

**CITY OF LEAWOOD  
GOVERNING BODY  
MEETING AGENDA**

Monday, August 17, 2009  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:30 P.M.

AUGUST							SEPTEMBER						
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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)

<b>Mayor Peggy Dunn</b>	<b>Councilmembers</b>			
	<u><b>Ward One</b></u>	<u><b>Ward Two</b></u>	<u><b>Ward Three</b></u>	<u><b>Ward Four</b></u>
	Debra Filla Gregory Peppes	Louis Rasmussen Jim Rawlings	Gary Bussing Mike Gill	Julie Cain James Azeltine

1. **PLEDGE OF ALLEGIANCE** **Fire Department Honor Guard**
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** **Retirement of Fire Captain Ron Peters  
March 19, 1985-October 1, 2009**
6. **SPECIAL BUSINESS**
  - A. **Resolution No. 3246** authorizing the sale by the City of Leawood, Kansas of General Obligation Temporary Notes of the City to provide funds to finance the costs of certain public improvements within said City; approving the form of Notice of Bond Sale and Preliminary Official Statement to be used in connection therewith; and authorizing and directing the City Finance Director to advertise such sale in the manner prescribed by law - Approved

- B. **PUBLIC HEARING** Consider the vacation of drainage easement located in Lot 2, The Villaggio at Leawood, a subdivision of land located in the City of Leawood, common situs address, approximately 137<sup>th</sup> & Roe Avenue
- C. **Ordinance No. 2408** vacating a Drainage Easement located in Lot 2, The Villaggio at Leawood [Pawnee Place, LLC] a subdivision of land located in the City of Leawood, located at approximately 137<sup>th</sup> and Roe Avenue [Roll Call Vote] - **Passed**
- D. **Resolution No. 3247** accepting a Permanent Drainage Easement located in Lot 2, The Villaggio at Leawood, [Pawnee Place, LLC] a subdivision of land located in the City of Leawood, located at approximately 137<sup>th</sup> and Roe Avenue - **Approved**
- E. **Resolution No. 3248** accepting the portion of the Master Plan concept prepared by Kevin Cowan, for proposed future expansion of the amphitheatre, referenced in the plan as “Phase III,” located within Ironwoods Park, 14701 Mission Road - **Approved**

## 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 No. 2009-31 - **Accepted**
- B. Accept Minutes of the July 20, 2009 Governing Body meeting - **Accepted**
- C. Accept Minutes of the July 20, 2009 Governing Body Work Session - **Accepted**
- D. Accept Minutes of July 14, 2009 Parks and Recreation Advisory Board meeting- **Accepted**
- E. Approve Cereal Malt Beverage [CMB] license to Paddy O’Quigley’s, located at 11851 Roe Avenue- **Approved**
- F. Approve Cereal Malt Beverage [CMB] license to RA Sushi Bar Restaurant, located at 11638 Ash - **Approved**
- G. **Resolution No. 3249** adopting the Fiscal Year 2010 Annual Budget for the City of Leawood, Kansas - **Approved**
- H. **Resolution No. 3250** approving and authorizing the Mayor to execute a Service Agreement between the City and KR Lamming Electric, Co., in the amount of \$43,750.00 pertaining to the installation of Fire Station No. 1 Generator - **Approved**
- I. **Resolution No. 3251** approving and authorizing the Mayor to execute Amendment No. 2 to that certain Professional Engineering Service Agreement dated February 16, 2009, between the City and Phelps Engineering, Inc., in the amount of \$84,900.00, pertaining to the 2010 Residential Reconstruction Program [CIP# 80210 & 77005] - **Approved**
- J. **Resolution No. 3252** approving of a Final Sign Plan for Mission Farms – Oppenheimer Sign Plan, located on the northeast corner of I-435 Highway and Mission Road (PC Case # 40-09) [from the July 28, 2009 Planning Commission meeting] - **Approved**
- K. **Resolution No. 3253** approving a Final Sign Plan for Park Place - Tortoise Capital Advisors, located at 11500 Ash Street (PC Case # 44-09) [from the July 28, 2009 Planning Commission meeting] - **Approved**
- L. Declaration of surplus property; Kawasaki Portable Generator & Spreader - **Approved**
- M. Police Department Monthly Report

- N. Fire Department Monthly Report
- O. Municipal Court Monthly Report

**8. MAYOR'S REPORT**

**9. COUNCILMEMBERS' REPORT**

- A. Councilmember Rawlings: Referral to Stormwater Committee regarding Education surrounding stormwater management issues and the awareness program for citizens

**10. STAFF REPORT**

***COMMITTEE RECOMMENDATIONS***

**11. PLANNING COMMISSION**

***[From the July 28, 2009 Planning Commission meeting]***

- A. **Resolution No. 3254** approving a Revised Final Site Plan for Gardens of Villaggio - Lot 3, located north of 137th Street and east of Roe Avenue (PC Case #41-09) - **Approved**
  
- B. **Resolution No. 3255** approving a Final Site Plan for a tenant finish for One Nineteen - Destination Maternity, located on the southeast corner of 119<sup>th</sup> Street and Roe Avenue (PC Case #42-09) - **Approved**

**12. OLD BUSINESS**

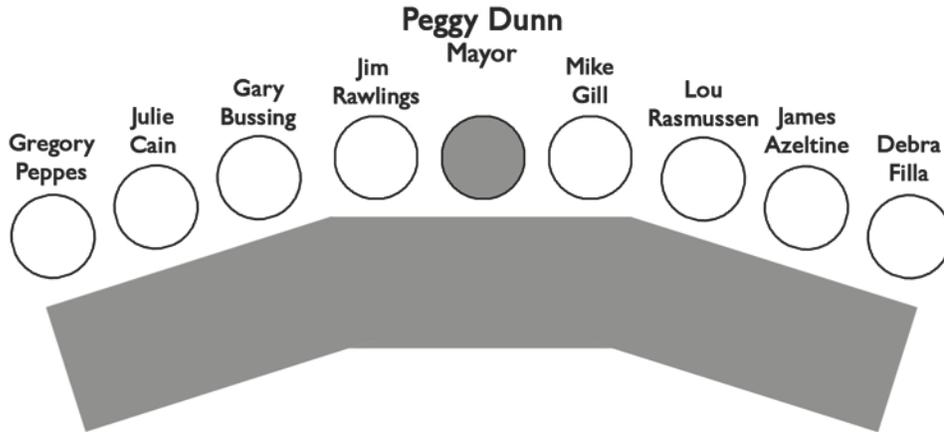
**13. OTHER BUSINESS**

**14. NEW BUSINESS**

- A. Schedule a Governing Body Executive Session on Monday, August 17, 2009, immediately following the regular meeting to discuss matters related to attorney-client privilege - **Approved**

**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:**  $\frac{3}{4}$  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.