

# CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, November 15, 2010  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:30 P.M.

NOVEMBER 2010						
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 2010						
S	M	T	W	T	F	S
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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	

## \*\*\*ACTION 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  
Andrew Osman

Ward Two

Louis Rasmussen  
Jim Rawlings

Ward Three

Gary Bussing  
Carrie Rezac

Ward Four

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**

**5. PRESENTATIONS/RECOGNITIONS      Resolution of Recognition of Councilmember Mike Gill [Resolution No. 3475]**

**6. SPECIAL BUSINESS**

A. Approve recommendation of Professional Services Industries, Inc., [PSI] to conduct geotechnical testing in the amount of \$5,595.00 at future Justice Center, to be located at 117<sup>th</sup> & Tomahawk Creek Parkway [Project # 76008] - **Approved**

B. **Resolution No. 3499** accepting the Revised Certified Cost Summary in the amount of \$2,985,000, in accordance with that certain Development Agreement dated September 18, 2008 between the City and 119<sup>th</sup> Street Development, LLC, pertaining to the One Nineteen Development Project, Transportation Development District [TDD] located at 119<sup>th</sup> Street and Roe Avenue [Project # 80456] - **Approved**

- C. **Public Hearing:** Revised Assessments for One Nineteen Transportation Development District [TDD] located at 119<sup>th</sup> and Roe Avenue [One Nineteen Project] [CIP# 80456]
- D. **Ordinance No. 2467** repealing Ordinance No. 2426, and levying revised assessments on lots, pieces, and parcels of ground in the City of Leawood, Kansas, for the purpose of paying for the construction of certain public and private road and parking lot related improvements, and other such transportation related improvements for the One Nineteen Transportation Development District [TDD] located at 119<sup>th</sup> Street and Roe Avenue [One Nineteen Project] [CIP # 80456] [Roll Call Vote] - **Passed**
- E. **Ordinance No. 2468** authorizing the issuance and delivery of \$2,985,000 principal amount of Taxable Transportation Development District Special Obligation Bonds [119<sup>th</sup> Street Transportation Development District Project] Series 2010, of the City of Leawood, Kansas; authorizing execution and delivery of a Bond Trust Indenture and certain other documents in connection therewith; providing for the levy and collection of special assessments for the purpose of paying a portion of the principal of and interest on the bonds as they become due; and making certain covenants with respect thereto [Roll Call Vote] - **Passed**

## 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. 2010-43 and 2010-44 - **Accepted**
- B. Accept minutes of the October 18, 2010 Governing Body Work Session - **Accepted**
- C. Accept minutes of the November 1, 2010 Governing Body meeting - **Accepted**
- D. Accept minutes of the October 12, 2010 Parks and Recreation Advisory Board meeting - **Accepted**
- E. Accept minutes of the September 29, 2010 Stormwater Management Committee meeting - **Accepted**
- F. Approve Mayoral Reappointment of Kimberly Reene as Leawood's representative to Drug & Alcoholism Council of Johnson County [term ending December 31, 2013] - **Approved**
- G. Approve renewal of Cereal Malt Beverage [CMB] license for Cosentino's Price Chopper, located at 3700 W. 95<sup>th</sup> Street- **Approved**
- H. Approve Change Order No. 3 in the amount of \$11,664.59 to O'Donnell & Sons Construction Company, pertaining to the 2010 Residential Street Mill and Overlay Project[Project # 70008] - **Approved**
- I. Approve Change Order No. 2 in the amount of \$85,000.00, to Miles Excavating Company, pertaining to the 2010 Parking Lot Improvements Project [for repair of 83<sup>rd</sup> between State Line Road and Lee Boulevard] [Project # 76012] - **Approved**
- J. Approve Change Order No. 1 in the amount of \$3,312.00 to Regents Flooring for carpet replacement in Planning Conference Room – 2<sup>nd</sup> Floor EAST, located at City Hall, 4800 Town Center Drive - **Approved**
- K. Approve Change Order No. 2 in the amount of \$17,860.00 to Linaweaver Construction Company, pertaining to the 2010 Residential Street Reconstruction Project, for work on the Park Trail [Project # CIP 80210] - **Approved**

