

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, May 3, 2010
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

MAY 2010							JUNE 2010						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

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
Andrew Osman

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

- ▶ **Public Service Recognition Week, May 3-9, 2010**
- ▶ **Building Safety Month, May, 2010**
- ▶ **National Public Works Week, May 16-22, 2010**
- ▶ **Municipal Clerks Week, May 2-8, 2010**

5. PRESENTATIONS/RECOGNITIONS

Recognition of Essay & Art Contests Finalists from Green Initiative Task Force

6. SPECIAL BUSINESS

- A. Presentation of 2009 Annual Audit

- B. **Resolution No. 3390** accepting the 2009 Comprehensive Annual Financial Report [Audit] for the City of Leawood, Kansas - **Approved**
- C. **Public Hearing:** Proposed Assessments for 135th Street and Fontana Traffic Signalization Project [Project # 80403]
- D. **Ordinance No. 2442** 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 135th Street and Fontana Traffic Signalization Project [Project # 80403] [Roll Call Vote] - **Passed**
- E. **Public Hearing:** Proposed Assessments for improvements to Villaggio Development Project [Project # 83197]
- F. **Ordinance No. 2443** 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 improvements to Villaggio Development Project [Project # 83197] [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. 2010-14, 2010-15, and 2010-16 - **Accepted**
- B. Accept minutes of the April 19, 2010 Governing Body meeting - **Accepted**
- C. Accept minutes of the March 16, 2010 Historic Commission meeting - **Accepted**
- D. Accept minutes of the February 4, 2010 Leawood Foundation meeting - **Accepted**
- E. Accept minutes of the February 25, 2010 Leawood Foundation meeting - **Accepted**
- F. Accept minutes of the February 25, 2010 Ironhorse Advisory Board meeting - **Accepted**
- G. Accept minutes of the February 16, 2010 Public Works Committee meeting - **Accepted**
- H. Mayoral Appointment for Governing Body Presiding Officers from May 2010 through April 2011 - **Approved**
- I. Approval of Sustainability Advisory Board - **Approved**
- J. Mayoral Appointments of Council Liaisons and Volunteers for Committees, Commissions and Boards - **Approved**
- K. Approve renewal of Retail Liquor License for Wolff's Fine Wines & Spirits, located at 11841 Roe - **Approved**
- L. Approve purchase in the amount of \$45,010.51, from Heritage Tractor, for the purchase of Parks and Recreation maintenance equipment [11' rotary mower] - **Approved**
- M. Approve purchase in the amount of \$23,668.95, from Smitty's Lawn & Garden, for the purchase of Parks and Recreation maintenance equipment [3 72" zero turn rotary mowers] - **Approved**
- N. **Resolution No. 3391** approving and authorizing the Mayor to execute an Engineering Inspection Agreement, between the City and Secretary of Transportation of the State of Kansas, [KDOT] for American Recovery and Reinvestment Act of 2009 Project [ARRA – Agreement No. 181-09] [46N-0449-01] for the grading and surfacing of 103rd Street between State Line Road and Mission Road - **Approved**

- O. **Resolution No. 3392** approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,432,584.80 between the City and Miles Excavating, Inc., for American Recovery and Reinvestment Act of 2009 Project [ARRA – Agreement No. 181-09] [46N-0449-01] for the grading and surfacing of 103rd Street between State Line Road and Mission Road - **Approved**
- P. **Resolution No. 3393** approving and authorizing the Mayor to execute an Inter-local Agreement in the amount of \$2,000, between the City and Kansas City Metropolitan Crime Commission pertaining to the Crime Stoppers Program - **Approved**
- Q. **Resolution No. 3394** approving a Final Sign Plan for Mission Farms – Arvest Bank, located at the northeast corner of Mission Road and I-435 (PC Case # 34-10) - **Approved**
- R. **Resolution No. 3395** approving a Final Sign Plan for Nall Valley Shops – Zenail & Spa, located at 5321 W. 151st Street (PC Case # 36-10) - **Approved**
- S. **Resolution No. 3396** approving a Final Site Plan for Ranchmart North – O’Neills Restaurant & Bar, located at 9417 Mission Road (PC Case #37-10) - **Approved**
- T. **Resolution No. 3397** approving a Final Sign Plan for Mission Farms – Julia Shapiro Photography + Art, located at 10517 Mission Road (PC Case # 39-10) - **Approved**
- U. **Resolution No. 3398** approving a Final Site Plan for a Tenant Finish for Wells Fargo, located at the northwest corner of 103rd Street and State Line Road (PC Case # 41-10) - **Approved**

