

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, December 4, 2006
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

DECEMBER 2006							JANUARY 2007						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
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24	25	26	27	28	29	30	28	29	30	31			
						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 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 No. 2691, Recognition of Chief Sid Mitchell upon his retirement from the Police Department

Recognition of Town & Country Bank for Sponsorship of Cultural Arts and Events

6. SPECIAL BUSINESS

A. Public Hearing on amendments to 2006 Fiscal Budget

B. Resolution adopting amendments to the 2006 Fiscal Budget for the City of Leawood, Kansas

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. 1064A and 1064B
- B. Accept Minutes of the September 12, 2006 Historic Commission meeting
- C. Accept Minutes of the October 10, 2006 Historic Commission meeting
- D. Accept Minutes of the August 9, 2006 Leawood Foundation meeting
- E. Accept Minutes of the October 26, 2006 IRONHORSE Advisory Board meeting
- F. Final Pay Request in the amount of \$69,715.29 to APAC-Kansas, Inc., pertaining to the Roe Avenue Improvement Project [between 124th Street and 135th Street] [CIP # 80110]
- G. Approve Change Order No. 1 in the amount of \$68,494.00 to Pyramid Excavation and Construction, Inc., pertaining to the 2006 Storm Sewer Project non-SMAC Project at Cherokee Lane and 9800 blk. of Wenonga Road, and replace existing wall located at 14400 Mission Road
- H. Resolution establishing the 2007 Fee Schedule for fees not specifically provided for in the Code of the City of Leawood, 2000, and rescinding Resolution Nos. 2513 and 2676
- I. Resolution approving and authorizing the Mayor to execute an Inter-local Agreement between the City and the Board of County Commissioners of Johnson County, pertaining to wireless 911 fees
- J. Resolution approving and authorizing the Mayor to execute an Independent Contractor Agreement for an amount not to exceed \$182,300 between the City and Holiday Sand and Gravel Company, pertaining to the greens reconstruction project at Ironhorse Golf Course, 15400 Mission Road
- K. Resolution approving and authorizing the Mayor to execute Amendment No. 1 to that certain Engineering Service Agreement dated April 17, 2006, between the City and Design Sense, Inc., in the amount of \$37,670, to provide design engineering services for the City, pertaining to the new facilities at Ironwoods Park, located at 14701 Mission Road
- L. Resolution accepting Temporary Construction Easements from Kevin & Cheryl Lockett, 5413 W. 148 Terrace; and Water District No. 1 of Johnson County, Kansas, pertaining to the Nall Avenue Improvement Project, 143rd Street to 159th Street [CIP # 80143]
- M. Resolution accepting a Deed of Dedication from Water District No. 1 of Johnson County, Kansas, pertaining to the Nall Avenue Improvement Project, 143rd Street to 159th Street [CIP # 80143]
- N. Resolution accepting a Permanent Drainage Easement from Water District No. 1 of Johnson County, Kansas, pertaining to the Nall Avenue Improvement Project, 143rd Street to 159th Street [CIP # 80143]
- O. Resolution accepting a Temporary Construction Easements from Stone Ledge Developments, pertaining to the Nall Avenue Improvement Project, 143rd Street to 159th Street [CIP # 80143]

- P. Resolution accepting a Temporary Construction Easement from Howard R. and Lori M. Roy pertaining to the Nall Avenue Improvement Project, 143rd Street to 159th Street [CIP # 80143]
- Q. Resolution approving a Final Plat for LeaBrooke Town Manors 1st Plat, located south of 145th Street and west of Kenneth Road [*from the November 14, 2006 Planning Commission meeting*]
- R. Resolution approving a Final Plat for LeaBrooke Town Manors 2nd Plat, located south of 145th Street and west of Kenneth Road [*from the November 14, 2006 Planning Commission meeting*]
- S. Resolution approving a Final Plat for LeaBrooke 5th Plat, located south of 145th Street and west of Kenneth Road [*from the November 14, 2006 Planning Commission meeting*]
- T. Resolution approving a Final Plat for LeaBrooke 6th Plat, located south of 145th Street and west of Kenneth Road [*from the November 27, 2006 Planning Commission meeting*]
- U. Resolution approving a Final Plat for LeaBrooke 7th Plat, located south of 145th Street and west of Kenneth Road [*from the November 27, 2006 Planning Commission meeting*]

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

- A. Referral to Public Works Committee regarding placement of KCPL utility poles

10. STAFF REPORT

- A. Approve Design/Build Recommendation for new facilities at Ironwoods Park, located at 14701 Mission Road

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the November 14, 2006 Planning Commission meeting]

- A. Ordinance approving a Special Use Permit and Preliminary Site Plan for Oberweis Ice-cream and Dairy, located south of 135th Street and east of Nall Ave [Roll Call Vote]
- B. Resolution approving a Final Site Plan for Cornerstone Tract A corner feature, located on the southeast corner of 135th Street and Nall Avenue

12. OLD BUSINESS

13. NEW BUSINESS

- A. Discussion regarding an ordinance regulating dirt bikes in residential areas

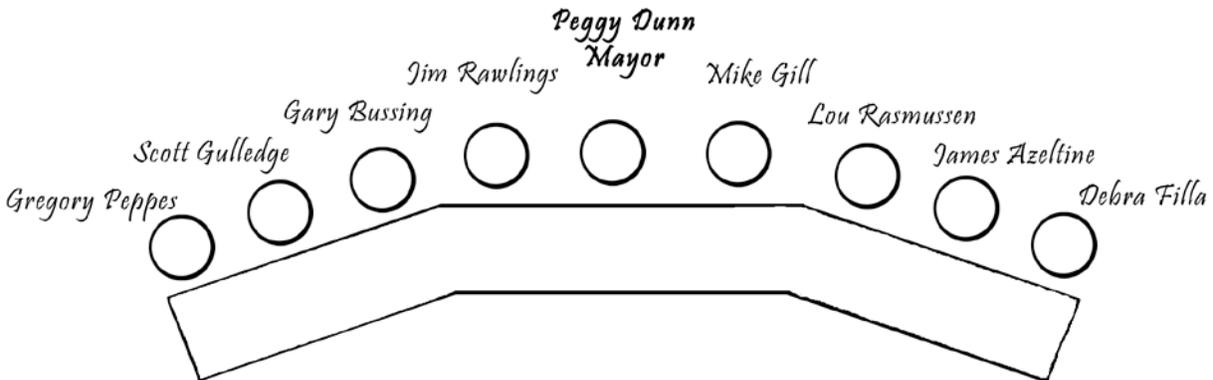
14. OTHER BUSINESS

- A. Recess into Executive Session to discuss matters related to attorney-client privilege

- B. Public Hearing on the advisability for the construction of stormwater and erosion control improvements along west side of Ironhorse Golf Course, 15400 Mission Road
- C. Resolution finding as to the advisability of an improvement, specifically acquisition of interests in property and construction of stormwater and erosion control improvements along west side of Ironhorse Golf Course , located at 15400 Mission Road, within the City of Leawood, Kansas, pursuant to K.S.A. § 12-6a01 et seq.
- D. Resolution declaring it necessary to appropriate private property for the use of the City of Leawood for the Stormwater Improvement Project
- E. Ordinance authorizing and providing for the acquisition of lands or interests therein by condemnation for the Stormwater Improvement Project [K.S.A. § 26-201 [Roll Call Vote]

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 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.