

**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, December 19, 2005
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

DECEMBER 2005							JANUARY 2006						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30	31				

***AMENDED 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 Gregory Peppes	Louis Rasmussen Jim Rawlings	Gary Bussing Mike Gill	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** **County Commissioner Ed Peterson, County Update**
6. **SPECIAL BUSINESS**
 - A. Resolution approving and authorizing the Mayor to execute a Settlement Agreement and General Release regarding the Grevet v. Leawood litigation, between the plaintiffs, the developer and the City [note: the developer and plaintiffs have reached an agreement regarding the subject tract; the City is not participating in the settlement of this matter, except to consent to an agreement by the plaintiffs and the developer] [Leawood Country Club; 8901 Sagamore]

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. 1040A
- B. Accept Minutes of the December 5, 2005 Governing Body meeting
- C. Accept Minutes of the November 8, 2005 Park and Recreation Advisory Board
- D. Accept Minutes of the November 16, 2005 IRONHORSE Advisory Board
- E. Accept Minutes of the October 10, 2005 I-Lan Sister City Committee
- F. Accept Minutes of the November 7, 2005 I-Lan Sister City Committee
- G. Reappointment of Lora Christian to the Alcohol Planning Council [Drug and Alcohol Council; DAC] for a 3-year term ending 12-31-2008
- H. Approve renewal of Cereal Malt Beverage [CMB] License for Cosentino's Price Chopper, located at 3700 W. 95th Street
- I. Approve quote in the amount of \$334,511, from St. Paul Fire & Marine Company, pertaining to the renewal of the 2006 property and casualty insurance
- J. Approve 7th and Final Payment in the amount of \$20,334.95 to O'Donnell & Sons Construction Company, Inc., pertaining to the 135th Street & Briar Public Improvement Project [CIP # 193]
- K. Approve 7th and Final Payment in the amount of \$4,999.55 to O'Donnell & Sons Construction Company, Inc., pertaining to the Roe Avenue Improvement Project [between 135th and 137th Street] [CIP # 194]
- L. Approve 7th and Final Payment in the amount of \$52,432.22 to O'Donnell & Sons Construction Company, Inc., pertaining to the Parkway Plaza Project, located at 135th Street and Roe [CIP # 195]
- M. Approve 2nd and Final Pay Request in the amount of \$85,774.17 to O'Donnell & Sons Construction Company, Inc., pertaining to the 2005 Arterial Street Improvement Project
- N. Approve 2nd and Final Pay Request in the amount of \$687.50 to Commercial Waterproofing Inc., pertaining to City Hall Courtyard repairs, renovations and maintenance
- O. Resolution approving and authorizing the Mayor to execute Amendment No. 1 to that certain Engineering Contract dated April 18, 2005, between the City and Continental Consulting Engineers, Inc., in the amount of \$28,024.00 pertaining to the Leawood IRONHORSE Golf Club Floodplain Repair Project along Fairway No. 8
- P. Resolution accepting Public Infrastructure Improvements for the Mission Reserve Subdivision, located at 151st Street and Mission Road
- Q. Police Department Monthly Report
- R. Fire Department Monthly Report
- S. Municipal Court Monthly Report

8. **MAYOR'S REPORT**

9. COUNCILMEMBERS' REPORT

Request by Councilmember James Taylor for Public Works Committee to review and advise the Council on the impact on area residents of the City of Overland Park's proposed improvement project of Nall between 151 Street and the city limits [approximately 154th Street]

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[from the November 29, 2005 Planning Commission meeting]

- A. Resolution approving a Final Site Plan for United Methodist Church of the Resurrection to allow two monument signs, located at 13720 Roe Avenue

- B. Ordinance approving a one-year [1] Special Use Permit [SUP] for Sunrise Senior Living to allow a temporary sales trailer, located south of 115th Street and east of Roe Avenue, within the Town Center Business Park development [Roll Call Vote]

12. OLD BUSINESS

13. NEW BUSINESS

- A. Resolution No. 2520, amending Resolution No. 2264 authorizing the rebuilding and improvement of a certain Leawood Pedestrian Bridge located north of College Boulevard at the north end of El Monte [CIP # 112]

- B. Resolution No. 2521, amending Resolution No. 1683 authorizing the improvement of a certain section of State Line Road, a main trafficway, at the intersection of 92nd Street located with the City of Leawood, Kansas [CIP # 157]

- * C. Ordinance authorizing the creation of a Transportation Development District [TDD] in the City of Leawood, Kansas; authorizing the development of certain transportation project improvements relating thereto; approving the estimated costs of such transportation project improvements; and providing for the method of financing therefore and accepting a petition for the creation of the Transportation Development District [TDD] for the Villaggio Development [Roll Call Vote] ***-CONTINUED TO THE JANUARY 3, 2006 GOVERNING BODY MEETING***

- D. Schedule Governing Body Work Session at 6:00 P.M. on Tuesday, January 17, 2006 to discuss Governing Body 2006 Near and Long Goals and Objectives

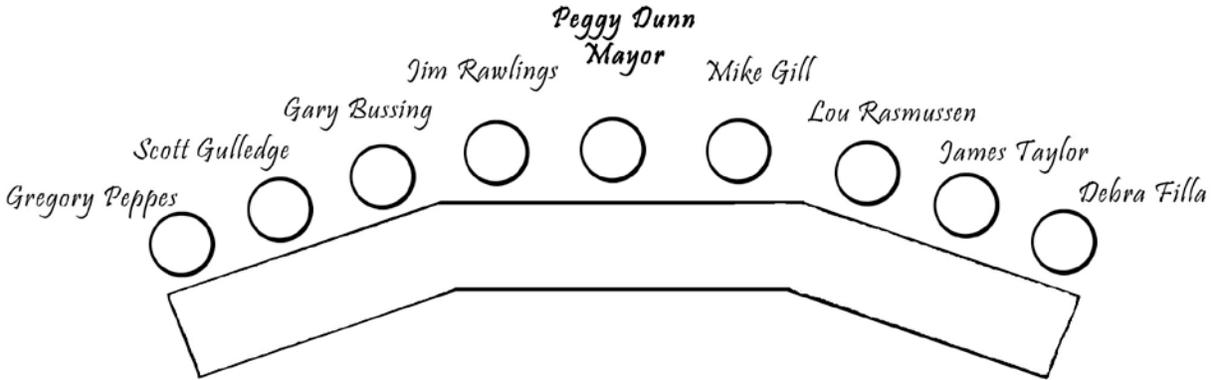
- E. Schedule Joint Governing Body Work Session with Park and Recreation Advisory Board at 6:00 P.M. on Tuesday, January 3, 2006, to discuss revisions to the City of Leawood's Park Master Plan

- F. Approve Change Order No. 8, for a time extension, between the City and APAC-Kansas, Inc., pertaining to the Roe Avenue Improvement Project [between 124th Street and 135th Street] [CIP # 110]

14. 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.