

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, April 21, 2014
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

APRIL 2014							MAY 2014						
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
25	26	27	28	29	30		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

Carrie Rezac
Tom Robinett

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

Arbor Day, April 25, 2014

5. OATHS OF OFFICE ADMINISTERED TO MAYOR-ELECT PEGGY DUNN; COUNCILMEMBERS-ELECT JIM RAWLINGS, JAMES AZELTINE, CARRIE REZAC, ANDREW OSMAN, [TERM EXPIRES 2018] AND TOM ROBINETT [TERM EXPIRES 2016]

6. ROLL CALL OF MAYOR AND COUNCILMEMBERS

7. PRESENTATIONS/RECOGNITIONS

8. SPECIAL BUSINESS

- A. **Resolution No. 4206**, accepting the 135th Street Corridor Study submitted by Design Workshop, Inc., and directing City Staff to incorporate same into the City of Leawood's Comprehensive Plan - **Approved**

If you require any accommodation (i.e. qualified interpreter, hearing assistance, etc.) in order to attend this meeting, please notify this office at 913.339.6700 or at www.leawood.org no later than 96 hours prior to the scheduled commencement of the meeting.

- B. **Ordinance No. 2656**, establishing a Temporary Moratorium ending on July 22, 2014, on all Planning Activity, including, but not limited to Rezoning, Site Plans, Plats, and Special Use Permits for property located in the 135th Street Corridor, as depicted on the exhibit attached hereto and incorporated herein by reference [Roll Call Vote] – **Passed**

STAFF COMMENT: The City Administrator is recommending that the Governing Body adopt this ordinance to ensure that any and all planning applications, in the Study Corridor be put on hold, to allow the Comprehensive Plan amendment process to be completed and thus, be applicable to such planning items.

9. **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. 2014-12 and 2014-13 – **Accepted**
- B. Accept minutes of the April 7, 2014 Governing Body meeting – **Accepted**
- C. Accept minutes of the February 13, 2014 Sustainability Advisory Board meeting – **Accepted**
- D. Mayoral Appointment for Governing Body Presiding Officers from May 2014 through April 2015 - **Approved**
- E. Approve Calendar for Election Question of Reauthorization of .125% Retailers’ Sales Tax - **Approved**
- F. Approve issuance of Temporary Alcohol Permit to conduct The Taste of Leawood Fundraising Event on Saturday, June 14, 2014, in accordance with Code § 3-216 - **Approved**
- G. Approve Change Order No. 15 in the amount of \$58,874.00 to Titan Built pertaining to the Leawood Justice Center Project to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76008] - **Approved**
- H. Approve Co-Op Bid in the amount of \$24,378.00 from Shawnee Mission Ford for the purchase of a 2014 Ford Taurus [Unit # 509] - **Approved**
- I. **Resolution No. 4207**, approving and authorizing the Mayor to execute an Amendment to that certain Land Purchase Agreement dated November 18, 2013, between the City and Cynthia R. Pitts, to extend real estate closing date to May 16, 2014 for property located at 8701 Ensley Lane, in connection with the Leawood Heritage - **Approved**
- J. **Resolution No. 4208**, approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$2,733,534.22 from Miles Excavating, Inc., pertaining to the 2014 Residential Street Reconstruction Program [Project # 80214, 72045, and 70251] - **Approved**
- K. **Resolution No. 4209**, approving and authorizing the Mayor to execute a Utility Agreement for reimbursable cost estimated to be \$2,128,920.40, between the City and Kansas City Power & Light Company [KCP&L] for the burying of overhead power lines on 143rd Street, between Nall and 333 feet east of Windsor Drive [Project # 80162] - **Approved**
- L. **Resolution No. 4210**, approving and authorizing the Mayor to execute an Inter-local Agreement between the City of Leawood and the City of Kansas City, Missouri, pertaining to the resurfacing of State Line Road between College Boulevard and 123rd Street [Project # 72055] - **Approved**

- M. **Resolution No. 4211**, approving and authorizing the Mayor to renew a Maintenance Agreement between the City and Intergraph Public Safety, Inc., in the amount of \$29,251.44, pertaining to the management of the Intergraph Software System - **Approved**
- N. **Resolution No. 4212**, approving and authorizing the Mayor to accept a Retainer Letter from Debra Vermillion to act as Pro Tem Prosecutor for the Leawood Municipal Court - **Approved**
- O. **Resolution No. 4213**, approving and authorizing the Mayor to execute an Inter-local Agreement and Letter of Understanding by and among the City of Leawood and cities of Fairway, Merriam, Mission, Prairie Village, Roeland Park, and the Johnson County Parks and Recreation District, pertaining to the SuperPass Program at the Leawood Aquatic Center, located at 10601 Lee Boulevard - **Approved**
- P. **Resolution No. 4214**, approving and authorizing the Mayor to execute an Addendum to that certain Fullcourt Enterprise Upgrade Modification Licensing Agreement dated March 3, 2014, between the City and Justice Systems, Inc., for an additional amount not to exceed \$3,200 for the upgrade and an amount not to exceed an additional \$100.00, for annual maintenance - **Approved**
- Q. Fire Department Monthly Report
- R. Police Department Monthly Report
- S. Municipal Court Monthly Report

