

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, November 6, 2006
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

NOVEMBER						
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		

DECEMBER						
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						

*** AMENDED 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 County Commissioner Ed Peterson, County Update

6. SPECIAL BUSINESS

A. Ordinance No. 2188 authorizing the issuance and delivery of \$6,405,000 principal amount of General Obligation Refunding Bonds of the City of Leawood, Kansas for the purpose of providing funds to refund certain outstanding general obligation bonds of the City; prescribing the form and details of said bonds; making provision 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]

- B. Resolution No. 2673 prescribing the form and details of and authorizing the delivery of \$6,405,000 principal amount of General Obligation Refunding Bonds, of the City of Leawood, Kansas, authorized by Ordinance No. 2188 of the City; providing certain covenants and agreements with respect thereto; and providing for execution of certain agreements in connection therewith

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. 1061B, 1062A, and 1062B
- B. Accept Minutes of the September 25, 2006 Governing Body meeting
- C. Accept Minutes of the October 16, 2006 Governing Body meeting
- D. Accept Minutes of the September 28, 2006 Ironhorse Golf Advisory meeting
- E. Approval of CMB liquor license renewal for Hy-Vee Store located at 12200 State Line Road
- F. Approve issuance of Temporary Alcohol Permit to sell/serve alcoholic liquor for 'A Night of Fashion,' to be held at 5000 W. 119th Street [Macy's] on November 9, 2006
- G. Approve Change Order No. 2 in the amount of \$77,946.50 to Miller Paving Company, pertaining to the 2005 Street Reconstruction Project [CIP # 83202]
- H. Resolution calling for a public hearing on Monday December 4, 2006, regarding amendments to the 2006 Fiscal Budget for the City of Leawood, Kansas
- I. Resolution adopting a Policy prohibiting racial profiling and commitment to unbiased law enforcement
- J. Resolution establishing a fee, not specifically provided for in the Code of the City of Leawood, 2000, specifically for winter rates at IRONHORSE Golf Club, in accordance with the Open Records Act, K.S.A. § 45-215, et seq.
- K. Resolution designating holidays for the year 2007 in accordance with the personnel rules and regulations of the City of Leawood, Kansas
- L. Resolution approving and authorizing the Mayor to execute a Letter of Understanding between the City and Johnson County for the 2007 Minor Home Repair Program for an amount not to exceed \$2,000 for the period of January 1, 2007 through December 31, 2007
- M. Resolution approving the 2007 Human Service Recommendation Report [United Community Services-USC] and the City of Leawood's participation for an amount not to exceed \$9,000.00
- N. Resolution approving and authorizing the Mayor to execute an Independent Contractor Agreement in the amount of \$100,000 between the City and Ilan Averbuch, d/b/a Averbuch Rail Art, LLC, pertaining to the 'Ladder' art piece to be placed in Gezer Park located at 133rd and Mission Road
- *O. Resolution approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$524,150.00 between the City and Rosehill Gardens, Inc., pertaining to the Villaggio Landscaping Project

- P. Resolution accepting a Temporary Construction Easement from Valerie J. Panther, Trustee of the Valerie J. Panther Revocable Living Trust, 5304 W. 148th Street; Janet Kay Gwinn, 5449 W. 152 Terrace; Marion D. & Brigitte Y. Washington, 14820 Birch; and Joseph A. Lehman, 15201 Birch, pertaining to the Nall Avenue Improvement Project between 143rd and 159th Street [CIP # 80143]
- Q. Resolution approving a Final Plat for Village of Camden Woods 90th Plat, located south of 143rd Street and west of Kenneth Road [*from the October 24, 2006 Planning Commission meeting*]
- R. Declaration of Surplus Property from the Public Works Department [material spreaders]

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

10. CITY ADMINISTRATOR'S REPORT
Discussion of Placement Utility Boxes

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[from the October 10, 2006 Planning Commission Meeting]

- A. Resolution approving a Final Site Plan and Final Plat for Mission Corner, located on the southeast corner of 135th Street and Mission Road – ***CONTINUED TO THE DECEMBER 18, 2006 GOVERNING BODY MEETING***
- B. Ordinance approving a Preliminary Site Plan and Preliminary Plat for Madden McFarland Interiors, located on the southwest corner of 135th Street and State Line Road [Roll Call Vote]

12. OLD BUSINESS

13. NEW BUSINESS

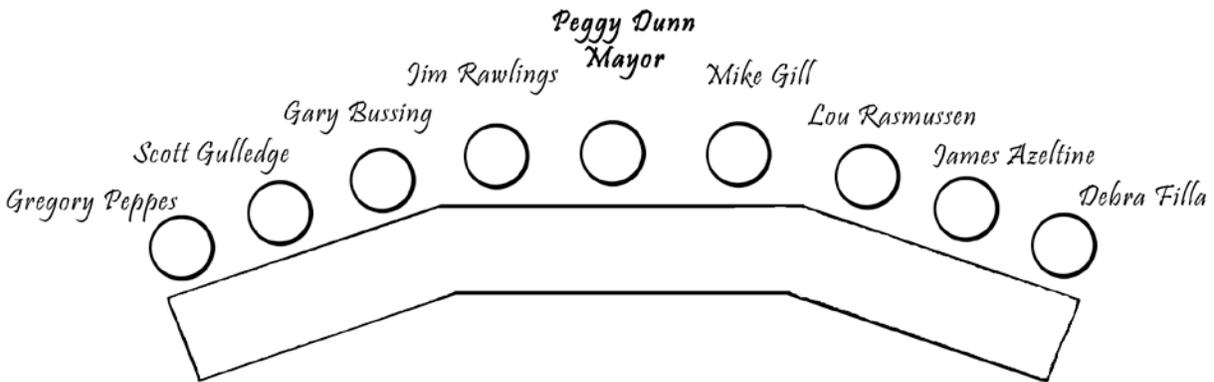
- A. Ordinance appropriating the amounts set up in each fund in the budget for fiscal year 2007, providing for the payment of all claims and charges against the accounts provided for therein; and approving and ratifying the payment of all claims against the accounts [Roll Call Vote]
- B. Schedule Governing Body Work Session at 6:00 P.M. on Monday, November 20, 2006 to discuss Leawood Development Ordinance [LDO] building height requirements

14. OTHER BUSINESS

- A. Schedule a Governing Body Executive Session immediately following the Governing Body meeting to discuss matters related to the attorney-client privilege

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.