- L. **Resolution No. 3500** approving and authorizing the Mayor to execute an amendment and adoption for the City's Flexible Benefits Plan - **Approved**
- M. **Resolution No. 3501** approving and authorizing the Mayor to execute a Mutual Aid Cooperation Agreement by the City and among Board of Johnson County Commissioners, Johnson County Fire & Emergency Services Chiefs Association, and various municipalities and Fire Districts within Johnson County, Kansas - **Approved**
- N. **Resolution No. 3502** accepting a Permanent Sidewalk and Traffic Signal Easement from Vic Regnier Builders, Inc., for property located at 95<sup>th</sup> & Mission Road - **Approved**
- O. **Resolution No. 3503** approving and authorizing the Mayor to execute a Professional Service Agreement in the amount of \$16,915.00, between the City and Affinis Corporation, pertaining to the traffic signal design, located at 133<sup>rd</sup> and Roe Avenue [Project CIP#80404] - **Approved**
- P. **Resolution No. 3504** approving and authorizing the Mayor to execute a Service Agreement in the amount of \$49,590.00 between the City and R.F. Fisher Electric Company, for the replacement of Parks Maintenance Emergency Generator - **Approved**
- Q. **Resolution No. 3505** approving a Revised Final Site Plan for site furnishing and signage for Park Place – Phase 2, located at the northeast corner of 117<sup>th</sup> Street and Nall Avenue. (PC Case # 92-10) [*from the October 26, 2010 Planning Commission meeting*] - **Approved**
- R. **Resolution No. 3506** approving a Revised Final Site Plan for Park Place – Mechanical Equipment Screen, located at the northeast corner of 117<sup>th</sup> Street and Nall Avenue (PC Case #82-09) [*from the October 26, 2010 Planning Commission meeting*] - **Approved**
- S. Fire Department Monthly Report [October]
- T. Police Department Monthly Report [October]
- U. Municipal Court Monthly Report [October]

## 8. MAYOR'S REPORT

## 9. COUNCILMEMBERS' REPORT

**Councilmember Gary Bussing; Discussion of Recreational Vehicle [RV] Ordinance - Staff to initiate revision to RV ordinance – **Approved****

## 10. STAFF REPORT

## COMMITTEE RECOMMENDATIONS

### 11. STORMWATER MANAGEMENT COMMITTEE

*[from the October 27, 2010 Stormwater Management meeting]*

Drainage concerns between homeowner Kerrigan and Leawood South Country Club, located at 12600 Overbrook Road –**NO RECOMMENDATION** – **Approved**

### 12. PLANNING COMMISSION

*[from the October 26, 2010 Planning Commission meeting]*

- A. **Resolution No. 3507** approving a Revised Final Plat and Revised Final Plan for Manors at Mission Farms, located at the southeast corner of 105<sup>th</sup> Street and Mission Road. (PC Case # 98-10) – **Approved**

- B. **Ordinance No. 2469** approving a Special Use Permit for Molle Off-site Parking for New Vehicles, located at 104<sup>th</sup> Street and State Line Road. (PC Case # 103-10) [Roll Call Vote] - **Passed**

