



**CITY OF LEAWOOD  
GOVERNING BODY  
MEETING AGENDA**

Monday, March 2, 2020  
Council Chamber  
4800 Town Center Drive  
Leawood, KS 66211  
7:00 P.M.

MARCH 2020						
S	M	T	W	T	F	S
1	2	3	4	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				

APRIL 2020						
S	M	T	W	T	F	S
			1	2	3	4
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	

**\*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 Andrew Osman	Jim Rawlings Mary Larson	Chuck Sipple Lisa Harrison	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 use profanity or 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. The public comments shall be limited to a total of 30 minutes.

**4. PROCLAMATIONS**

**5. PRESENTATIONS/RECOGNITIONS**

Chief Dave Williams, Fire Chief, retiring after 7 years of service.

2020 Kansas Arbor Day poster contest participants: Heba Boullaouz, Phoebe Zmijewski, Ella Gray, Jasper Kim, Stella Shumate and Will McMonagle

**6. SPECIAL BUSINESS**

- A. Approve the City Administrator’s recommendation of appointment of Colin Fitzgerald as Interim Fire Chief effective March 6, 2020. - **Approved**

- B. **Ordinance 2989**, Ordinance amending Chapter 5, Article 5 of the Code of the City of Leawood, 2000, pertaining to Massage Establishments and Massage Therapists and repealing existing Article 5 of Chapter 5, and other sections in conflict herewith  
***Continued from February 3, 2020, Governing Body meeting.*** [ROLL CALL VOTE] -  
**Passed**

## 7. CONSENT AGENDA

Consent agenda items have been studied by the Governing Body and determined to be routine enough to be acted upon 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. 2019-55, 2020-5, 2020-6, 2020-7 and 2020-8 -  
**Accepted**
- B. Accept minutes of the February 3, 2020 Governing Body meeting - **Accepted**
- C. Accept minutes of the November 15, 2019 Sustainability Advisory Board meeting -  
**Accepted**
- D. Accept minutes of the January 10, 2020 Sustainability Advisory Board meeting -  
**Accepted**
- E. Accept minutes of the October 2, 2019 Bike/Walk Leawood Committee meeting -  
**Accepted**
- F. Accept minutes of the February 3, 2020 I-Lan Sister City Committee meeting - **Accepted**
- G. Approve 2020 Governing Body Goals & Objectives - **Approved**
- H. Approve renewal of Cereal Malt Beverage [CMB] License for Blade & Timber, located at 5203 W. 117<sup>th</sup> Street (CC) - **Approved**
- I. Approve renewal of Cereal Malt Beverage [CMB] License for CVS/Pharmacy #8237, located at 5001 W. 135<sup>th</sup> Street (CC) - **Approved**
- J. Approve renewal of Cereal Malt Beverage [CMB] License for CVS/Pharmacy #8588, located at 11729 Roe Avenue (CC) - **Approved**
- K. **Resolution 5309**, calling for the Pre-Budget Public Hearing to be heard Monday, April 6, 2020, at 7:30 P.M., or as soon thereafter as may be heard on the 2021 Fiscal Budget for the City of Leawood, Kansas (F) - **Approved**
- L. **Resolution 5310**, approving a Final Landscape Plan for Leawood Estates – Lot 9 & Partial Lot 8 – Residential Emergency Generator, located north of 95<sup>th</sup> Street and east of High Drive (PC Case 02-20) (P) - **Approved**
- M. **Resolution 5311**, approving a Revised Final Plat for Hallbrook East Village, Second Plat, located south of 112<sup>th</sup> Street and west of State Line Road (PC Case 03-20) (P) -  
**Approved**
- N. **Resolution 5312**, approving a Revised Final Plat for Stone Ledge Subdivision, Second Plat, located south of 154<sup>th</sup> Street and east of Nall Avenue (PC Case 05-20) (P) -  
**Approved**
- O. **Resolution 5313**, approving a Final Plan for Park Place pertaining to changes to the façade of a tenant space - Engel & Volkers, located north of 117<sup>th</sup> Street and east of Nall Avenue (PC Case 07-20) (P) - **Approved**
- P. **Resolution 5314**, approving and authorizing the Mayor to execute an Agreement between the City and Heartland Customer Solutions, LLC for the installation of fiber optic cable in the right of way near 14206 Overbrook Road in Leawood, Kansas (PW) - **Approved**
- Q. **Resolution 5315**, accepting Kansas Special Warranty Deed from Leawood Country Club Partners, LLC, pertaining to Dedication of Property for Park Purposes located near the Estates of Old Leawood [Village of Leawood] (PW) - **Approved**

