

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, November 16, 2009
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	6	7			1	2	3	4	5
8	9	10	11	12	13	14	6	7	8	9	10	11	12
15	16	17	18	19	20	21	13	14	15	16	17	18	19
22	23	24	25	26	27	28	20	21	22	23	24	25	26
29	30						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			
	<u>Ward One</u>	<u>Ward Two</u>	<u>Ward Three</u>	<u>Ward Four</u>
	Debra Filla	Louis Rasmussen	Gary Bussing	Julie Cain
	Gregory Peppes	Jim Rawlings	Mike Gill	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** **Recognition of City of Leawood as recipient of 2009 Eden Public Sector Excellence Award-Mark Andrasik and Kathy Rogers, Project Leads**
6. **SPECIAL BUSINESS**
 - A. **Ordinance No. 2420** appropriating the amounts set up in each fund in the budget for fiscal year 2009, 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] - **Passed**

- B. **Ordinance No. 2421** amending Ordinance No. 2395, authorizing and providing for the acquisition of lands or interests therein by condemnation for property located at the northeast corner of 117th Street and Roe Avenue for a Parks and Recreation or other public use, in accordance with K.S.A. §26-501, ET SEQ., and repealing Ordinance No. 2395 - **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. 2009-43, and 2009-44 - **Accepted**
- B. Accept November 2, 2009 Governing Body minutes - **Accepted**
- C. Accept October 26, Governing Body Work Session minutes - **Accepted**
- D. Accept September 30, 2009 Stormwater Management Committee minutes - **Accepted**
- E. Accept August 27, 2009 Ironhorse Advisory Board minutes - **Accepted**
- F. Accept August 25, 2009 Arts Council minutes - **Accepted**
- G. Approve Cereal Malt Beverage [CMB] License for Cupini's, located at 3820 W. 95th Street - **Accepted**
- H. Accept 6th and Final Pay Request to Linaweaver Construction in the amount of \$20,800.00, pertaining to the 2009 Residential Reconstruction Program [Project # 80209] - **Accepted**
- I. Accept 9th and Final Payment to Mega Industries, Inc., in the amount of \$148,512.86 pertaining to the Gezer Park Project located at 133rd and Mission Road [#76006] - **Accepted**
- J. Resolution approving and authorizing the Mayor to execute a Professional Engineering Agreement in the amount of \$91,000, between the City and Continental Consulting Engineers, pertaining to Phase I of the Ironwoods Amphitheater Project – ***CONTINUED TO THE DECEMBER 7, 2009, GOVERNING BODY MEETING***
- K. **Resolution No. 3288** approving a Revised Final Plat for Centennial Park Condominiums, located north of 141st Terrace and east of Overbrook, within the Bi-State/Centennial Park development (PC Case # 61-09) *From the October 27, 2009 Planning Commission meeting* - **Approved**
- L. **Resolution No. 3289** amending the City of Leawood's Investment Policy and repealing Resolution No. 3128 - **Approved**
- M. **Resolution No. 3290** approving and authorizing the Mayor to execute Addendum No. 1 to that certain Professional Service Agreement, dated March 2, 2009, between the City and Alvarez & Marshal, pertaining to the One Nineteen Transportation Development Sales Tax Analysis - **Approved**
- N. **Resolution No. 3291** ordering a public hearing to be held on December 21, 2009, at 7:30 PM, or as soon thereafter as may be heard, on proposed assessments for construction of certain public and private road and parking lot related improvements and other such transportation related improvements approved by the City, located within 119th Street Development District, located within the City of Leawood, Kansas, and directing the City Clerk to publish Notice thereof and provide written Notice to owners of property of such assessments [One Nineteen Transportation Development District] [CIP # 80456] - **Approved**

- O. **Resolution No. 3292** approving a Final Sign Plan for Parkway Plaza – Emergent Care Plus, located on the northwest corner of 135th Street and Roe Avenue (PC Case #60-09) *[From the October 27, 2009 Planning Commission meeting]* - Approved
- P. **Resolution No. 3293** approving a Final Sign Plan for Ranchmart – Tower Cleaners, located north of 95th Street and east of Mission Road (PC Case # 70-09)) *[From the October 27, 2009 Planning Commission meeting]* - Approved
- Q. **Resolution No. 3294** approving a Revised Final Site Plan for St. Michael the Archangel, located on the northeast corner of 143rd Street and Mission Road (PC Case # 63-09)) *[From the October 27, 2009 Planning Commission meeting]* - Approved
- R. Police Department Monthly Report – October, 2009
- S. Fire Department Monthly Report– October, 2009
- T. Municipal Court Monthly Report– October, 2009

