

# CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, January 4, 2010  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:30 P.M.

JANUARY 2010						
S	M	T	W	T	F	S
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10	11	12	13	14	15	16
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24	25	26	27	28	29	30
						31

FEBRUARY 2010						
S	M	T	W	T	F	S
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

## \*\*\*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  
Gregory Peppes

Ward Two

Louis Rasmussen  
Jim Rawlings

Ward Three

Gary Bussing  
Mike Gill

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

### 5. PRESENTATIONS/RECOGNITIONS

### 6. SPECIAL BUSINESS

- A. **Public Hearing:** Proposed Assessments for One Nineteen Development [CIP #80456]
- B. **Ordinance No. 2426** levying assessments on lots, pieces and parcels of property located in the City of Leawood, Kansas for the purpose of paying for the cost for the One Nineteen Development Project [CIP # 80456] [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 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. 2009-50, and 2009-51 - **Accepted**
- B. Accept minutes of the December 7, 2009 Governing Body Work Session - **Accepted**
- C. Accept minutes of the December 21, 2009 Governing Body meeting - **Accepted**
- D. Accept minutes of the September 15, 2009 Public Works Committee meeting - **Accepted**
- E. Approve Cereal Malt Beverage [CMB] license to Walgreen's, located at 5230 W. 151<sup>st</sup> Street - **Approved**
- F. Approve payment in the amount of \$17,626.08 to League of Kansas Municipalities for 2010 dues and membership - **Approved**
- G. Approve Co-op Bid for the purchase of patrol vehicles from Olathe Ford in the amount of \$194,826.00 - **Approved**
- H. **Resolution No. 3321** approving and authorizing the Mayor to execute a Professional Service Agreement in the amount of \$6,800 between the City and Shafer, Kline & Warren [SKW] pertaining to the 2010 Residential Mill & Overlay Project [# 70008] - **Approved**
- I. **Resolution No. 3322** approving and authorizing the Mayor to execute a County-Assisted Road System [CARS] Inter-local Agreement between the City and the Board of County Commissioners of Johnson County, Kansas [BOCC] pertaining to the 135<sup>th</sup> St between State Line Road and Nall Avenue Improvement Project [# 72027] - **Approved**
- J. **Resolution No. 3323** approving and authorizing the Mayor to execute a Professional Service Agreement between the City and Polo Lawn Service, pertaining to property maintenance of various lots and parcels of land - **Approved**
- K. **Resolution No. 3324** approving and authorizing the Mayor to execute a Lease Agreement between the City and Troon Beverages of Texas, LLC, for the purpose of the sale of alcoholic beverages at Ironhorse Golf Club, located at 15400 Mission Road - **Approved**
- L. **Resolution No. 3325** approving a Final sign Plan for Park Place, SFP, located at 11500 Ash (PC Case # 75-09) [from the November 24, 2009 Planning Commission meeting] - **Approved**
- M. **Resolution No. 3326** approving a Final sign Plan for Park Place, ZTE USA, located at 11551 Ash (PC Case # 84-09) [from the November 24, 2009 Planning Commission meeting] - **Approved**
- N. Declaration of surplus property; 47 tables from Parks & Recreation - **Approved**

## 8. MAYOR'S REPORT

## 9. COUNCILMEMBERS' REPORT

- A. **Councilmember Lou Rasmussen**  
Discussion regarding the land use planning and Scope of Project for two tracts of land located at 117<sup>th</sup> & Tomahawk Creek Parkway [11 acres] and the northeast corner of 117<sup>th</sup> & Roe [5 acres]
- B. **Councilmember Debra Filla**  
Second Annual Homes Association meeting to be held at the Lodge at Ironwoods Park on February 11, 2010, at 5:30 P.M., to discuss update on recycling

