

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, September 8, 2008
Council Chamber
4800 Town Center Drive
Leawood, KS 66211

7:00 P.M.—PLEASE NOTE START TIME *****

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

ACTION AMENDED AGENDA

(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 Gregory Peppes	Louis Rasmussen Jim Rawlings	Gary Bussing Mike Gill	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

Nat'l Payroll Week, September 1-5, 2008

5. PRESENTATIONS/RECOGNITIONS

6. SPECIAL BUSINESS

A. **Resolution No. 3095** authorizing the issuance and delivery of \$20,760,000 principal amount of General Obligation Temporary Notes of the City of Leawood, Kansas, for the purpose of financing a portion of the costs of certain public improvements in the City; and prescribing the terms and details of said notes and certain covenants and agreements with respect thereto - **Approved**

- B. **Ordinance No. 2338** authorizing and providing for the issuance and delivery of \$20,760,000 principal amount of General Obligation Temporary Notes of the City of Leawood, Kansas, to provide funds to finance the cost of certain public improvement projects within the City; and making certain covenants with respect thereto [Roll Call Vote] - **Passed**

- C. **Resolution No. 3096** prescribing the form and details of and authorizing the delivery of \$9,675,000 principal amount of General Obligation Improvement Bonds, Series 2008-B, and \$2,700,000 Taxable General Obligation Improvement Bonds, Series 2008-C of the City of Leawood, Kansas, authorized by Ordinance No. 2338 of the City; providing certain covenants and agreements with respect thereto; and providing for execution of certain agreements in connection therewith - **Approved**

- *F. **Ordinance No. 2339** authorizing the issuance and delivery of 9,675,000 principal amount of General Obligation Improvement Bonds, Series 2008-B, and \$2,700,000 Principal Amount of Taxable General Obligation Improvement Bonds, Series 2008-C of the City of Leawood, Kansas providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the Bonds as they become due; and making certain covenants with respect thereto [Roll Call Vote] - **Passed**

- *D. **PUBLIC HEARING** Public Hearing on the advisability of the creation of a Transportation Development District for the One Nineteen Development located on the southeast corner of 119th Street and Roe [CIP # 80456]-
CONTINUED TO THE SEPTEMBER 15, 2008 GOVERNING BODY MEETING

- E. Resolution approving Final Site Plan located approximately at the southeast corner of 137th Street and Mission Road for multi-family housing [Applicant: Oddo Development]—***THIS ITEM NEEDS TO BE TABLED***

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. 1109B, 1110A, and 1110B - **Accepted**
- B. Accept Minutes of the August 18, 2008 Governing Body meeting - **Accepted**
- C. Accept Minutes of the June 24, 2008 Joint Governing Body/Budget & Finance Committee Work Session meeting - **Accepted**
- D. Accept Minutes of the May 28, 2008 Leawood Foundation meeting - **Accepted**
- E. Approve renewal of Retail Liquor License for Ranchmart Wine and Spirit Shoppe located at 3748 W. 95th Street - **Approved**

- F. **Resolution No. 3097** approving and authorizing the Mayor to execute an Amended Inter-local Agreement between the City and the Board of Johnson County Commissioners [BOCC] pertaining to the creation and establishment of the Transportation Cooperation Council [TCC] as a collaborative organization to serve as an advisory board to maintain and improve the community's mobility through a unified vision of transportation [previously approved through Resolution No. 3027; 05-05-08] - **Approved**
- G. Approve Change Order No. 1 in the amount of \$19,274.00 to Bruner Contracting Company, LLC, pertaining to the Public Works Storage Facility located at 14303 Overbrook [CIP # 76011] - **Approved**

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the July 22, 2008 Planning Commission meeting]

- A. **Ordinance No. 2340** approving a Preliminary Site Plan, Final Site Plan and Final Plat for Bi-State Centennial Park, Lots 10 & 11, located north of 141st Terrace and east of Overbrook [PC Case 58-08] [Roll Call Vote] – ***CONTINUED FROM THE AUGUST 18, 2008 GOVERNING BODY MEETING*** - **Passed**
- B. **Ordinance No. 2341** approving a Special Use Permit for Molle Offsite Parking, located approximately at 104th Street and State Line Road [PC Case 47-08] [Roll Call Vote] – ***CONTINUED FROM THE AUGUST 18, 2008 GOVERNING BODY MEETING*** - **Passed**
- C. **Ordinance No. 2342** approving a Preliminary Site Plan and Final Site Plan for Mission Trail Elementary School, at 133rd Street and Mission Road [PC Case 61-08] [Roll Call Vote] – ***CONTINUED FROM THE AUGUST 18, 2008 GOVERNING BODY MEETING*** - **Passed**
- D. **Ordinance No. 2343** approving a Preliminary Site Plan and Final Site Plan for Villaggio East Drainage Facility, located on the southeast corner of 135th Street and Fontana [Roll Call Vote] - **Passed**

[From the August 12, 2008 Planning commission meeting]

- E. **Resolution No. 3098** approving a Final Site Plan for Parkway Plaza-Tide Cleaners [Former Green Earth Cleaners-Retail 10], located on the northwest corner of 135th Street and Roe Avenue - **Approved**

12. OLD BUSINESS

13. OTHER BUSINESS

14. NEW BUSINESS

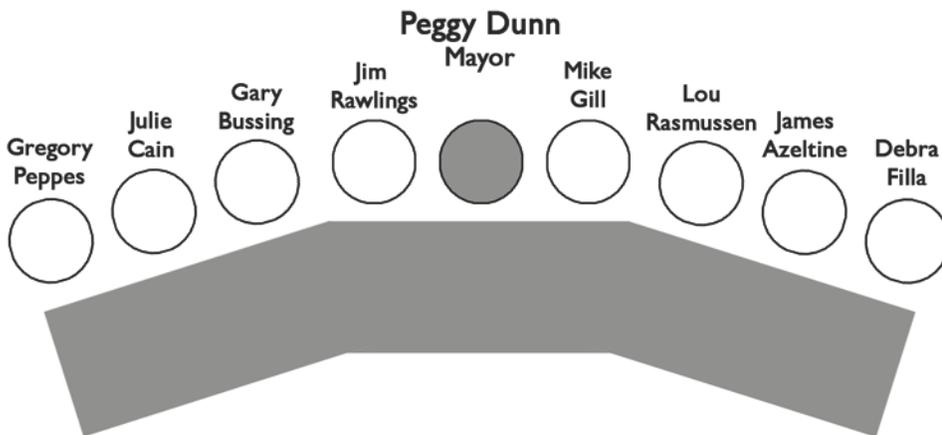
- A. **Ordinance No. 2344** granting to Southwestern Bell Telephone, L.P. d/b/a AT&T Kansas, a contract franchise to construct, operate and maintain a telecommunications system in the City of Leawood, Kansas and prescribing the terms of said contract franchise and repealing Ordinance No. 2065 [Roll Call Vote] - **Passed**

- B. **Resolution No. 3099** approving and authorizing the Mayor to enter into a Public Land Use Agreement between the City and Southwestern Bell Telephone L.P. d/b/a AT&T Kansas, pertaining to the installation and maintenance of communications facilities within existing conduit - **Approved**

- C. **Resolution No. 3100** authorizing termination of Architectural Design Agreement dated September 4, 2007, between the City and Ball Construction Services LLC [Dennis Reynolds] pertaining to the design of Gezer Park, located at 133rd and Mission Road [# 76006] - **Approved**

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:** 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.