- R. **Resolution 5316**, approving and authorizing the Mayor to execute a Limited Maintenance Agreement between the City and the Village of Leawood Homes Association pertaining to maintenance of certain improvements located in the dedicated park area (PW) - **Approved**
- S. **Resolution 5317**, declaring it necessary to appropriate private property for the use of the City of Leawood for the Leawood South Stormwater Project, located in Leawood, Johnson County, Kansas, in accordance with K.S.A. § 26-201 [SMAC #TM-04-008 Project #80256] (PW) - **Approved**
- T. **Resolution 5318**, accepting a Temporary Construction Easement from Grantors John D. Wininger and Kathy F. Wininger as Co-Trustees of the John D. Wininger Trust and Kathy F. Wininger and John D. Wininger as Co-Trustees of the Kathy F. Wininger Trust, for property located at 12617 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- U. **Resolution 5319**, accepting a Temporary Construction Easement from Grantors Robert O. Schock and Carla J. Schock, for property located at 12703 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- V. **Resolution 5320**, accepting a Permanent Drainage Easement from Grantors Robert O. Schock and Carla J. Schock, for property located at 12703 Wenonga Lane, pertaining to the Leawood South Stormwater Improvements Project [Project #80256] (PW) - **Approved**
- W. **Resolution 5321**, accepting a Permanent Drainage Easement from Grantors Ryan J. Gildea and Courtney C. Gildea, for property located at 12704 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- X. **Resolution 5322**, accepting a Temporary Construction Easement from Grantors Ryan J. Gildea and Courtney C. Gildea, for property located at 12704 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- Y. **Resolution 5323**, accepting a Permanent Drainage Easement from Grantors Mark H. Holland and Merry Grace Holland as Trustees of The Holland Trust, for property located at 12714 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- Z. **Resolution 5324**, accepting a Temporary Construction Easement from Grantors Mark H. Holland and Merry Grace Holland as Trustees of The Holland Trust, for property located at 12714 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- AA. **Resolution 5325**, accepting a Temporary Construction Easement from Grantors Harold T. Gauert and Nancy J. Gauert, Co-Trustees of the Gauert Family Trust, for property located at 12600 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- BB. **Resolution 5326**, accepting a Temporary Construction Easement from Grantor Randy L. Brooks, Trustee of the Randy L. Brooks Trust, for property located at 12719 Sagamore Road, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- CC. **Resolution 5327**, accepting a Temporary Construction Easement from Grantors Patrick Clay Murray and Lindsey Rae Murray, for property located at 12721 Sagamore Road, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- DD. **Resolution 5328**, accepting a Permanent Drainage Easement from Grantor Marie B. Rakiec, for property located at 12725 Sagamore Road, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**

