

# CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, June 21, 2004  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:30 P.M.

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

(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	Louis Rasmussen	Gary Bussing	Scott Gullede
Gregory Peppes	Jim Rawlings	Mike Gill	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 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**

**5. PRESENTATIONS/RECOGNITIONS Retirement of Training Chief Gary Bottoms; 28 years of service**

**6. SPECIAL BUSINESS**

A. **PUBLIC HEARING:** Proposed Assessments for the 133<sup>rd</sup> Street [between Mission Road and Roe Avenue] Improvement Project [ CIP # 179]

B. **Ordinance No. 2064**, levying assessments on lots, pieces and parcels of property located in the City of Leawood, Kansas, for the purpose of paying for the cost of improvements to 133<sup>rd</sup> Street between Mission Road and Roe Avenue [CIP # 179] [Roll Call Vote]

C. Presentation by the Arts Council of art pieces by Tom Corbin, to be located at Ironhorse Centre, 151<sup>st</sup> St. and Nall Avenue

- D. Ordinance granting to Southwestern Bell Telephone, L.P., a Franchise to construct, operate and maintain a Telecommunications System in the City of Leawood, Kansas, prescribing the terms of said Franchise, and repealing Ordinance No. 1794 [Roll Call Vote]
- E. Resolution approving and authorizing the Mayor to execute a Public Lands Use Agreement between the City of Leawood and Southwestern Bell Telephone, L.P., pertaining to the installation and maintenance of communication facilities located within existing conduit.
- F. Resolution granting a Permanent Easement to Southwestern Bell Telephone, L.P., for the placement of an Equipment Station located at 9615 Lee Boulevard

**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. Approval of Appropriation Ordinance No. 1001
- B. Accept Minutes of the June 7, 2004, Governing Body meeting
- C. Accept Minutes of the May 11, 2004, Historic Commission meeting
- D. Accept Minutes of the May 11, 2004, Parks and Recreation Advisory Board meeting
- E. Renewal of Cereal Malt Beverage [CMB] License for Zipz Convenience Store, located at 4821 W. 135<sup>th</sup> Street
- F. Renewal of Retail Liquor Store License for Zipz! Spiritz, located at 4821 West 135<sup>th</sup> Street
- G. Renewal of Cereal Malt Beverage [CMB] License for Price Chopper # 500, located at 13351 Mission Road
- H. Approve purchase in the amount of \$20,645.00, from Video Analyst, pertaining to the purchase of a Video Analyst System, in connection with the approved Federal Police Byrne Grant
- I. Approve purchase in the amount of \$20,686.32, from Motorola, Inc., pertaining to the purchase of police radios, in connection with the approved Federal Police Byrne Grant
- J. Approve Change Order No. 3, in the amount of \$25,344.99, to Miles Construction Company, pertaining to the JB-04-008 SMAC Project, Lee Boulevard to State Line and 103 Street to I-435 Highway
- K. Approve Change Order No. 21, in the amount of \$1,847.57, to Vanum Construction, Inc., pertaining to the Ironwoods Park Project, 14701 Mission Road [CIP # 116]
- L. Resolution approving and authorizing the Mayor to execute Supplemental Agreement No. 1, to that certain Inter-local Agreement between the City and Kansas Department of Transportation [KDOT] pertaining to the Roe Avenue Improvement Project [between 124th Street and 135th Street] [CIP # 110]

- M. Resolution approving and authorizing the Mayor to execute a Construction Agreement between the City and Seal-O-Matic Paving Co., Inc., in the amount of \$1,193,280.00, pertaining to the 2004 Mill & Overlay Program
- N. Resolution consenting to the enlargement of Consolidated Main Sewer District of Johnson County, Kansas, [JCUWD] by the Board of County Commissioners of Johnson County, Kansas [BOCC], pursuant to Johnson County Charter Resolution No. 29-92, for property located in the vicinity of 145<sup>th</sup> Terrace and Kenneth Road
- O. Resolution accepting Temporary Construction and Permanent Drainage Easements located at 8424 Ensley Lane, from Philip Wang, for stormwater drainage improvements pertaining to the Dykes Branch SMAC DB-04-024 Project; 83 Street & Wenonga south to 86 & Cherokee
- P. Resolution accepting Temporary Construction and Permanent Drainage Easements located at 8610 Meadow Lane, from Charles L. Jones, for stormwater drainage improvements pertaining to the Dykes Branch SMAC DB-04-024 Project; 83 Street & Wenonga south to 86 & Cherokee
- Q. Resolution approving the Final Site Plan and Final Plat for Nall Valley located on the northeast corner of 151<sup>st</sup> Street and Nall Avenue *[from the June 8, 2004, Planning Commission meeting]*
- R. Police Department Monthly Report
- S. Fire Department Monthly Report
- T. Municipal Court Monthly Report

**8. MAYOR'S REPORT**

**9. COUNCILMEMBERS' REPORT**

**10. STAFF REPORT**

***COMMITTEE RECOMMENDATIONS***

**11. PLANNING COMMISSION**

*[from the May 11, 2004, Planning Commission meeting]*

- A. Ordinance approving a 20-year Special Use Permit [SUP] for a SBC/PRONTO DSL Box to be located at 9615 Lee Boulevard [Roll Call Vote]

*[from the May 25, 2004, Planning Commission meeting]*

- B. Ordinance approving preliminary site plan for Cornerstone, Lot 5 - Ted's Montana Grill located at the southeast corner of 135<sup>th</sup> Street and Nall Avenue [Roll Call Vote]

**12. OLD BUSINESS**

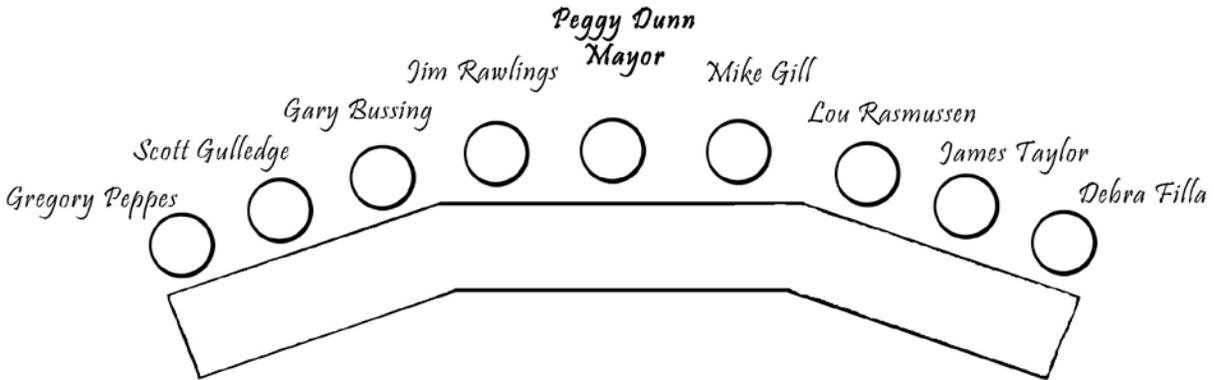
**13. NEW BUSINESS**

- A. Ordinance authorizing and providing for the acquisition of lands or interests therein by condemnation for the improvement of Dykes Branch Channel Improvement Project [SMAC Project DB-04-024] between 83<sup>rd</sup> Street and Wenonga, south to 86<sup>th</sup> Street and Overhill Road [Roll Call Vote]

## 14. OTHER BUSINESS

### 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.