinance No. 2953**, authorizing and providing for the issuance and delivery of \$30,370,000 General Obligation Temporary Notes, Series 2019-1, of the City of Leawood, Kansas, to provide funds to finance the cost of certain public improvement projects within the City; providing for the levy and collection of an annual tax, if necessary, for the purpose of paying the principal of and interest on said notes as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto [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.

- D. **Resolution No. 5233**, prescribing the form and details of and authorizing and directing the issuance, sale and delivery of \$30,370,000 General Obligation Temporary Notes, Series 2019-1, of the City of Leawood, Kansas; providing for the levy and collection of an annual tax, if necessary, for the purpose of paying the principal of and interest on said notes as they become due; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith - **Approved**
  
- E. **Ordinance No. 2954**, authorizing and providing for the issuance and delivery of \$2,435,000 Taxable General Obligation Refunding Bonds, Series 2019-A, of the City of Leawood, Kansas for the purpose of refunding certain outstanding taxable general obligation bonds of the City; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto [ROLL CALL VOTE] - **Passed**
  
- F. **Resolution No. 5234**, prescribing the form and details of and authorizing and directing the sale and delivery of \$2,435,000, Taxable General Obligation Refunding Bonds, Series 2019-A, of the City of Leawood, Kansas, previously authorized by Ordinance No. 2954 of the City; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith - **Approved**
  
- G. Discussion and possible adoption of nondiscrimination ordinance: **Ordinance No. 2955C**, Amending Chapter XI of the Code of the City of Leawood, 2000, by adding a New Article 11, pertaining to Prohibited Discrimination [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 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. 2019-28, 2019-29, 2019-30 and 2019-31 - **Accepted**
- B. Accept minutes of the June 26, 2019 Stormwater Management Committee meeting - **Accepted**
- C. Accept minutes of the July 15, 2019 Governing Body meeting - **Accepted**
- D. Accept minutes of the May 21, 2019 Arts Council meeting - **Accepted**
- E. Accept minutes of the May 1, 2019 Bike/Walk Leawood meeting - **Accepted**
- F. Accept minutes of the April 11, 2019 Sustainability Advisory Board meeting - **Accepted**
- G. Approve purchase in the amount of \$195,636.00 [\$57.54/ton] from Central Salt for 3,400 tons of salt for winter 2019-2020 season - **Approved**
- H. Approve 4<sup>th</sup> and Final Pay Request in the amount of \$29,115.00, to O'Donnell & Sons Construction, for the 2018 Ironwoods Park Parking Lot Improvement Project, located at 14701 Mission Road [Project # 71025] - **Approved**
- I. Approve purchase in the amount of \$16,425.00, from Zoll Medical Corporation, for purchase of six [6] Zoll AED3's with associated equipment for the Fire Department - **Approved**

