

**CITY OF LEAWOOD  
GOVERNING BODY  
MEETING AGENDA**

Monday, April 5, 2004  
Council Chambers  
4800 Town Center Drive  
Leawood, KS 66211  
7:30 P.M.

APRIL						
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MAY						
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23	24	25	26	27	28	29
30	31					

**\*AMENDED AGENDA**

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

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- Mayor Dunn
  - Councilmembers
    - Taylor
    - Rasmussen
    - Gill
    - Story
    - Dunn
    - Rawlings
    - Bussing
    - Gullledge
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**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 personal 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**

**Fair Housing Month, April, 2004**

**5. PRESENTATIONS/RECOGNITIONS**

**6. SPECIAL BUSINESS**

- A. Overview of Roe Avenue Public Improvement Project, between 124th & 135th Street [CIP # 110]

- B. Resolution declaring it necessary to appropriate private property for the use of the City of Leawood, Kansas for the storm water drainage improvements to the Dykes Branch [SMAC Project DB-04-024-01] between 83<sup>rd</sup> Street and Wenonga Road south to 86<sup>th</sup> Street and Overhill Road, in accordance with K.S.A. § 26-201

***Staff Comment: This Resolution is required by Statute to initiate condemnation proceedings which Staff believes will be necessary to acquire all of the easements in order for this project to go forward.***

- C. Resolution authorizing acquisition of a permanent storm sewer easement and temporary construction easement located at 8520 Belinder, from Jim and Meghan Winne, for storm water drainage improvements to the Dykes Branch [SMAC Project DB-04-024] between 83<sup>rd</sup> Street and Wenonga Road south to 86<sup>th</sup> Street and Overhill Road

**7. PRE-BUDGET PUBLIC HEARING      2005 Fiscal Budget**

**8. 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. Approval of Appropriation Ordinance No. 995
- B. Accept Minutes of the March 22, 2004, Governing Body meeting
- C. Accept Minutes of the March 5, 2004, Stormwater Management Committee meeting
- D. Accept Minutes of the February 26, 2004, IRONHORSE Advisory Board
- E. Accept Minutes of the February 24, 2004, Arts Council meeting
- F. Approve 6<sup>th</sup> and Final Payment in the amount of \$4,689.50, to Sunflower Construction, pertaining to the Oxford Schoolhouse Renovation Project, at 14701 Mission Road
- G. Approve bid in the amount of \$7,500.00, to Liberty Steel pertaining to the replacement of the stairway at Fire Station No. 2, located at 12701 Mission Road
- H. Resolution approving and authorizing the Mayor to execute a Right-of-Way Maintenance Agreement between the City and Oddo Development Company, Inc., pertaining to Siena Subdivision, located at 140<sup>th</sup> & Mission Road
- I. Resolution approving and authorizing the Mayor to execute a Right-of-Way Maintenance Agreement in the amount of \$58,550.28, between the City and Corporate Lawn & Landscape, pertaining to right-of-way and median maintenance
- J. Resolution approving and authorizing the Mayor to execute an Inter-local Agreement between the City and the City of Overland Park, pertaining to the County Assisted Road System [CARS] Program for the public improvement project of 119<sup>th</sup> Street between Nall and Roe Avenue
- K. Resolution approving and authorizing the Mayor to execute an Inter-local Agreement between the City and the City of Overland Park, pertaining to the public improvement project of Nall Avenue between 124<sup>th</sup> Street and 131<sup>st</sup> Terrace, as part of the Arterial Street Program

- L. Resolution approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$2,340,111.00, between the City and Miles Excavating, Inc., pertaining to the SMAC Stormwater Project No. JB-04-008, from Lee Boulevard to State Line and 103<sup>rd</sup> Street to I-435 Highway
- M. Resolution approving Village of Camden Woods, 59<sup>th</sup> Plat, located south of 143<sup>rd</sup> Street and west of Kenneth Road *[from the March 23, 2004, Planning Commission meeting]*
- N. Resolution approving a Final Site Plan for Leawood Fountain Plaza, located at 11111 Nall Avenue *[from the March 23, 2004, Planning Commission meeting]*

**9. MAYOR'S REPORT**

**10. COUNCILMEMBERS' REPORT**

**11. STAFF REPORT**

**COMMITTEE RECOMMENDATIONS**

**12. PLANNING COMMISSION**

*[from the February 24, 2004, Planning Commission meeting]*

- A. Resolution approving a Final Site Plan and Final Plat for Leawood Market Center located on the southeast corner of 135<sup>th</sup> Street and Kenneth Road –*[Continued from the March 22, 2004, Governing Body meeting] - TO BE CONTINUED TO THE APRIL 19, 2004 GOVERNING BODY MEETING*

**13. OLD BUSINESS**

**14. NEW BUSINESS**

- A. Discussion of the City of Leawood's requirement of ICC certification of roofing materials.

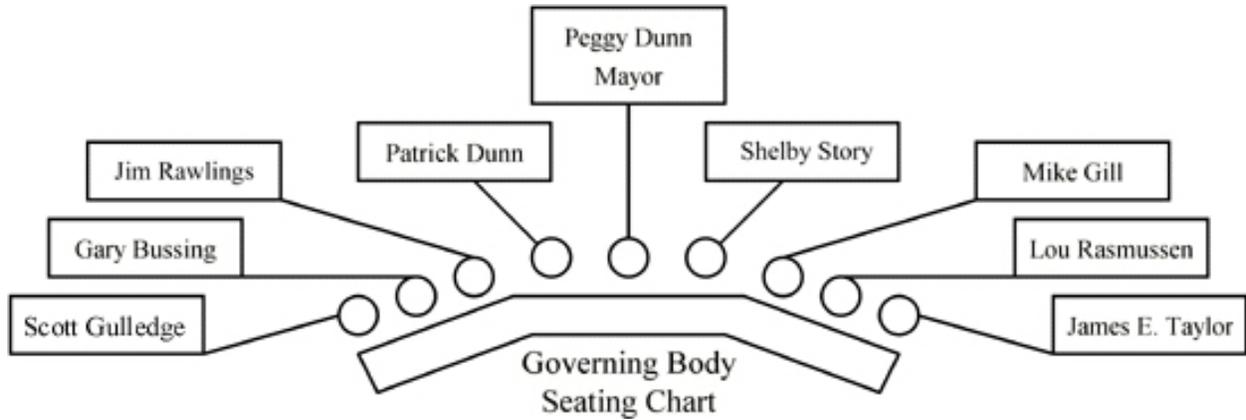
*Staff Comment: The City of Leawood by ordinance, requires that all roofing materials that are installed within the City, receive and maintain an ICC certification. Over the past several months, there have been several requests by city residents to utilize a roofing material that has yet to be certified by the ICC. Therefore, the City Administrator has denied the installation of such materials. The manufacturer has stated that they are in the process of securing ICC certification and this process should be completed within the next 6 months. The Governing Body may want to consider allow the staff to issue 'at-risk' permits for the installation of this material while the certification process is pending.*

**15. OTHER BUSINESS**

- \*A. Schedule Executive Session immediately following the regularly scheduled Governing Body meeting on April 5, 2004 to discuss Personnel Matter
- \*B. Referral to Public Works Committee regarding sidewalk and traffic concerns in and around the Pavilions Subdivision

# 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:** 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 members present ["Simple Majority"]
- **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.