

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, November 21, 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

- 5. PRESENTATIONS/RECOGNITIONS**
- a. **Recognition of Police Officer Jim Herman**
 - b. **Presentation by Mary Tearney and Marga Spangler, regarding the 2006 Kansas City Symphony Performance**

6. SPECIAL BUSINESS

- A. Public Hearing on amendments to 2005 Fiscal Budget
- B. Resolution adopting amendments to the 2005 Fiscal Budget for the City of Leawood, Kansas

- C. 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, October 3, 2005 and November 7, 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. 1038A & 1038B
- B. Accept minutes of the November 7, 2005 Governing Body meeting
- C. Accept minutes of the October 11, 2005 Historic Commission meeting
- D. Accept minutes of the September 22, 2005 IRONHORSE Advisory Board meeting
- E. Accept minutes of the October 11, 2005 Park and Recreation Advisory Board meeting
- F. Approve renewal of retail liquor store license for Stoll Liquor Store, located at 3731 W. 133rd Street
- G. Approve Change Order No. 1 in the amount of \$21,622.00, to Seal-O-Matic Paving Company, pertaining to the emergency repairs to Overbrook Road, north of 103rd Street
- H. Approve Change Order No. 1, in the amount of \$40,246.74, to Seal-O-Matic Paving Company, pertaining to the 2004 Residential Reconstruction Project
- I. Approve 7th and Final Payment in the amount of \$42,035.07, to Seal-O-Matic Paving Company, pertaining to the 2004 Residential Reconstruction Project
- J. Approve 12th and Final Payment in the amount of \$2,210.00, to Terra Technologies, 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. Resolution approving the Johnson County Drug and Alcoholism Council [DAC] recommendation for allocations of the 2006 Alcohol Tax Fund for an amount not to exceed \$48,000
- L. Resolution designating holidays for the year 2006, in accordance with the personnel rules and regulations of the City of Leawood, Kansas
- M. Resolution accepting Public Infrastructure Improvements and Final Acceptance of construction work for property located within Leabrooke 1st Plat, 145th & Kenneth Road and Leabrooke 2nd Plat, 146th Street and Norwood, in accordance with the GASB-34 Guidelines of Reporting Inventory of Assets
- N. Resolution consenting to the enlargement of Consolidated Main Sewer District of Johnson County, Kansas, [JCUWD] by the Board of County Commissioners of Johnson County, Kansas [BOCC], pursuant to Johnson County Charter Resolution No. 29-92, for property located in the vicinity of 137th Street between Roe and Mission Road [The Villaggio at Leawood]

- O. Resolution approving a Final Plat for Village at Camden Woods 86th Plat, located south of 143rd Street and west of Kenneth Road [*from the November 8, 2005 Planning Commission meeting*]
- P. 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 and November 7, 2005 Governing Body meetings***
- Q. 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 and November 7, 2005 Governing Body meetings***
- R. Resolution calling for a Public Hearing to be heard on Monday, December 5, 2005 regarding amendments to the 2005 Fiscal Budget for the City of Leawood, Kansas
- S. Resolution approving an increase in the transfer of funds in the amount of \$190,000 from the General Fund to Ironhorse Golf Course
- T. Police Department Monthly Report
- U. Fire Department Monthly Report
- V. Municipal Court Monthly Report

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

10. STAFF REPORT

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 and November 7, 2005 Governing Body meetings***]

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

[from the October 25, 2005 Planning Commission meeting]

- A. Ordinance approving a Special Use Permit [SUP] for a temporary building at United Methodist Church of the Resurrection [COR], located on the southwest corner of 137th Street and Roe Avenue [Roll Call Vote]

- B. Ordinance approving to a Special Use Permit [SUP] for Sprint Wireless Antennae located at 129th Street and Mission Road [Roll Call Vote]

[from the November 8, 2005 Planning Commission meeting]

- C. Resolution approving a Final Site Plan and Final Plat for Villaggio West, located on the southeast corner of 135th Street and Roe Avenue
- D. Ordinance approving a Preliminary Site Plan for Villaggio East, located on the southeast corner of 135th Street and Mission Road [Roll Call Vote]

13. OLD BUSINESS

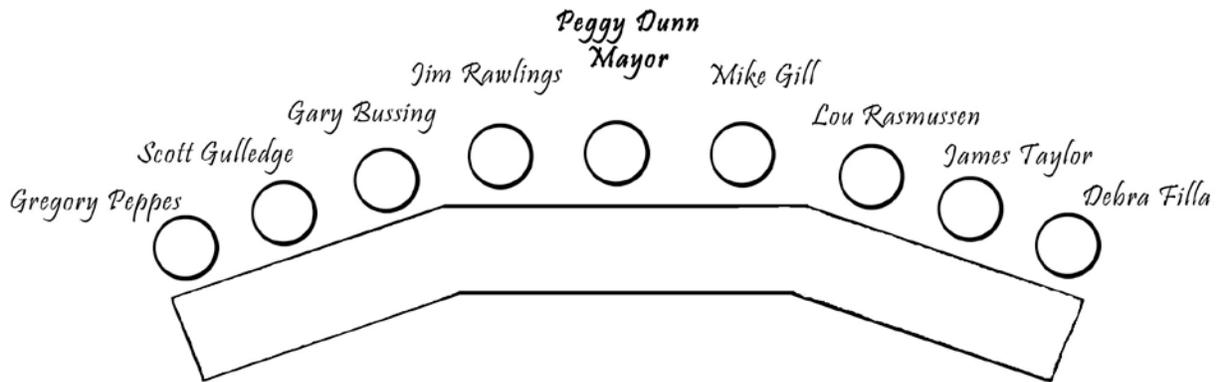
14. NEW BUSINESS

- A. Ordinance granting to Sprint Communications Company, L.P., a Contract Franchise to construct, operate, and maintain a telecommunications system in the City of Leawood, Kansas [Roll Call Vote]
- B. Resolution approving and authorizing the Mayor to enter into a Public Land Use Agreement between the City of Leawood, Kansas and Sprint Communications Company, L.P., pertaining to the installation and maintenance of communications facilities within existing conduit
- C. Resolution approving and authorizing the Mayor to execute an Agreement between the City and Sprint Communications Company, L.P., pertaining to the payment of past fees due under the Telecommunications Franchise and Public Lands Use Agreement

15. OTHER BUSINESS

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.