- J. Approve purchase in the amount of \$149,727.00, from Zoll Medical Corporation, for the purchase of five [5] Zoll X Series monitor/defibrillators for the Fire Department - **Approved**
- K. Approve purchase in the amount of \$26,704.44 from American Equipment Company, for the purchase of [4] snow removal plows - **Approved**
- L. **Resolution No. 5235**, approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$2,500.00, between the City and John King, Artist, for the Art on Loan piece, Skywriting I - **Approved**
- M. **Resolution No. 5236**, approving and authorizing the Mayor to execute an Amendment to that certain Retirement Plan Services Agreement, dated August 1, 2017, by and between the City and Voya Retirement Insurance and Annuity Company [VRIAC] and Voya Financial Partners, LLC, pertaining to the City's 457 and 401Plans - **Approved**
- N. **Resolution No. 5237**, approving and authorizing the Mayor to execute a Service Agreement in the amount of \$123,267.30, between the City and J. M. Fahey Construction Co., pertaining to the State Line Road Mill & Overlay Project for Southbound Lanes from Carondolet to south of College Boulevard [Project # 72084] [KCMO Project # 19-3] - **Approved**
- O. **Resolution No. 5238**, approving and authorizing the Mayor to execute Amendment No. 1, to that certain agreement dated March 7, 2016, between the City and Olsson Associates, in an additional amount of \$15,000.00 for the Patrician Woods Stormwater Improvement Project, located at 127<sup>th</sup> & Roe Avenue [SMAC Project TM-04-006] [Leawood Project # 77018] - **Approved**
- P. **Resolution No. 5239**, approving and authorizing the Mayor to execute Amendment No. 3, to a Professional Service Agreement, between the City and McClure Engineering Company, f/k/a Shafer Kline & Warren, Inc., in the amount of \$38,170.00, pertaining to the Leawood South Stormwater Improvement Project, [SMAC Project TM-04-008] [Project # 80255] - **Approved**
- Q. **Resolution No. 5240**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$8,379,045.77, between the City and Miles Excavating, Inc., pertaining to the 143<sup>rd</sup> Street Improvement Project from Windsor to Overbrook [KDOT Project # 46 N-0656-01] [Project # 80129] - **Approved**
- R. **Resolution No. 5241**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,147,772.10, between the City and G-B Construction, LLC, pertaining to the 2019 Residential Street Reconstruction Program Phase II [Project # 80219] - **Approved**
- S. **Resolution No. 5242**, approving and authorizing the Mayor to execute Amendment No. 3, to that certain Professional Engineering Service Agreement dated April 18, 2016, and further amended February 19, 2018 and August 20, 2018, with the total amount of the agreement as amended to not exceed \$1,646,569.82, between the City and Burns & McDonnell Engineering Company, Inc., pertaining to the 143<sup>rd</sup> Street Improvement Project from Windsor to Overbrook [KDOT Project # 46 N-0656-01] [Project # 80129] - **Approved**
- T. **Resolution No. 5243**, approving an Eligible Facilities Request for the addition of antennas and associated equipment at Park Place – Aloft Hotel for Verizon Wireless, [VAW], LLC, located north of 117<sup>th</sup> Street and east of Nall Avenue. (Case 73-19) - **Approved**

- U. **Resolution No. 5244**, approving Final Landscape Plan for Leawood Subdivision – Lot 674 – Residential Emergency Generator, located north of 86<sup>th</sup> Street and west of Lee Boulevard. (PC Case 72-19) *[from the July 23, 2019 Planning Commission meeting]*  
- **Approved**
- V. Declaration of Surplus Property: [4] metal file cabinets; 2015 Ford Interceptor Utility, last 6 VIN/A66336, Unit 9151; 2014 Ford Taurus, last 6 VIN/127764, Unit 9149; 2012 Chevy Caprice, last 6 VIN/660172, Unit 9148; 2012 Chevy Caprice, last 6 VIN/660252, Unit 9181; 2010 Chevy Impala, last 6 VIN/218942, Unit 9192; 2008 Isuzu NPR-HD C/Cab, last 6 VIN/002206, Unit 9611; 2002 Ford Explorer, last 5 VIN/24242, Unit 9631  
- **Approved**

**8. MAYOR’S REPORT**

Complaint received on speeding bicyclist and skateboarders on Bike Trails- Referred to Bike/Walk Committee, to be heard at the Wednesday, August 21, 2019 meeting - **Approved**

**9. COUNCILMEMBERS’ REPORT**

- A. **Councilmember Osman**- Referral to Public Works Committee regarding repair to retaining wall located on northeast corner of 127<sup>th</sup> Street and Roe Avenue - **Approved**
- B. **Councilmember Osman**- Review list of consultants and evaluate RFQ requests for Mission Road Improvement Project from 133<sup>rd</sup> to 143<sup>rd</sup> Street - **Approved**
- C. **Councilmember Filla**- Will be speaking to UCS on Thursday, August 22, 2019 at the County - **Approved**

**10. CITY ADMINISTRATOR REPORT**

**11. STAFF REPORT**

**COMMITTEE RECOMMENDATIONS**

**12. STORMWATER MANAGEMENT COMMITTEE**

*[from the July 31, 2019 Stormwater Management Committee meeting]*

**Review Drainage concerns near Gezer Park [13213 Howe Drive]**

**Recommendation:** Add small stormsewer system in the Gezer Park area to the Mission Road Improvement Project scheduled for 2022 [Cost estimate: \$110,000] - **Approved**

