

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, August 6, 2012
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

AUGUST 2012						
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SEPTEMBER 2012						
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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

Gary Bussing
Carrie Rezac

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**

5. **PRESENTATIONS/RECOGNITIONS** **Leawood Fire Dept. Color Guard
Introduction of Leawood Fire Chief, David
'Dave' Williams
Administer Oath of Office to Fire Chief Dave
Williams**

6. **SPECIAL BUSINESS**

A. **PUBLIC HEARING** Consider the 2013 Fiscal Budget for the City of Leawood

B. **Ordinance No. 2555** authorizing and providing for the issuance and delivery of \$7,615,000 principal amount of General Obligation Temporary Notes of the City of Leawood, Kansas, to provide funds to finance the cost of certain public improvement projects within the City; and making certain covenants with respect thereto [Roll Call Vote] - *Passed*

- C. **Resolution No. 3863**, authorizing the issuance and delivery of \$7,615,000 principal amount of General Obligation Temporary Notes of the City of Leawood, Kansas, for the purpose of financing a portion of the costs of certain public improvements in the City; and prescribing the terms and details of said notes and certain covenants and agreements with respect thereto - *Approved*
- *D. **Ordinance No. 2556**, authorizing the issuance and delivery of \$4,685,000 principal amount of Taxable General Obligation Improvement and Refunding Bonds, Series 2012-A of the City of Leawood, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due; and making certain covenants with respect thereto [Roll Call Vote] - *Passed*
- E. **Resolution No. 3864**, prescribing the form and details of and authorizing the delivery of \$4,990,000 principal amount of General Obligation Improvement and Refunding Bonds, Series 2012-A, of the City of Leawood, Kansas, authorized by Ordinance No. 2556 of the City; providing certain covenants and agreements with respect thereto; and providing for execution of certain agreements in connection therewith - *Approved*

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. 2012-28, 2012-29, and 2012-30 - *Accepted*
- B. Accept minutes of the May 17, 2012 Ironhorse Golf Advisory Board meeting - *Accepted*
- C. Accept minutes of the July 16, 2012 Governing Body meeting - *Accepted*
- D. Accept minutes of the July 16, 2012 Governing Body Work Session - *Accepted*
- E. Accept minutes of the June 14, 2012 Sustainability Advisory Board meeting - *Accepted*
- F. Approve renewal of Cereal Malt Beverage [CMB] license to Gordon Biersch Brewery Restaurant, located at 11652 Ash Street - *Approved*
- G. Approve renewal of Cereal Malt Beverage [CMB] license to RaSushi Bar Restaurant, located at 11638 Ash Street - *Approved*
- H. **Resolution No. 3865** approving a Tax-Exempt Debt Issuance and Post Issuance Compliance Policy for the City of Leawood - *Approved*
- I. **Resolution No. 3866** approving and authorizing the Mayor to renew the Service Agreement for an amount not to exceed \$42,300, between the City and Securitas Security Services USA, to provide School Crossing Guard Services - *Approved*
- J. **Resolution No. 3867** approving and authorizing the Mayor to authorize a Water Main Extension Petition and Agreement between the City and WaterOne in the amount of \$86,375.00, pertaining to the Leawood Justice Center to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76008] - *Approved*
- K. **Resolution No. 3868** approving and authorizing the Mayor to execute a Permanent Easement, grant an easement from the City of Leawood, Kansas to Water District No. 1 of Johnson County, Kansas, for property located at Camelot Court Shopping Center, a subdivision located in Leawood, Kansas - *Approved*