8. MAYOR’S REPORT

9. COUNCILMEMBERS’ REPORT

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the April 27, 2010 Planning Commission meeting]

Resolution No. 3399 approving a Final Site Plan for a Tenant Finish for Market Square – Dog Days Pet Resort (Kennel), located north of 135th Street and east of Mission Road. (PC Case # 17-10) - **Approved**

12. OLD BUSINESS

13. OTHER BUSINESS

14. NEW BUSINESS

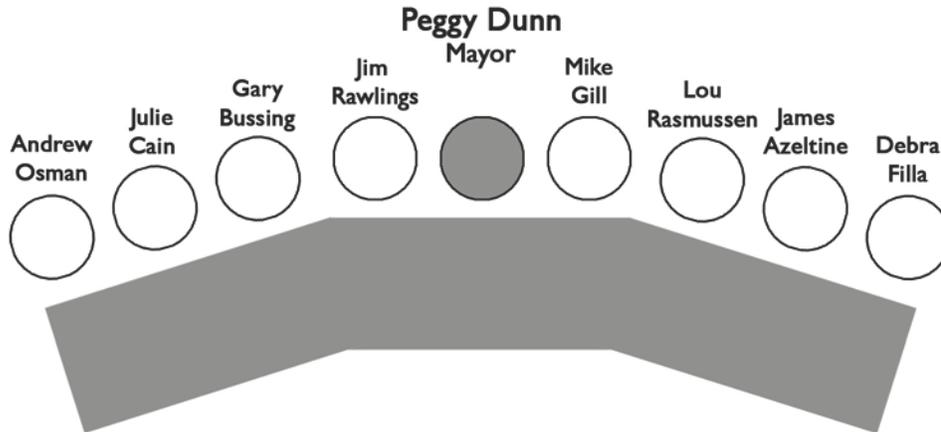
- A. **Ordinance No. 2444** granting to tw telecom of kansas city llc, (formerly, Xspedius Management Co. of Kansas City, LLC D/B/A Xspedius Communications), a Contract Franchise to construct, operate, and maintain a telecommunications system in the City of Leawood, Kansas [Roll Call Vote] - **Passed**
- B. Schedule a Governing Body Work Session at 6:00 P.M. on Monday, August 2, 2010 to discuss future use of current Police Facility and former City Hall buildings - **Approved**
- C. Schedule a Governing Body Work Session at 6:00 P.M. on Monday, August 16, 2010 to discuss future use of current Police Facility and former City Hall buildings - **Approved**

- D. Schedule a Governing Body Work Session at 6:00 P.M. on Monday, September 20, 2010 to discuss revisions to Leawood Development Ordinance [LDO] pertaining to height and massing - **Approved**
- *E. Direct staff to suspend enforcement of the City's anti-scavenger provisions [Code §11-102] commencing June 4th and ending at midnight on June 6th 2010 for properties located north of 95th Street and within the City of Leawood for large item trash pickup purposes - **Approved****

ADJOURN

DATE	TIME	SUBJECT	LOCATION
May 3	6:00 P.M.	Discuss Transportation Development District [TDD] financing for One Nineteen Development	Main Conf. Room
June 7	6:00 P.M.	Discuss Preliminary Site Plan for future Justice Center	Main Conf. Room
June 21	6:00 P.M.	Pre-Budget 2011-2015 CIP Discussion	Main Conf. Room
June 28	6:00 P.M.	Joint Governing Body/Budget & Finance Committee Work Session	Main Conf. Room
June 29	6:00 P.M.	Joint Governing Body/Budget & Finance Committee Work Session	Main Conf. Room
July 6	6:00 P.M.	Discuss Transient Guest Tax and Transportation Development District [TDD] financing for Park Place Improvement District [CIP # 80196]	Main Conf. Room
July 19	6:00 P.M.	Review of Mission Statements of various Committees and Boards	Main Conf. Room
August 2	6:00 P.M.	Discuss future use of current Police Facility and former City Hall buildings	Main Conf. Room
August 16	6:00 P.M.	Discuss future use of current Police Facility and former City Hall buildings	Main Conf. Room
September 7	6:00 P.M.	Personnel Matter; City Administrator's 6-month review	Main Conf. Room
September 20	6:00 P.M.	Discuss revisions to Leawood Development Ordinance [LDO] pertaining to height and massing	Main Conf. Room

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:** 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.