**13. OLD BUSINESS**

**14. OTHER BUSINESS**

**15. NEW BUSINESS**

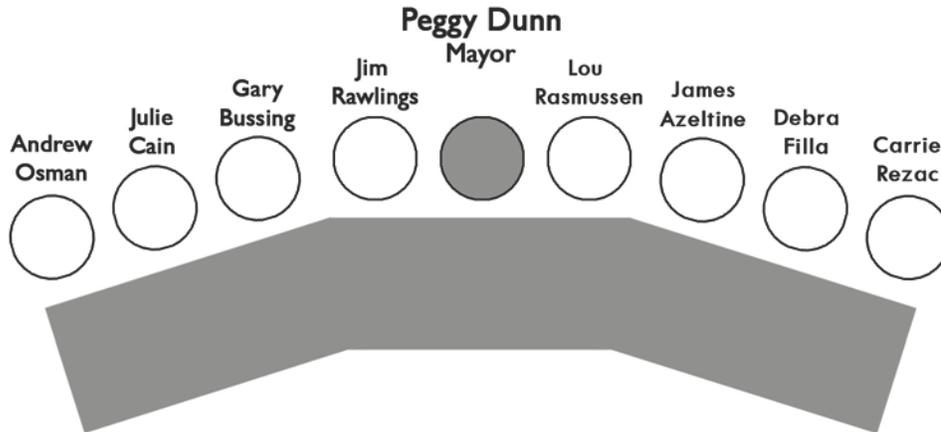
- A. **Ordinance No. 2470** granting to SureWest Kansas Licenses, LLC [f/n/a/ Everest Midwest Licenses, LLC] a franchise contract to construct, operate and maintain a Telecommunications System in the City of Leawood, and prescribing the terms of said franchise contract, and repealing Ordinance No. 2162 [Roll Call Vote] - **Passed**
- B. **Resolution No. 3508** approving and authorizing the Mayor to execute a Public Lands Use Agreement between the City and SureWest Kansas Licenses, LLC [f/n/a/ Everest Midwest Licenses, LLC] pertaining to the installation and maintenance of communications facilities within existing conduit - **Approved**
- C. **Ordinance No. 2471** repealing the four-tenths of one percent [.4%] City Retailers' Sales Tax levied in the City of Leawood, Kansas for the purpose of funding for construction of public safety improvements, including a Justice Center, and all other necessary and related improvements, including infrastructure related thereto, by repealing Ordinance No. 2192 [Roll Call Vote] - **Passed**
- D. **Ordinance No. 2472C** amending §12-207 of the Code of the City of Leawood, 2000, pertaining to carrying of weapons prohibited and repealing existing § 12-207, and other sections in conflict herewith [Roll Call Vote] - **Passed**
- E. Schedule a Governing Body Work Session at 6:00 P.M., on Monday, April 18, 2011 to discuss Parks and Recreation's Cost Recovery Study - **Approved**
- F. Discussion of Troon's proposal to adjust IRONHORSE golf fees for 2011 - **Approved**
- \*G. **Approve recommendation of Hoefler Wysocki Architects by the Architect Selection Task Force to perform architectural services at future Justice Center, to be located at 117<sup>th</sup> & Tomahawk Creek Parkway [Project # 76008] - **Approved****

***Staff Comment:* It is anticipated the contract will be placed on the December 20, 2010, Agenda for consideration**

**ADJOURN**

<b>DATE</b>	<b>TIME</b>	<b>SUBJECT</b>	<b>LOCATION</b>
<b>November 15</b>	<b>6:00 P.M.</b>	<b>Discuss creation of Stormwater Utility User Fee</b>	<b>Main Conf. Room</b>
<b>December 6</b>	<b>6:00 P.M.</b>	<b>Discuss purchase of currently owned KCP&amp;L street and traffic signal lights</b>	<b>Main Conf. Room</b>
<b>December 20</b>	<b>6:00 P.M.</b>	<b>Discuss future use of current Police Facility and former City Hall buildings</b>	<b>Main Conf. Room</b>
<b>January 3</b>	<b>6:00 P.M.</b>	<b>Personnel Matter; City Administrator's 6-month review</b>	<b>Main Conf. Room</b>
<b>January 18</b>	<b>6:00 P.M.</b>	<b>Continued discussion on future use of current Police Facility and former City Hall buildings</b>	<b>Main Conf. Room</b>
<b>January 31</b>	<b>6:00 P.M.</b>	<b>Discuss 2011 Governing Body Short, Near, and Long Term Goals &amp; Objectives</b>	<b>Main Conf. Room</b>
<b>February 7</b>	<b>6:00 P.M.</b>	<b>Presentation of 2012-2016 Capital Improvement Project [C.I.P.]</b>	<b>Main Conf. Room</b>
<b>February 21</b>	<b>6:00 P.M.</b>	<b>Review 'Draft' Proposals for design of Justice Center</b>	<b>Main Conf. Room</b>
<b>March 7</b>	<b>6:00 P.M.</b>	<b>Review 'Draft' Proposals for design of Justice Center</b>	<b>Main Conf. Room</b>

## 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.