- L. **Resolution No. 3869** approving and authorizing the Mayor to execute a Permanent Easement, grant an easement from the City of Leawood, Kansas to Water District No. 1 of Johnson County, Kansas, for property located at Leawood Justice Center, a subdivision located in Leawood, Kansas - *Approved*
- M. **Resolution No. 3870** approving a Revised Final Plan for Parkway Plaza – Parkway Plaza 133 Condominiums Entry Monuments, located south of 133rd Street and west of Roe Avenue (PC Case 84-12) [from the July 24, 2012 Planning Commission meeting] - *Approved*
- N. **Resolution No. 3871** approving a Final Sign Plan for Market Square – Swim U (Retail Business offering swimming classes), located at the northwest corner of 135th Street and Pawnee Street (PC Case # 85-12) [from the July 24, 2012 Planning Commission meeting] - *Approved*
- O. **Resolution No. 3872** approving a Final Plan for a Tenant Finish for One Nineteen – Feng (Women’s Apparel), located south of 119th Street and east of Roe Avenue (PC Case 87-12) [from the July 24, 2012 Planning Commission meeting] - *Approved*
- P. **Resolution No. 3873** approving a Revised Final Plan for Mission Farms – Van Brock Jewelry Store, located at 10551 Mission Road (PC Case 88-12) [from the July 24, 2012 Planning Commission meeting] - *Approved*
- Q. **Resolution No. 3874** approving a Revised Final Plat for Parkway Plaza – 7th Plat, located north of 135th Street and west of Roe Avenue (PC Case 90-12) [from the July 24, 2012 Planning Commission meeting] - *Approved*
- R. **Resolution No. 3875** approving a Revised Final Sign Plan for Christ Community Evangelical Free Church – Monument Sign, located north of 143rd Street and west of Kenneth Road (PC Case 91-12) [from the July 24, 2012 Planning Commission meeting] - *Approved*
- S. **Resolution No. 3876** approving a Revised Final Plan for Wells Fargo Bank – Retaining Wall, located north of 103rd Street and west of State Line Road (PC Case 92-12) [from the July 24, 2012 Planning Commission meeting] - *Approved*
- T. **Resolution No. 3877** approving a Final Sign Plan for One Nineteen – Frankly Basic (Women’s Apparel), located south of 119th Street and east of Roe Avenue (PC Case 93-12) [from the July 24, 2012 Planning Commission meeting] - *Approved*
- U. **Resolution No. 3878** approving a Final Sign Plan for Park Place – Luxe (Women’s Apparel), located at the northeast corner of 117th Street and Nall Avenue (PC Case 96-12) [from the July 24, 2012 Planning Commission meeting] - *Approved*
- V. **Resolution No. 3879** approving a Final Plan for a Tenant Finish for Park Place – 801 Fish (Retail: Restaurant), located on the northeast corner of 117th & Nall Avenue (PC Case 94-12) Consent Agenda [from the July 24, 2012 Planning Commission meeting] - *Approved*
- W. **Resolution No. 3880** approving a Revised Final Sign Plan for Leawood Plaza – Revised Sign Criteria, located north of 123rd Street and west of State Line Road. (PC Case 89-12) Consent Agenda [from the July 24, 2012 Planning Commission meeting] - *Approved*

8. MAYOR’S REPORT

9. COUNCILMEMBERS’ REPORT

- Councilmember Rawlings – A.** Referral to Stormwater Committee for drainage and erosion issues located within Patrician Woods Townhomes Subdivision - *Approved*

B. Update on Leawood Justice Center

*Councilmember Rasmussen – *A. Referral to the Arts Council regarding the maintenance of ‘Lllooppi’ at City Park - *Approved*

*B. Referral to the Arts Council regarding the sale of ‘Anagenisi apo Koinonia’ located at the Lodge at Ironwoods Park - *Approved*

*Councilmember Bussing Report on Ironhorse Golf Course

10. STAFF REPORT

COMMITTEE RECOMMENDATIONS

11. PLANNING COMMISSION

[From the April 24, 2012 Planning Commission meeting]

A. Ordinance approving zoning, Preliminary Plan and Final Plan for a portion of Ranchmart North, Lot 3, located north of 95th Street and east of Mission Road [PC-52-12] [Roll Call Vote] *[A Protest Petition was received on May 8, 2012, and has been determined to be valid.] ;*

AND

[From the January 24, 2012 Planning Commission meeting] A Resolution approving a Final Plan for Ranchmart – Slab N Pickle, located north of 95th Street and east of Mission Road (PC Case # 109-11) –*Continued From the February 20, 2012, March 5, 2012, and March 19, 2012, May 21, 2012 and June 4, 2012 Governing Body Meetings*

*****Both of the above items will be heard at the August 20, 2012 Governing Body meeting*****

Staff Comment: A separate vote on the zoning ordinance and final plan resolution is necessary and it is recommended that the zoning ordinance be voted upon first.