- EE. **Resolution 5329**, accepting a Temporary Construction Easement from Grantors James Winfield Hansen and Amy M. Hansen, for property located at 12613 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- FF. **Resolution 5330**, accepting a Permanent Drainage Easement from Grantors James Winfield Hansen and Amy M. Hansen, for property located at 12613 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- GG. **Resolution 5331**, accepting a Permanent Drainage Easement from Grantors Paul A. Orrick and Anne M. Orrick, Co-Trustees of Orrick Living Trust, for property located at 12703 Cherokee Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- HH. **Resolution 5332**, accepting a Temporary Construction Easement from Grantors Paul A. Orrick and Anne M. Orrick, Co-Trustees of Orrick Living Trust, for property located at 12703 Cherokee Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- II. **Resolution 5333**, accepting a Temporary Construction Easement from Grantors Kristen Baehr and Justin Baehr, for property located at 12706 Cherokee Lane, pertaining to the Leawood- **Approved**  
South Stormwater Project [Project #80256] (PW)
- JJ. **Resolution 5334**, accepting a Temporary Construction Easement from Grantors Mary C. Nagy, Trustee of Mary C. Nagy Trust and Richard J. Mundis Trustee of Richard J. Mundis Trust, for property located at 12615 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) - **Approved**
- KK. **Resolution 5335**, approving and authorizing the Mayor to execute Amendment No. 5 to the Engineering Services Agreement between the City and McClure Engineering Company, F/K/A Shafer, Kline & Warren, Inc., dated April 3, 2017, as amended on May 7, 2018, July 1, 2019, August 12, 2019, and September 16, 2019 in the amount of \$10,689.35, pertaining to the Leawood South Stormwater Project [SMAC# TM-04-008 Project #80256] (PW) - **Approved**
- \* LL. Resolution accepting new GASB-34 Public Infrastructure in accordance with GASB-34 Guidelines of Reporting Inventory of Assets for property located on Mohawk Road, Pawnee Lane, and Cherokee Lane, south of 89<sup>th</sup> Street to 91<sup>st</sup> Street and east of Mission Road, and along 91<sup>st</sup> Street between Mohawk Road and Pawnee Lane in the Leawood Subdivision pertaining to the 2019 Residential Reconstruction Project, Phase 1 [Project #80219] (PW) **[PULLED]**
- \* MM. Resolution accepting new GASB-34 Public Infrastructure in accordance with GASB-34 Guidelines of Reporting Inventory of Assets for property located on portions of 126<sup>th</sup> Terrace and Delmar Streets in the Patrician Woods Subdivision pertaining to the 2019 Patrician Woods Stormwater Improvement Project [Project #77018] (PW) **[PULLED]**
- NN. **Resolution 5336**, approving and authorizing the Mayor to execute a contract change order in the amount of \$37,589.00 between the City and Dondlinger and Sons Construction Company for the Roe Avenue Wall Replacement Project [Project #72088] (PW) - **Approved**
- OO. Request to approve 6th and Final Pay Request to Wiedenmann Inc., for work performed on the Patrician Woods Stormwater Project, in the amount of \$13,376.76 [Project #77018] (PW) **Approved**
- PP. Approve payment in the amount of \$15,635.52 to Hexagon Safety & Infrastructure for 2020 annual maintenance, pertaining to computer aided dispatch software and accompanying software products used in patrol cars (LPD) **Approved**

- QQ. Police Department Monthly Report
- RR. Fire Department Monthly Report
- SS. Municipal Court Monthly Report

**8. MAYOR’S REPORT**

**9. COUNCILMEMBERS’ REPORT**

**10. CITY ADMINISTRATOR REPORT**

**11. STAFF REPORT**

***COMMITTEE RECOMMENDATIONS***

**12. PLANNING COMMISSION**

***[From the January 28, 2020 Planning Commission]***

- A. **Ordinance No. 2990**, amending Sections 16-4-6.9, 16-4-6.10, 16-4-6.13, and 16-4-6.14 of the Leawood Development Ordinance pertaining to signs allowed in SD-CR, SD-NCR, and MXD Districts, and repealing existing Sections 16-4-6.9, 16-4-6.10, 16-4-6.13, and 16-4-6.14 and other sections in conflict herewith (PC Case 112-19) [ROLL CALL VOTE] - **Passed**
  
- B. **Ordinance No. 2991**, approving the 2019 Update to the Comprehensive Plan of the City of Leawood, Johnson County, Kansas (PC Case 06-20) [ROLL CALL VOTE] - **Passed**
  
- C. Resolution approving the Planning Commission’s recommendation to deny a request for a Revised Preliminary Plan for 135<sup>th</sup> Street and Kenneth Road– Mixed Use and Medium Density Residential, located south of 135<sup>th</sup> Street and west of Kenneth Road (PC Case 04-20) - ***CONTINUED TO THE APRIL 6, 2020 GOVERNING BODY MEETING*** [ROLL CALL VOTE]

