

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, July 16, 2007
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

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

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

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 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

6. SPECIAL BUSINESS

- A. Approve City Administrator's recommendation to permit a 40-foot interim height limitation on residential structures on lots two acres or greater; and a 35-foot interim height limitation on residential structures on lots under two acres [See January 16, 2007 Governing Body minutes; Leawood Development Ordinance § 16-2-5]

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. 1080B, 1081A, 1081B, and 1082A
- B. Accept Minutes of the June 4, 2007 Governing Body Work Session meeting
- C. Accept Minutes of the June 18, 2007 Governing Body meeting
- D. Accept Minutes of the June 18, 2007 Governing Body Work Session meeting
- E. Accept Minutes of the May 16, 2007 Public Works Committee meeting
- F. Accept Minutes of the April 24, 2007 Arts Council meeting
- G. Revised Certification of Cost in the amount of \$450,679.00 pertaining to the 135th Street and Briar Median Cut Project, CIP # 80193
- H. Revised Certification of General Obligation at-large Project Costs [Total Amount \$6,589,321.00] in the amount of \$320,000, pertaining to the Dykes Branch Improvement Project [83106]; \$2,130,000, pertaining to the Nall Avenue [135th – 143rd] Improvement Project [83139]; \$372,237, pertaining to the 92nd Street & State Line Signalization Project [83157]; and \$3,767,085, pertaining to the Residential Street Program Phases II and III [83202]
- I. Resolution accepting a Permanent Sidewalk Easement and Deed of Dedication from Megaplex Nine, Inc., pertaining to the Park Place Development Project
- J. Resolution accepting a Deed of Dedication from Commerce Bank, N.A., pertaining to the Park Place/Town Center Drive Improvements.
- K. Resolution approving and authorizing the Mayor to execute a Construction Agreement between the City and O'Donnell & Sons Construction in the amount of \$886,803.65, pertaining to the 2007 Arterial Mill & Overlay Project
- L. Resolution approving and authorizing the Mayor to execute a First Amendment to that certain Design Build Construction Agreement, dated January 17, 2007, between the City and SM Wilson, LLC, for an amount not to exceed \$865,000, pertaining to the construction of new buildings at Ironwoods Park, located at 14701 Mission Road; for 3 buildings: Park Maintenance Building; Restroom/Showers for the cabins; and restroom adjacent to the playground
- M. Resolution to approve a Final Plat for Reed's Addition, located north of Ironwoods Drive and west of Mission Road
- N. Resolution to approve a revised Final Site Plan for Park Place Building F, located at the northeast corner of 117th Street and Nall Ave
- O. Resolution to approve a Final Plat for I Parkway 133 Second Plat, located at 135th Street and Roe Ave., within the Parkway Plaza development
- P. Resolution to approve a Final Site Plan for a tenant finish for One Nineteen - West Elm, located at the southeast corner of 119th Street and Roe Avenue located within the One Nineteen Development
- Q. Resolution to approve a Final Site Plan for a tenant finish for One Nineteen - Z Gallery, located at the southeast corner of 119th Street and Roe Avenue located within the One Nineteen Development
- R. Fire Department Monthly Report
- S. Municipal Court Monthly Report
- T. Police Department Monthly Report

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

- A. **Request from Councilmember Rasmussen: Assignment for Public Works Committee**
Design Consultant to be selected for the 143rd Street Improvement Project [between Nall and Windsor]

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the June 12, 2007 Planning Commission meeting]

- A. Ordinance approving a Preliminary Site Plan and Final Site Plan for Gezer Park, located on the northeast corner of 133rd Street and Mission Road [Roll Call Vote]

[From the June 26, 2007 Planning Commission meeting]

