

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, May 16, 2005
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

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

*AMEDNED 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

Scott Gullede
James Taylor

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

- National Police Week, May 12-16, 2005
- National Peace Officers' Memorial Day, May 15, 2005
- National Trails Day, June 4, 2005
- National Public Works Week, May 15-21, 2005
- Emergency Medical Services Week, May 15-21, 2005

5. PRESENTATIONS/RECOGNITIONS **Kansas Preservation Alliance Award for Excellence to the Leawood Historic Commission**

6. SPECIAL BUSINESS

Leawood Chamber of Commerce Budget Presentation by Kevin Jeffries

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. 1025B and 1026A
- B. Accept minutes of the May 2, 2005 Governing Body meeting
- C. Accept minutes of the April 12, 2005 Historic Commission meeting
- D. Accept minutes of the February 23, 2005 Ironhorse Advisory Board meeting
- E. Approve Renewal of Retail Liquor Store License for Wolff's Fine Wines & Spirits, located at 11841 Roe Avenue
- F. Approve bid request in the amount of \$ 21,657.00, to Turf Technology, pertaining to the purchase of Park and Recreation mowing/landscape equipment
- G. Resolution approving and authorizing the Mayor to execute an Addendum to that certain Independent Contractor Agreement dated July 19, 2004, in the amount of \$36,851.00, between the City and D Fence Gate, Rail & Fence Company, pertaining to the installation of a perimeter fence at IRONHORSE Golf Club
- H. Resolution approving a Temporary Permit to conduct the Taste of Leawood fundraising event on June 11, 2005, in accordance with Code § 3-216
- I. Resolution approving a 2nd amended 2006-2010 Capital Improvement Program [C.I.P.] for the City of Leawood, Kansas and repealing Resolution N0. 2389
- J. Certification of Costs for improvements to Roe Avenue, Nall Avenue and 137th Street [Church of the Resurrection] [CIP # 190]
- K. Certification of Costs for construction of Briar Street between 135th Street and 137th Street, construction of improvements to 135th Street from immediately east of Briar Street to Nall Avenue and construction of improvements to 137th Street between Briar Street and Nall Avenue [Church of the Resurrection] [CIP # 191]
- L. Certification of Costs for improvements to the intersection of 135th Street and Roe Avenue, [CIP # 194]
- M. Certification of Costs for 119th Street & Mission Road Intersection Improvement Project [CIP # 159]
- N. Resolution approving a Final Plat and Final Site Plan for State Line Office Building located south of 127th Street and west of State Line Road [*from the April 26, 2005 Planning Commission meeting*]
- O. Resolution approving a Final Site Plan for Ironhorse Centre - Lot 3 located on the southeast corner of 151st Street and Nall Avenue [*from the April 26, 2005 Planning Commission meeting*]
- P. Resolution approving a Final Site Plan for Ironhorse Centre - Lot 4 located on the southeast corner of 151st Street and Nall Avenue [*from the April 26, 2005 Planning Commission meeting*]
- Q. Police Department Monthly Report
- R. Fire Department Monthly Report
- S. Municipal Court Monthly Report

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[from the April 12, 2005 Planning Commission meeting]

- A. Resolution approving a Final Site Plan and Final Plat for Villaggio of Leawood - West located south of 135th Street and east of Roe Avenue – ***Continued from the May 2, 2005 Governing Body - CONTINUED TO THE JUNE 6, 2005 GOVERNING BODY MEETING***

[from the April 12, 2005 Planning Commission meeting]

- B. Ordinance approving a Preliminary Site Plan for Cornerstone - Plaza III located on the southwest corner of 135th Street and Briar within the Cornerstone development [Roll Call Vote]

Staff Comment: The City Administrator recommends that under Stipulation No. 6, the words 'as near as possible' be removed, so the sentence would read.... 'Cornerstone development, to restore the original concept of the pedestrian.....'