**10. STAFF REPORT**

***COMMITTEE RECOMMENDATIONS***

**11. PARKS AND RECREATION ADVISORY BOARD**

Recommendation from Parks and Recreation Advisory Board regarding signage at Gezer Park, located at 13300 Mission Road- ***CONTINUED TO THE JANUARY 19, 2010 GOVERNING BODY MEETING***

**12. PLANNING COMMISSION**

***[from the November 24, 2009 Planning Commission meeting]***

- A. **Ordinance No. 2427** approving a Special Use Permit [SUP] to allow a wireless communication facility for Leawood South Country Club – Clearwire Wireless Broadband, located at 12838 Pembroke Circle (PC Case # 66-09) [Roll Call Vote] - **Passed**
- B. **Ordinance No. 2428** approving a Special Use Permit [SUP] to allow a wireless communication facility for Bank of Blue Valley – Clearwire Wireless Broadband, located at 13401 Mission Road (PC Case # 81-09) [Roll Call Vote] - **Passed**
- C. **Ordinance No. 2429** approving a Special Use Permit [SUP] to allow a wireless communication facility for CBIZ – Clearwire Wireless Broadband, located at 11440 Tomahawk Creek Parkway (PC Case # 80-09) [Roll Call Vote] - **Passed**
- D. **Ordinance No. 2430** amending Section 16-2-10.3 of the Leawood Development Ordinance [LDO] Materials and Colors, pertaining to roofing materials and colors in Single Family Residential Districts (PC Case # 85-09) [Roll Call Vote] - **Passed**
- E. **Ordinance No. 2431** amending Section 16-4-1 of the Leawood Development Ordinance [LDO] Accessory Uses, pertaining to hot tubs in Residential Districts (PC Case # 87-09) [Roll Call Vote] - **Passed**

***[from the December 8, 2009 Planning Commission meeting]***

- F. **Ordinance No. 2432** approving a Special Use Permit [SUP] and Revised Final Site Plan to allow packaged liquor sales under new ownership for Market Square Center, Lancaster Liquor, located within the Market Square Development on the southeast corner of 133<sup>rd</sup> Street and Mission Road (PC Case # 83-09) [Roll Call Vote]

**13. OLD BUSINESS**

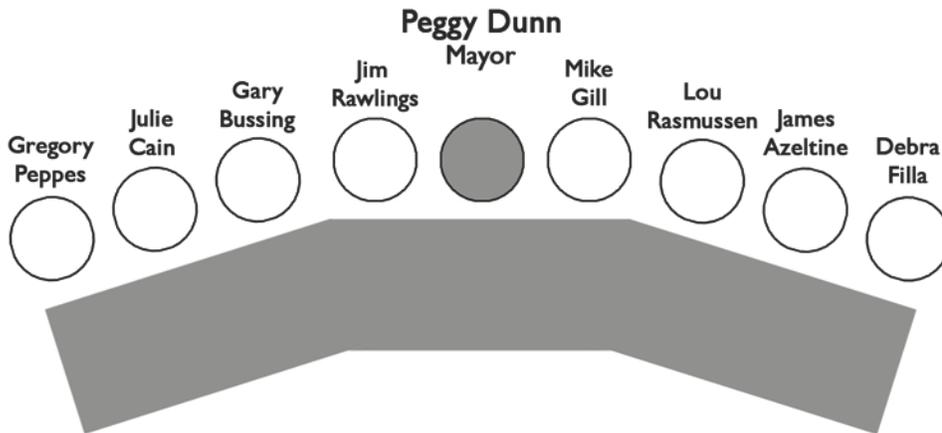
**14. OTHER BUSINESS**

**15. NEW BUSINESS**

- A. **Ordinance No. 2433C** amending Sections 1-839 through 1-842, of the Code of the City of Leawood, 2000, pertaining to the establishment of the One Nineteen Transportation Development District [TDD] Agency Fund [Roll Call Vote] - **Passed**

**ADJOURN**

## Mayor and City Council



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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.

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.

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### 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:**  $\frac{3}{4}$  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.