12. OLD BUSINESS

Resolution No. 3881 amending Resolution No. 3851, approving a Planning Sustainable Places [PSP] grant request match for an amount not to exceed \$30,000 for a grant not to exceed \$150,000 from Mid America Regional Council [MARC], to assist with funding for the 135th Street Corridor Plan - *Approved*

13. OTHER BUSINESS

14. NEW BUSINESS

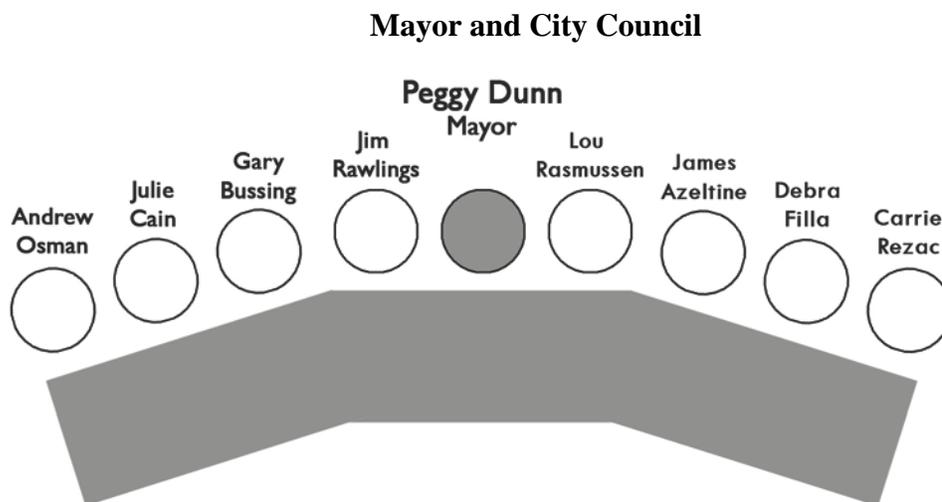
A. **Ordinance No. 2557** attesting to an increase in taxes levied for the budget year 2013 for the City of Leawood, Kansas [Roll Call Vote] - *Passed*

B. **Ordinance No. 2558C** amending Code § 4-937 of the Code of the City of Leawood, 2000, entitled ‘International Residential Code for One- and Two-Family Dwellings,

Table R301.2(1), Climatic and Geographic Design Criteria, as it pertains to Ice Barrier Underlayment Requirement [Roll Call Vote] - *Passed*

- C. **Ordinance No. 2559C** amending Code § 4-958 the Code of the City of Leawood, 2000, entitled International Residential Code for one- and two-family dwellings, Section E3306.2, Conductor Material [Roll Call Vote] - *Passed*
- D. **Ordinance No. 2560C** amending Code § 4-304 of the Code of the City of Leawood, Kansas, 2000, entitled National Electrical Code, Article 110.5, Conductors [Roll Call Vote] - *Passed*
- E. **Ordinance No. 2561C** amending Code § 5-511 of the Code of the City of Leawood, 2000, entitled, 'Massage Therapy; Outcalls' [Roll Call Vote] - *Passed*
- F. Schedule a Governing Body Work Session at 6:00 P.M., on Monday, September 17, 2012 to Discuss Parks and Recreation Comprehensive Master Plan - *Approved*
- G. Schedule a Governing Body Work Session at 6:00 P.M., on Monday, October 1, 2012 to Discuss Parks and Recreation Comprehensive Master Plan - *Approved*

ADJOURN



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.

DATE	TIME	SUBJECT	LOCATION
		2012 Work Sessions	
August 6	6:00 P.M.	Review of the 135 th Street Corridor Study	Main Conf. Room
August 20	6:00 P.M.	Review of the 135 th Street Corridor Study	Main Conf. Room
September 4	6:00 P.M.	Executive Session; Personnel Matter; City Administrator's 6-month Review	Main Conf. Room
September 17	6:00 P.M.	Discuss Parks and Recreation Comprehensive Master Plan	Main Conf. Room
October 1	6:00 P.M.	Discuss Parks and Recreation Comprehensive Master Plan	
November 5	6:00 P.M.	Review the Fee Policy; Proposed 2013 Fee Schedule; and participation levels and revenues for the Parks & Recreation Department	Main Conf. Room
November 19		Holiday Lighting Ceremony	