8. MAYOR’S REPORT

9. COUNCILMEMBERS’ REPORT

- A. Councilmember Gill: Recommendation to Public Works Committee for installation of temporary sidewalk on the north side of 143rd Street, between Roe Avenue and Granada
- B. Councilmember Filla: Report on E-Way event conducted at Church of the Resurrection, 13720 Roe Avenue, on Saturday, November 14, 2009
- C. Councilmember Rawlings: Recommendation to Parks and Recreation Advisory Board to draft language for signage to be placed at Gezer Park, 13300 Mission Road, prohibiting individuals, animals and objects being placed in water areas located within the Park

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

From the October 27, 2009 Planning Commission meeting:

- A. Resolution approving a Revised Final Site Plan for Bi-State/Centennial Park – PARS Consulting Engineering Building, located north of 141st Terrace and east of Cambridge, within the Bi-State/Centennial Park development (PC Case #67-09) – **REMANDED TO THE PLANNING COMMISSION**
- B. **Resolution No. 3295** approving a Final Site Plan for a Tenant Finish for Republic of Couture, located on the southeast corner of 119th Street and Roe Avenue (PC Case #49-09) - Approved
- C. **Resolution No. 3296** approving a Final Sign Plan for Parkway Plaza – Blue Fin, located on the northwest corner of 135th Street and Roe Avenue (PC Case #59-09) - Approved
- D. **Resolution No. 3297** approving a Final Sign Plan for Leawood Plaza – Baskin and Robbins Ice Cream, located on the southwest corner of Pembroke Lane and State Line Road (PC Case # 69-09) - Approved

- E. Resolution approving a Final Site Plan for Park Place – Cafe’ Roux, located on the northeast corner of 117th Street and Nall Avenue (PC Case # 62-09) – **REMANDED TO THE PLANNING COMMISSION**
- F. **Ordinance No. 2422** amending Section 16-4-1.3, of the Leawood Development Ordinance [LDO], pertaining to permitted Accessory Uses, Buildings and Structures- Daycare Uses as an Accessory Use within Church, Religious, Educational and Community Buildings (PC Case 68-09) [Roll Call Vote] - **Passed**
- G. **Ordinance No. 2423** approving a Special Use Permit [SUP] for Clearwire Wireless Wimax Internet Facility, located north of 119th Street and east of Nall Avenue on top of the Macy’s building, within Town Center Plaza (PC Case # 65-09) [Roll Call Vote] - **Passed**
- H. **Ordinance No. 2424** approving a Preliminary Site Plan and Final Site Plan for Off Street Parking for Molle Toyota, located south of 104th Street and west of State Line Road (PC Case # 45-09) [Roll Call Vote] - **Passed**
- I. **Ordinance No. 2425** approving a Special Use Permit [SUP] for Off Site Parking for Molle Toyota, located south of 104th Street and west of State Line Road (PC Case # 45-09) [Roll Call Vote] - **Passed**

12. OLD BUSINESS

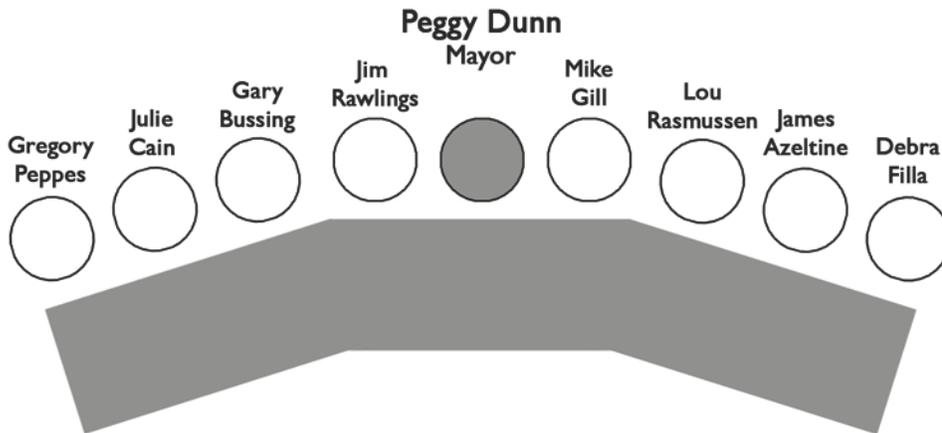
13. OTHER BUSINESS

14. NEW BUSINESS

DATE	TIME	SUBJECT	LOCATION
November 16	6:00 P.M.	Discuss Informational Signs	Main Conf. Room
December 7	6:00 P.M.	Transportation Development District [TDD] financing for Park Place Improvement District	Main Conf. Room
December 21	6:00 P.M.	Discuss the establishment of a Community Improvement District [CID] Policy for redevelopment	Main Conf. Room

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