

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, February 2, 2009
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

JANUARY							FEBRUARY						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
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

<u>Ward One</u>	<u>Ward Two</u>	<u>Ward Three</u>	<u>Ward Four</u>
Debra Filla Gregory Peppes	Louis Rasmussen Jim Rawlings	Gary Bussing Mike Gill	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 Certificate of Achievement for Excellence in Financial Reporting

6. SPECIAL BUSINESS

A. Public Hearing to consider 2010-2014 Capital Improvement Program [C.I.P.]

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. 1119A, 1119B, 1120A, 1120B, 2009-1, 2009-2, and 2009-3 - **Accepted**
- B. Accept Minutes of the December 1, 2008 Governing Body meeting - **Accepted**
- C. Accept Minutes of the December 15, 2008 Governing Body meeting - **Accepted**
- D. Accept Minutes of the December 15, 2008 Special Call Governing Body meeting - **Accepted**
- E. Accept Minutes of the January 5, 2009 Governing Body meeting - **Accepted**
- F. Accept Minutes of the January 5, 2009 Special Call Governing Body meeting - **Accepted**
- G. Accept Minutes of the December 10, 2008 Green Initiative Citizens Task Force Committee Meeting - **Accepted**
- H. Accept Minutes of the November 11, 2008 Parks & Recreation Advisory Board meeting - **Accepted**
- I. Accept Minutes of the November 24, 2008 Arts Council meeting - **Accepted**
- J. Approve renewal of Cereal Malt Beverage [CMB] License for Hen House located at 11721 Roe Avenue - **Approved**
- K. Approve renewal of Cereal Malt Beverage [CMB] License for Dragon Dynasty located at 12248 State Line Road - **Approved**
- L. Approve payment in the amount of \$21,207.20 to League of Kansas Municipalities for 2009 membership - **Approved**
- M. Approve payment in the amount of \$91,000.00 to Leawood Chamber of Commerce for the 2009 operations budget - **Approved**
- N. Declaration of Surplus Property; Parks & Recreation Department items - **Approved**
- O. **Resolution No. 3156** accepting the 2009 IRONHORSE Golf Course Business Plan, as submitted by Orion Management Solutions - **Approved**
- P. **Resolution No. 3157** approving a Revised Final Plan for One Nineteen - Dean and Deluca, located at the southwest corner of 119th Street and Tomahawk Creek Parkway (PC Case # 98-08) [*From the January 13, 2009 Planning Commission meeting*] - **Approved**
- Q. **Resolution No. 3158** approving a final plan for One Nineteen - Mohi Yo, located on the southeast corner of 119th Street and Roe Avenue (PC Case # 96-08) [*From the January 13, 2009 Planning Commission meeting*] - **Approved**
- R. Police Department December Monthly Report & 2008 Annual Report
- S. Fire Department December Monthly Report & 2008 Annual Report
- T. Municipal Court Monthly Report

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

- A. Councilmember Filla
- B. Councilmember Gill
 - 1. Request to refer to the Public Works Committee regarding audio component to traffic signals at the intersection of 103rd and State Line Road to assist a visual impaired individual

2. Review request to install School Zone light on 133rd Street and modify the existing light on Mission Road for Mission Trails Elementary School
3. Speed limit along 133rd Street

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

From the January 13, 2009 Planning Commission meeting

- A. Resolution approving a Revised Final Plan for Mission Farms Trash Enclosure, located approximately at 105th Street and Mission Road (PC Case # 85-08) – ***CONTINUED TO THE FEBRUARY 16, 2009, GOVERNING BODY MEETING***
- B. **Resolution No. 3159** approving a Revised Final Plan for Market Square Center, located at the northeast corner of 135th Street and Mission Road (PC Case # 02-09) - **Approved**

12. OLD BUSINESS

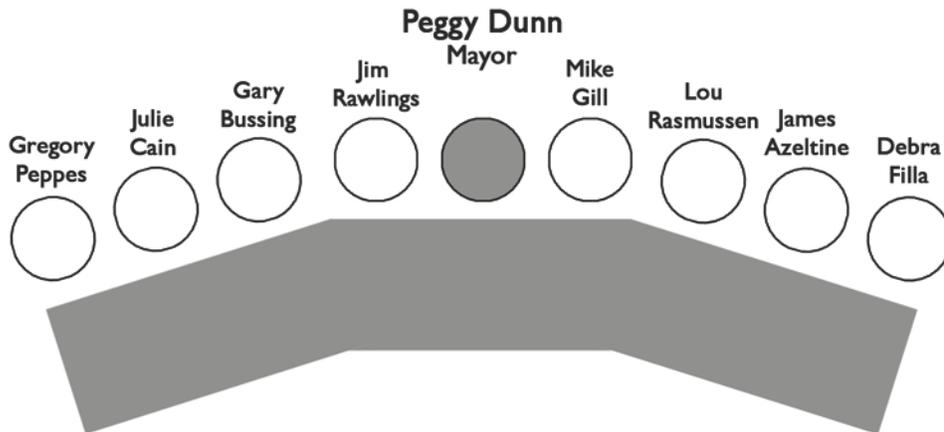
13. OTHER BUSINESS

14. NEW BUSINESS

- A. **Resolution No. 3160** declaring it necessary to appropriate private property for the use of the City of Leawood, Kansas for the Roe Avenue Improvement Project between 140th and 143rd Street [CIP # 80189] - **Approved**
- B. Schedule a Governing Body Work Session meeting at 6:00 P.M. on Monday, March 2, 2009 to discuss 2010-2014 Capital Improvement Projects [C.I.P.] and Budget Model Assumptions, and 2010 Budget Presentations - **Approved**
- C. Schedule a Governing Body Work Session meeting at 6:00 P.M. on Monday, April 6, 2009 to discuss Ordinance amending § 16-2-5.3 (R-1, Planned Single Family Low Density Residential District) of the Leawood Development Ordinance [LDO], pertaining to Building Height; and § 16-2-5.4 (RP-1, Planned Single Family Residential District) of the Leawood Development Ordinance [LDO], pertaining to Building Height - **Approved**
- D. Schedule a Governing Body Executive Session on Monday, February 2, 2009, immediately following the regular Governing Body meeting to discuss matters related to the acquisition of real property - **Approved**

ADJOURN

Mayor and City Council



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.

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.