***[From the October 22, 2019 Planning Commission meeting]***

- D. Ordinance amending Section 16-2-10.3 of the Leawood Development Ordinance entitled “Materials and Colors’ and repealing existing Section 16-2-10.3 and other Sections in conflict herewith (PC Case 39-19) [ROLL CALL VOTE] [***Continued from December 2, 2019 and January 21, 2020 Governing Body Meetings***] *Staff requests that the Governing Body continue this case to March 16, 2020.*

**13. OLD BUSINESS**

**14. OTHER BUSINESS**

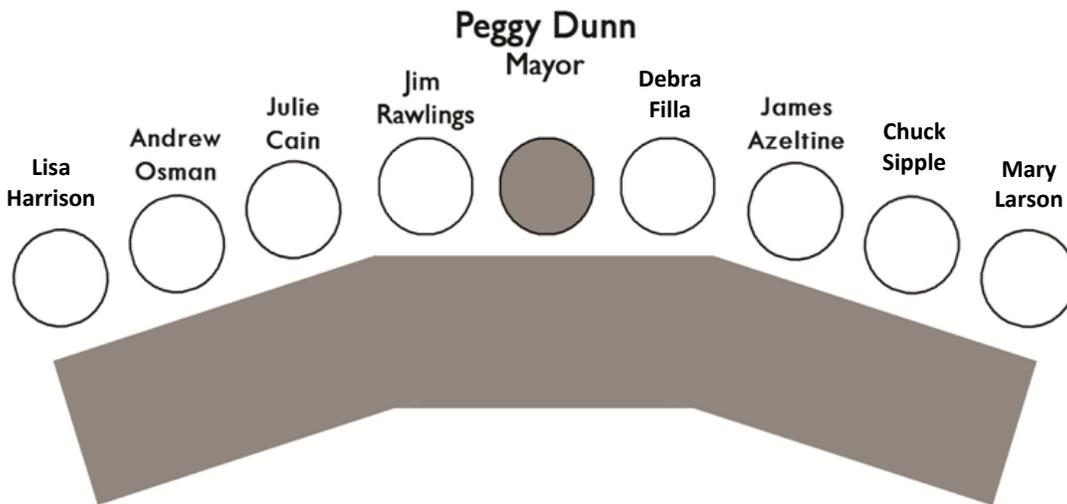
**15. NEW BUSINESS**

- A. **Ordinance No. 2992**, granting Evergy Company, its Grantees, Successors and Assigns, a Franchise, Prescribing the Terms Thereof and Relating Thereto and Repealing Ordinance No. 1947c [ROLL CALL VOTE] - **Passed**

- B. **Ordinance No. 2993**, delaying collection of the Ranch Mart North Community Improvement District Sales Tax from July 1, 2020, and providing for the collection of that Community Improvement District Sales Tax effective October 1, 2021 (Ranch Mart North CID) [ROLL CALL VOTE] - **Passed**
- C. Ordinance amending Chapter 14, Article 5 of the Code of the City of Leawood, 2000, by adding a new Sections 14-501a entitled “Towing of Vehicles from Private Property [non-city initiated]” and repealing provisions in conflict herewith [**HELD UNTIL MARCH 16, 2020 GOVERNING BODY MEETING**] [ROLL CALL VOTE]
- D. **Ordinance No. 2994**, amending Chapter 1, Article 8 of the Code of the City of Leawood, 2000, by adding new Sections 1-863 through 1-866, establishing a new Leawood Ranch Mart North Community Improvement District Special Revenue Fund and repealing Ordinance No. 2976 [ROLL CALL VOTE] - **Passed**
- E. Schedule Governing Body meeting on March 16, 2020 at 7:00 P.M.

**ADJOURN**

**Mayor and City Council**




---

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. 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.

<b>DATE</b>	<b>TIME</b>	<b>SUBJECT</b>	<b>LOCATION</b>
<b>April 6</b>	<b>6:00 PM</b>	<b>2021-2025 C.I.P. Presentation Budget Model Assumptions</b>	<b>Main Conf. Room</b>
<b>June 8</b>	<b>6:00 PM</b>	<b>Budget &amp; Finance Committee</b>	<b>Main Conf. Room</b>
<b>June 9</b>	<i>Tentative</i>	<b>Budget &amp; Finance Committee</b>	<b>Main Conf. Room</b>