

CITY OF LEAWOOD GOVERNING BODY MEETING AGENDA

Monday, August 20, 2012
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

AUGUST 2012						
S	M	T	W	T	F	S
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5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SEPTEMBER 2012						
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9	10	11	12	13	14	15
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23	24	25	26	27	28	29
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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

6. SPECIAL BUSINESS

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. 2012-31 and 2012-32 - *Accepted*
- B. Accept minutes of the August 6, 2012 Governing Body meeting - *Accepted*
- C. Accept minutes of the August 6, 2012 Governing Body Work Session - *Accepted*
- D. Accept minutes of the July 10, 2012 Parks & Recreation Advisory Board meeting - *Accepted*
- E. Accept minutes of the June 6, 2012 Bicycle Friendly Committee - *Accepted*

- F. Approve Mayoral Appointment of Mike Levitan to Planning Commission to fill the unexpired term of Commissioner Jane Neff-Brain until June 2014 - *Approved*
- G. Approve payment in the amount of \$49,826.00 to Microsoft Corporation via Software House International, Inc., pertaining to the annual Microsoft license renewal - *Approved*
- H. Approve Change Order No. 1 in the amount of \$3,674.00 to Titan Construction Company, pertaining to the Leawood Justice Center to be located at Town Center Drive & Tomahawk Creek Parkway [Project # 76008] - *Approved*
- I. Approve 2nd and Final Pay Request in the amount of \$19,285.30 to Vance Brothers pertaining to the 2012 Slurry Seal Program [Project # 70011] - *Approved*
- J. Approve 10th and Final Pay Request in the amount of \$1,000.00 to O'Donnell & Sons Construction, pertaining to the 2011 Residential Mill & Overlay Program [Project # 76006] - *Approved*
- K. Approve 2nd and Final Pay Request in the amount of \$3,610.00, to Godard & Sons Roofing Company, pertaining to roof replacement on Fire Station # 1, 9609 Lee Boulevard [Project # 74015] - *Approved*
- L. **Resolution No. 3882** adopting the Fiscal Year 2013 Annual Budget for the City of Leawood, Kansas - *Approved*
- M. **Resolution No. 3883** accepting Notice from Marshall & Ilsley Trust Company N.A., of merger into the BMO Harris Bank N.A. effective August 31, 2012, and authorizing the Mayor to execute Acceptance Letter - *Approved*
- N. **Resolution No. 3884** accepting the Finance Director's 2011 Annual Statement regarding the Leawood Park Impact Fee, pursuant to § 12-409, entitled, 'Annual Review' of the Code of the City of Leawood, 2000 - *Approved*
- O. **Resolution No. 3885** accepting the Finance Director's 2011 Annual Statement regarding the Leawood Kansas Public Art Impact Fee, pursuant to § 12-609, entitled 'Annual Reivew,' of the Code of the City of Leawood, 2000 - *Approved*
- P. **Resolution No. 3886** accepting the Finance Director's 2011 Annual Statement regarding the 135th Street Corridor Transportation Impact Fee, pursuant to § 13-506, entitled, 'Amount of Impact Fee,' and § 13-509, entitled 'Annual Review,' of the Code of the City of Leawood, 2000 - *Approved*
- Q. **Resolution No. 3887** accepting the Finance Director's 2011 Annual Statement regarding the Leawood South Transportation Impact Fee, pursuant to § 13-609, entitled, 'Annual Review,' of the Code of the City of Leawood, 2000 - *Approved*
- R. **Resolution No. 3888** accepting a Storm Sewer Easement from Megan Grossman, 3731 W. 87th Street, Lot 9, Somerset Acres, pertaining to the 87th Street & Mission Road Sewer Project [Project # 77011] - *Approved*
- S. **Resolution No. 3889** approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,709,387.00, between the City and J. M. Fahey Construction Co., Inc., pertaining to the 2012 Arterial Mill & Overlay Program [Project # 72019, 72020, 72043, and 72049] - *Approved*
- T. Fire Department Monthly Report
- U. Police Department Monthly Report
- V. Municipal Court Monthly Report

8. MAYOR'S REPORT

9. COUNCILMEMBERS' REPORT

Councilmember Filla

Recommendation to refer proposed Complete Streets Policy and prioritization for funding – *Referred to Public Works Committee*

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 [Continued from the August 6, 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.

*****Both of the above items have been continued to the Monday, October 15, 2012 Governing Body meeting***

12. OLD BUSINESS

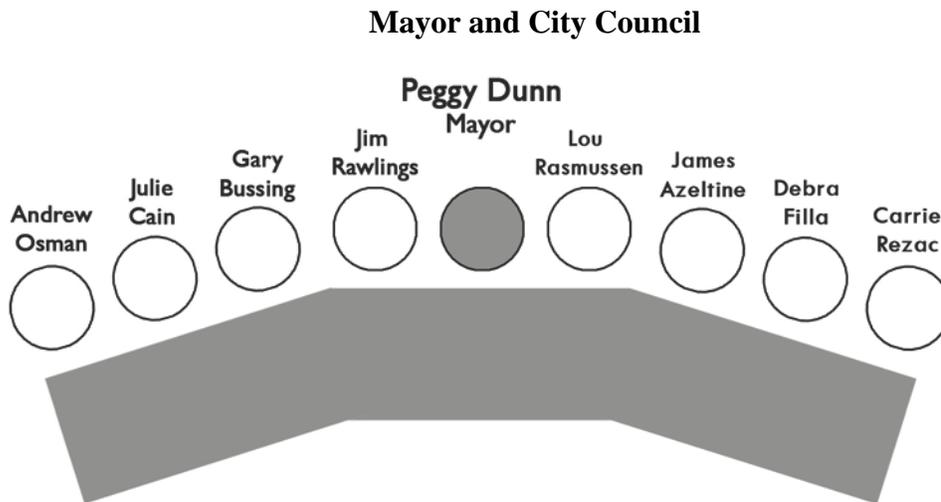
13. OTHER BUSINESS

14. NEW BUSINESS

- A. **Ordinance No. 2562C** amending § 12-409 of the Code of the City of Leawood, 2000, as it pertains to submitting the Annual Review of the Park Impact Fee to the Governing Body [Roll Call Vote] - *Passed*
- B. **Ordinance No. 2563C** amending § 12-609 of the Code of the City of Leawood, 2000, as it pertains to submitting the Annual Review of the Public Art Impact Fee to the Governing Body [Roll Call Vote] - *Passed*
- C. **Ordinance No. 2564C** amending § 13-609 of the Code of the City of Leawood, 2000, as it pertains to submitting the Annual Review of the South Leawood Transportation Impact Fee to the Governing Body [Roll Call Vote] - *Passed*

- D. **Ordinance No. 2565C** amending § 1-112 of the Code of the City of Leawood, 2000, as it pertains to publication of ordinances [Roll Call Vote] - *Passed*

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 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	Main Conf. Room
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	