10. MAYOR’S REPORT

- 11. COUNCILMEMBERS’ REPORT- Councilmember Azeltine- Recommendation to Public Works Committee to review current City Policy when private property is damaged by contractor that has been hired by city is hired by city – Approved**

12. STAFF REPORT

COMMITTEE RECOMMENDATIONS

13. PLANNING COMMISSION

[From the January 28, 2014 Planning Commission meeting]

- A. **Ordinance No. 2657**, approving a Rezoning from RP-1 (Planned Single Family Residential District) to RP-3 (Planned Cluster Attached Residential District), Preliminary Plan, Final Plan, and Final Plat for Highland Villas, [formerly known as Grace Gardens] located south of 143rd Street and east of Nall Avenue. (PC Case 09-14) [Roll Call Vote] – **[CONTINUED FROM THE FEBRUARY 17, 2014, THE MARCH 3, 2014, AND THE APRIL 7, 2014, GOVERNING BODY MEETINGS]** – **Passed**

[From the March 25, 2014 Planning Commission meeting]

- B. **Resolution No. 4215**, approving a Revised Final Plan for Mission Farms – Phase III – Additions/Carports, located south of 105th Street and east of Mission Road (PC Case 39-14) - **Approved**
- C. **Resolution No. 4216**, approving a Final Plan and Final Plat for Enclave at Cedar Pointe, located north of 133rd Street and west of State Line Road (PC Case 40-14) - **Approved**

D. **Ordinance No. 2658**, amending § 16-2-5.7 of the Leawood Development Ordinance [LDO], RP-4 (Planned Apartment Residential District) (4,000 sq. ft. per Dwelling), pertaining to modifying the building height within the RP-4 District to match that of the RP-3 District [Planned Cluster Attached Residential District] (6,000 sq. ft. per Dwelling) (PC Case 50-14) [Roll Call Vote] – **Passed**

14. **OLD BUSINESS**

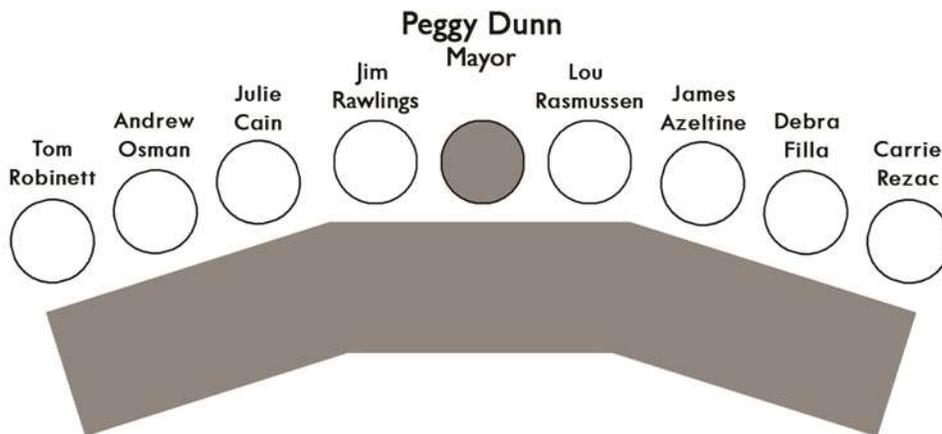
15. **OTHER BUSINESS**

16. **NEW BUSINESS**

Ordinance No. 2659, granting to Unite Private Networks, LLC, a Franchise Agreement to construct, operate and maintain a Telecommunications System in the City of Leawood, Kansas and prescribing the terms of said contract franchise [Roll Call Vote] – **Passed**

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:** ¾ 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.

2014 SCHEDULED WORK SESSIONS			
DATE	TIME	SUBJECT	LOCATION
April 21	6:00 P.M.	Discussion on Ironhorse Golf Clubhouse Expansion Project	Main Conf. Room
May 5	6:00 P.M.	Continued discussion on Review of Community Improvement Development [CID] Application for Camelot Court Shopping Center, located at 119 th & Roe Avenue	Main Conf. Room
May 19	6:00 P.M.	Continued discussion from March 3, 2014 Work Session on Placement of Paley Art Piece; and Discussion of Public Art for Justice Center	Main Conf. Room
June 2	5:45 P.M.	Presentation of Pedestrian/Bicycle Friendly Study	Oak Room downstairs in Comm. Center
June 16	6:00 P.M.	Pre-Budget 2015-2019 C.I.P. Discussion	Main Conf. Room
June 23	6:00 P.M.	Budget & Finance Committee Work Session	Main Conf. Room
June 24	6:00 P.M.	Budget & Finance Committee Work Session <i>[Tentative]</i>	Main Conf. Room
November 17	6:00 P.M.	Holiday Lighting Ceremony	City Hall Courtyard