

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, November 7, 2005
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

NOVEMBER							DECEMBER						
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

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 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 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

National Hunger and Homelessness Awareness Week, November 13-20, 2005

5. PRESENTATIONS/RECOGNITIONS

Historic Presentation by April Bishop, Oxford School Docent

6. SPECIAL BUSINESS

- A. Ordinance amending the Leawood Building Code, Chapter 4, Article 9, of the Code of the City of Leawood 2000, by adding a new Section 4-920, entitled Basement Required [Roll Call Vote] – *Continued from the August 15, 2005, September 19, 2005 and October 3, 2005 Governing Body meetings*

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. 1036B, 1037A and 1037B
- B. Accept minutes of the October 3, 2005 Governing Body Work Session meeting
- C. Accept minutes of the October 17, 2005 Governing Body meeting
- D. Accept minutes of the October 17, 2005 Governing Body Work Session meeting
- E. Accept minutes of the October 10, 2005 Public Works Committee meeting
- F. Accept minutes of the September 19, 2005 I-Lan Sister City Committee meeting
- G. Approve renewal of Cereal Malt Beverage [CMB] License for Hy-Vee Foods, Inc., 12200 State Line Road
- H. Approve 7th and Final Pay Request in the amount of \$58,378.47 to Miles Excavating, Inc., pertaining to the JB-04-008 SMAC Project, Phase II, Lee Boulevard to State Line and 103 Street to I-435 Highway
- I. Approve Change Order No. 1 in the amount of \$8,685.00 to Commercial Waterproofing, Inc., pertaining to City Hall Courtyard repairs, renovations and maintenance
- J. Approve Change Order No. 3 in the reduced amount of \$84,140.90 to Wiedenmann & Godfrey pertaining to the Dykes Branch Channel Improvement SMAC DB-04-024 Project, between 83rd Street and Wenonga Road south to 86th Street and Overhill Road
- K. Approve Change Order No. 1 in the amount of \$134,295.00 to Continental Construction Company, pertaining to the Parkway Plaza Project, located at 135th & Roe [CIP # 195]
- L. Resolution approving and authorizing certain employees of the City of Leawood to establish Credit Card Accounts with Commerce Bank, N.A., for city purchases
- M. Resolution approving the 2006 Human Service Recommendation Report [United Community Services-USC] and the City of Leawood's participation for an amount not to exceed \$7,920.00
- N. Resolution calling for a Public Hearing to be heard on Monday, November 21, 2005 regarding amendments to the 2005 Fiscal Budget for the City of Leawood, Kansas
- O. Resolution approving and authorizing the Mayor to execute a Mutual Aid Agreement between the City of Leawood and the City of Kansas City Missouri pertaining to assist with fire and other emergency services
- P. Resolution approving and authorizing the Mayor to execute an Inter-local Agreement between the City of Leawood and the City of Prairie Village, Kansas, pertaining to the installation of solar powered school zone flashing beacons with speed limit signs located south of 85th Street and east of Mission Road for Mission Valley Middle School
- Q. Resolution approving and authorizing the Mayor to execute a Community Service Agreement between the City and Blue Valley Unified School District No., 229, pertaining to the assignment of School Resource Officers [SRO]

- R. Resolution accepting a Deed of Dedication from Lenexa Trails Center L.L.C of Johnson County, for property located within Leabrooke, 3rd Plat, approximately 147th & Kenneth Road, in accordance with the GASB-34 Guidelines of Reporting Inventory of Assets
- S. Resolution approving and authorizing the Mayor to execute a Service Agreement in the amount of \$20,000 between the City and the Kansas City Symphony, pertaining to performance in 2006- ***Continued from the October 17, 2005 Governing Body meeting – CONTINUED TO THE DECEMBER 5, 2005 GOVERNING BODY MEETING***
- T. Resolution approving and authorizing the Mayor to execute a Service Agreement between the City and the United Methodist Church of the Resurrection for the rental of space pertaining to the 2006 performance of the Kansas City Symphony ***Continued from the October 17, 2005 Governing Body meeting – CONTINUED TO THE DECEMBER 5, 2005 GOVERNING BODY MEETING***
- U. Resolution approving Final Plat for Tuscany Reserve, 3rd Plat, located at 135th Terrace and Canterbury [*from the October 25, 2005 Planning Commission meeting*]
- V. Resolution approving Final Site Plan for Tomahawk Pointe, located on the northwest corner of College Boulevard and Tomahawk Creek Parkway [*from the October 25, 2005 Planning Commission meeting*]
- W. Resolution approving Final Site Plan for addition to Prairie Star Elementary School, located on the northeast corner of 143rd Street and Mission Road [*from the October 25, 2005 Planning Commission meeting*]
- X. Resolution approving Final Site Plan for Reece & Nichols, located on the southeast corner of 115th Street and Roe Avenue [*from the October 25, 2005 Planning Commission meeting*]
- Y. Resolution approving Final Plat for Village of Camden Woods, 84th Plat, located on 143rd Street west of Kenneth Road [*from the October 25, 2005 Planning Commission meeting*]
- Z. Resolution approving Final Plat for Village of Camden Woods, 85th Plat, located on 143rd Street west of Kenneth Road [*from the October 25, 2005 Planning Commission meeting*]