**13. PLANNING COMMISSION**

*[from the June 25, 2019 Planning Commission meeting]*

- A. **Resolution No. 5245**, approving a Final Plan and Final Plat for Regents Park Multi-family Subdivision, located south of 135<sup>th</sup> Street and west of Kenneth Road (PC Case 33-19)- *[CONTINUED FROM THE JULY 15, 2019 GOVERNING BODY MEETING]*  
- **Approved**

*[from the July 23, 2019 Planning Commission meeting]*

- B. **Ordinance No. 2956**, approving a Preliminary Plan, Final Plan and Special Use Permit [SUP] for a fast food restaurant for Ranch Mart – McDonald’s, located north of 95<sup>th</sup> Street and east of Mission Road. (PC Case 69-19) [ROLL CALL VOTE] - **Passed**

- C. **Ordinance No. 2957**, amending Section 16-3-4 of the Leawood Development Ordinance [LDO] entitled “Development Plan Approval Process” and repealing existing Section 16-3-4 and other sections in conflict herewith. (PC 60-19) [ROLL CALL VOTE] - **Passed**
- D. **Ordinance No. 2958**, amending Section 16-4-6.3 of the Leawood Development Ordinance [LDO] entitled “Office, Commercial and Industrial Signage in Planned Districts” and repealing existing Section 16-4-6.3 and other sections in conflict herewith. (PC 71-19) [ROLL CALL VOTE] - **Passed**

**14. OLD BUSINESS**

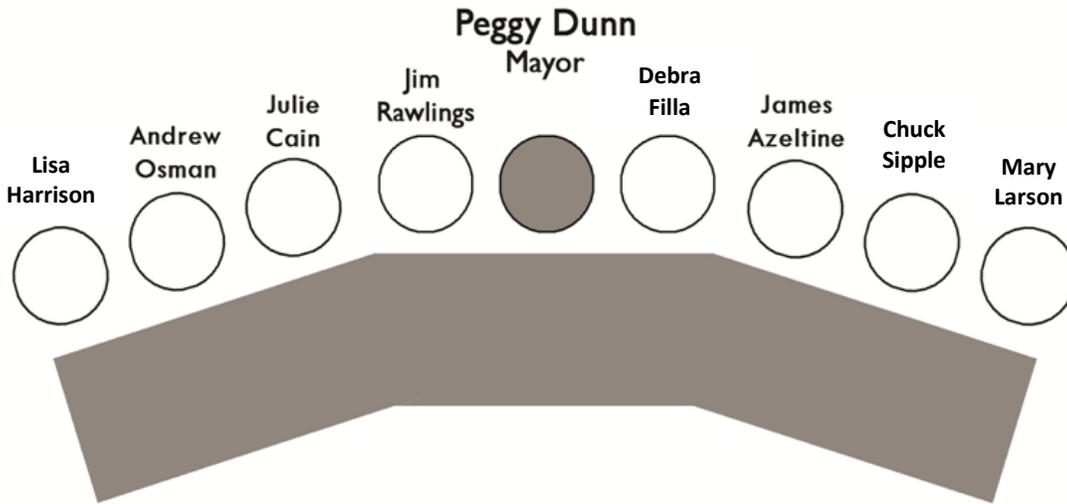
**15. OTHER BUSINESS**

- A. Schedule Governing Body meeting on Tuesday, September 3, 2019 at 7:30 P.M. - **Approved**
- B. Schedule a Governing Body Executive Session on Monday, September 16, 2019 at 6:00 P.M., Executive Session to consult with attorney regarding matters subject to the attorney-client privilege; discuss matters relating to possible acquisition of real property - **Approved**
- C. Schedule Governing Body meeting on Monday, September 16, 2019 at 7:30 P.M. - **Approved**

**16. 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. 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.

2019 WORK SESSION AND SPECIAL MEETING / EVENTS SCHEDULE			
DATE	TIME	SUBJECT	LOCATION
September 3	6:00 P.M.	Executive Session: Non-Elected Personnel Matter	Main Conf. Room
September 16	6:00 P.M.	Executive Session: consult with attorney regarding matters subject to the attorney-client privilege; discuss matters relating to possible acquisition of real property	Main Conf. Room
November 4	6:00 P.M.	Review Chamber of Commerce's Annual Economic Plan	Main Conf. Room
November 18	6:00 P.M.	Holiday Lighting Ceremony	Courtyard