[from the April 26, 2005 Planning Commission meeting]

- C. Resolution approving a Final Site Plan for Cornerstone - Cheeseburger in Paradise and Bonefish Grill located on the southeast corner of 135th Street and Nall Avenue within the Cornerstone development

[from the April 26, 2005 Planning Commission meeting]

- * D. Ordinance approving a rezoning for a portion of the property from SD-CR [Planned General Retail] to SD-O [Planned Office], Preliminary Site Plan and Preliminary Plat for the 135th and Mission development located on the northwest corner of 135th Street and Mission Road [Roll Call Vote] ***-THIS ITEM HAS BEEN CONTINUED TO THE JUNE 6, 2005 GOVERNING BODY MEETING***

12. OLD BUSINESS

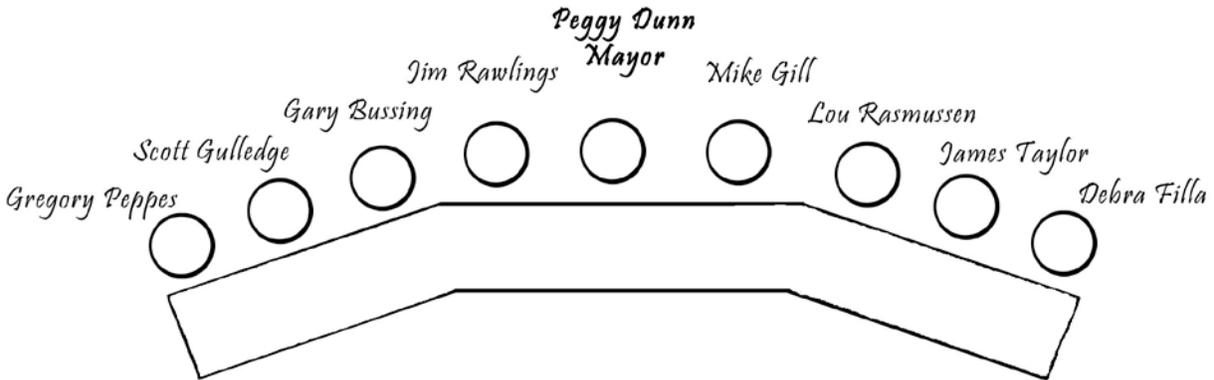
13. NEW BUSINESS

- A. Resolution amending and restating Resolution No. 2165, finding as to the advisability of and authorizing the improvement and construction of 133rd Street between Roe Avenue and the western city limit, Briar from 133rd Street South to 135th Street, 135th Street from the western city limit East to Roe Avenue and Roe Avenue between 133rd Street and 135th Street and other amenity features, located within the City of Leawood, Kansas, and accepting First Amended Petition for Improvement District, pursuant to K.S.A. § 12-16a01 Et Seq. [Parkway Plaza East/West CIP # 195] [*Continued from the May 2, 2005 Governing Body meeting*]
- B. Resolution No. 2399, ordering a public hearing to be held on June 6, 2005, at 7:30 P.M., or as soon thereafter as may be heard on proposed assessments for the Roe Avenue, Nall Avenue and 137th Street Improvement Project in the vicinity of Briar Street, 137th Street and 139th Street, and directing the City Clerk to publish notice thereof and provide written notice to owners of property of such assessments [CIP # 190] [Roe/Nall & 137th Street]
- C. Resolution No. 2400, ordering a public hearing to be held on June 6, 2005, at 7:30 P.M., or as soon thereafter as may be heard on proposed assessments for construction of Briar Street between 135th Street and 137th Street, construction of improvements to 135th Street from immediately east of Briar Street to Nall Avenue and construction of improvements to 137th Street between Briar Street and Nall Avenue, and directing the City Clerk to publish notice thereof and provide written notice to owners of property of such assessments [CIP # 191] [137th & Briar]
- D. Resolution No. 2401, ordering a public hearing to be held on June 6, 2005, at 7:30 P.M., or as soon thereafter as may be heard on proposed assessments for the 135th Street and Roe Avenue Improvement Project, and directing the City Clerk to publish notice thereof and provide written notice to owners of property of such assessments [CIP # 194] [135th & Roe turn lanes]
- E. Resolution finding as to the advisability and authorizing the construction of improvements to Nall Avenue, 117th Street, Town Center Drive and Roe Avenue and construction of storm water improvements within the City of Leawood, Kansas; and accepting Petition for establishment of an Improvement District, pursuant to K.S.A. § 12-16a01 Et Seq. [Park Place CIP # 196]

14. OTHER BUSINESS

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:** 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”]
- **Approving, Overriding, Amending or Revising Recommendation after Remand:** 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.