8. MAYOR’S REPORT

9. COUNCILMEMBERS’ REPORT

10. STAFF REPORT

Update Report from Deputy Fire Chief Randy Hill on the Gulf Region Hurricane Relief Effort

COMMITTEE RECOMMENDATIONS

11. IRONHORSE ADVISORY BOARD

[from the June 23, 2005 Ironhorse Advisory Board meeting]

- A. Accept recommendation for that certain Professional Service Agreement dated September 2, 2003, between the City and Orion Management Solutions, to provide for the management of the IRONHORSE Golf Facility be extended for a two-year period, ending December 31, 2008 *[Continued from the September 19, 2005 Governing Body meeting]* - **CONTINUED TO NOVEMBER 21, 2005 GOVERNING BODY MEETING**

Staff Comment: It is the position of the City Administrator that the course closure for construction in the fall of 2006 and spring of 2007 provides an opportunity to solicit bids for a long-term [4-5 year] management contract because if there is a change in management companies, then a 'seamless' transition could occur prior to the resumption of golfing activities in May, 2007.

12. PLANNING COMMISSION

13. OLD BUSINESS

14. NEW BUSINESS

- A. **Ordinance No. 2136C** amending Sections 14-101 through 14-108 and adding new Sections 14-109 and 14-110 of the Code of the City of Leawood, Kansas, 2000, pertaining to regulating traffic within the corporate limits of the City of Leawood, Kansas; incorporating by reference the 'Standard Traffic Ordinance for Kansas Cities, 2005 Edition,' [STO] with certain amendments, and repealing existing Sections 14-101 through 14-108; and other sections in conflict herewith [Roll Call Vote]
- B. **Ordinance No. 2137C** amending Sections 11-101 through 11-105 and adding new Sections 11-106 and 11-107 of the Code of the City of Leawood, 2000, pertaining to regulating public offenses within the corporate limits of the City of Leawood, Kansas; incorporating by reference the 'Uniform Public Offense Code for Kansas Cities,' 2005 Edition, [UPOC] with certain amendments and omissions, and repealing existing § 11-101 through 11-105, and other sections in conflict herewith [Roll Call Vote]
- C. **Ordinance No. 2138C** amending Code Section 3-111 of the Code of the City of Leawood, 2000, entitled 'Regulations' pertaining to the retail sales of cereal malt beverages [Roll Call Vote]
- D. **Ordinance No. 2139C** amending Code Section 3-204 of the Code of the City of Leawood, 2000, entitled 'Hours of Operation for Retail' pertaining to the retail sales of alcoholic liquor [Roll Call Vote]

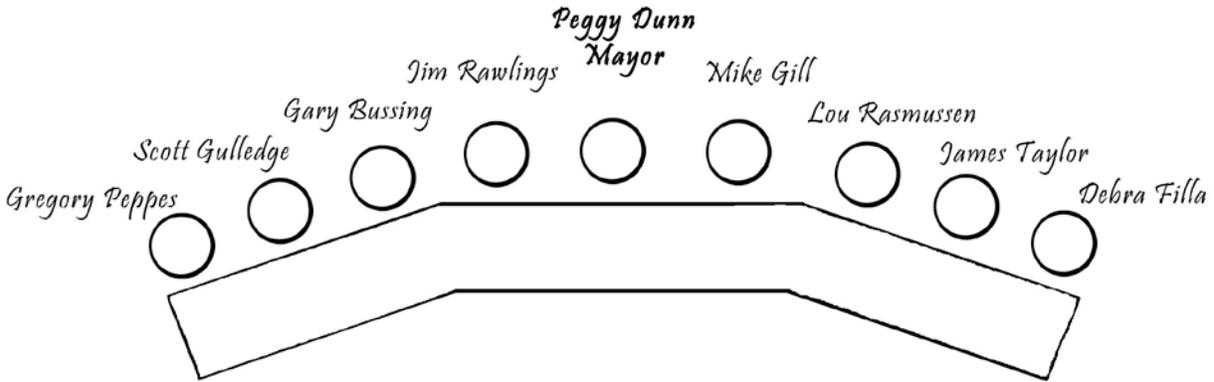
- E. Schedule Governing Body Work Session to be held at 6:00 P.M. on Monday, November 21, 2005 to discuss public art to be included as part of CIP

15. OTHER BUSINESS

- A. Ironhorse Center Revised Final Plan Process

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.