- B. Resolution approving a Revised Final Site Plan for Ironwoods Park, located at 146th Street and Mission Road
- C. Ordinance approving a Special Use Permit [SUP] for an AT&T VRAD cabinet, located at 3601 W. 123rd Street [Roll Call Vote]
- D. Resolution approving a Final Site Plan for Parkway Plaza Sumo Restaurant, located north of 135th Street and west of Briar
- E. Ordinance approving a Revised Preliminary Site Plan for Capitol Federal at Nall Valley Shops, at the northeast corner of 151st Street and Nall Avenue, located within the Nall Valley Shops development [Roll Call Vote]
- F. Ordinance approving a Revised Preliminary Site Plan for Plaza Lot 11, at 135th Street and Roe Avenue, located within the Plaza Pointe Development [Roll Call Vote]

12. OLD BUSINESS

13. OTHER BUSINESS

- A. Ordinance amending Sections 14-505 and 14-509 of the Code of the City of Leawood, 2000, specifically “Police Department Tow/Wrecker Rotation List,” and “Wrecker and Tow Service Fees and Charges,” respectively, and repealing existing sections [Roll Call Vote]
- B. Schedule a Governing Body Work Session at 6:30 P.M. on Monday, August 6, 2007, to discuss Transportation Development District [TDD] for Park Place Improvement District for property located at 117 & Nall Avenue
- C. Schedule a Governing Body Work Session at 6:30 P.M. on Monday, August 20, 2007, to discuss Transportation Development District [TDD] for 135th Street; underground of electrical utilities and widening of the south side of 135th Street
- D. Resolution No. 2839 expressing intent for the issuance of General Obligation Bonds of the City of Leawood, Kansas pursuant to K.S.A. 12-6a.01 et seq. to provide funds to pay the costs of improvements to the intersection of 135th Street and Fontana Street within the City, and for the issuance of Temporary Notes of the City pending the issuance of said Bonds; expressing the intent to reimburse costs of the project so incurred from proceeds of such Temporary Notes and General Obligation Bonds; and authorizing and approving certain related matters and actions [CIP # 80403]
- E. Resolution No. 2840 amending Resolution No. 2625, authorizing the improvement of a certain section of Nall Avenue, a main trafficway, between 143rd Street and 159th Street within the City of Leawood. [CIP #80143]

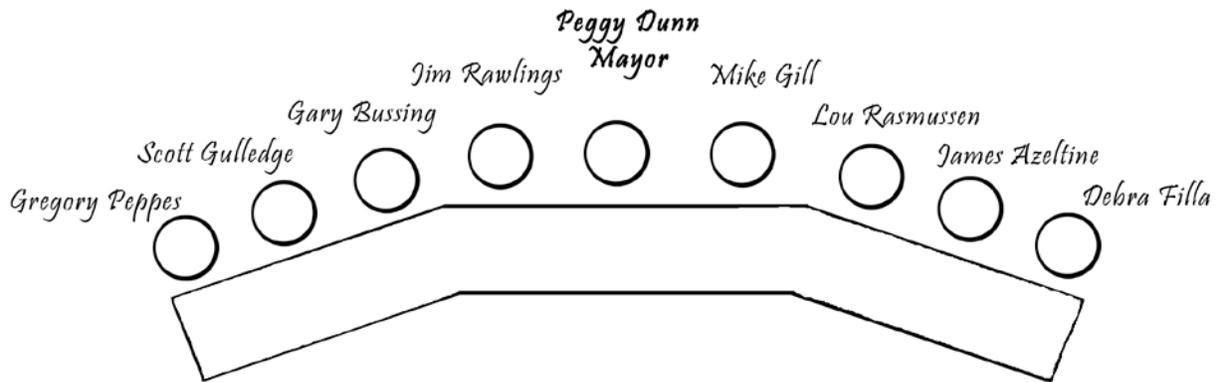
14. NEW BUSINESS

[From the June 26, 2007 Planning Commission meeting]

- A. Ordinance approving a rezoning from SD-CR [Planned General Retail] to SD-O [Planned General Office], Preliminary Site Plan and Preliminary Plat for One Hallbrook Office, located east of Overbrook Road and north of 112th Street [Roll Call Vote]

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 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.