



**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, May 4, 2020
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:00 P.M.

MAY 2020							JUNE 2020						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
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3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	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

Ward Two

Ward Three

Ward Four

Debra Filla

Jim Rawlings

Chuck Sipple

Julie Cain

Andrew Osman

Mary Larson

Lisa Harrison

James Azeltine

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF AGENDA

3. CITY CLERK STATEMENT

To reduce the likelihood of the spread of COVID-19 and to comply with social distancing recommendations, this meeting of the Leawood Governing Body is being conducted remotely using the Zoom media format and some of the members of the Governing Body are appearing remotely. The meeting is being livestreamed on [YouTube] and the public can access the livestream by going to www.leawood.org/. The public is strongly encouraged to access this meeting electronically, however, City Hall is open and persons with items on the agenda may, if necessary, attend the Governing Body meeting in person. Staff will strictly enforce social distancing measures.

Public comments on non-agenda items will not be accepted during this meeting. Public comments on agenda items not requiring a public hearing may not be accepted. As always, public comment on any agenda item can be submitted in advance. Written public comments received at least 24 hours prior to the meeting have been distributed to members of the Governing Body prior to the meeting. Public comments should be directed to LeawoodPublicCommentGB@leawood.org.

4. PROCLAMATIONS

Kids to Parks Day, May 16, 2020

5. PRESENTATIONS/RECOGNITIONS

6. SPECIAL BUSINESS

- A. Approve the City Administrator’s recommendation of appointment of Colin Fitzgerald as Fire Chief - **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 Email at CityClerk@Leawood.org no later than 96 hours prior to the scheduled commencement of the meeting.

- B. **Resolution No. 5337** accepting proposed assessments for Tax Year 2021 for Improvements within the Park Place Development; and authorizing and directing the City Clerk to give notice thereof to the owners of properties within the District by publishing notice thereof and providing written notice to owners of property of such proposed assessments [Project # 83196] (F) - **Approved**

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. 2020-9, 2020-10, 2020-11, 2020-12, 2020-13, 2020-14 and 2020-15 – **Accepted**
- B. Accept minutes of the March 2, 2020 Governing Body meeting – **Accepted**
- C. Accept minutes of January 14, 2020 Parks and Recreation Advisory Board Meeting – **Accepted**
- D. Accept minutes of July 23, 2019 Leawood Arts Council Meeting – **Accepted**
- E. Accept minutes of September 24, 2019 Leawood Arts Council Meeting – **Accepted**
- F. Accept minutes of December 16, 2019 Leawood Arts Council Meeting – **Accepted**
- G. Accept minutes of the January 8, 2020 Bike/Walk Leawood Committee meeting – **Accepted**
- H. **Resolution No. 5338** calling for a Public Hearing to be held on Monday, June 1, 2020, at 7:00 P.M., or as soon thereafter as may be heard to consider the 2021-2025 Capital Improvement Program [C.I.P.] for the City of Leawood, Kansas (F) – **Approved**
- I. **Resolution No. 5339** accepting the 2019 Annual Report regarding the Leawood Park Impact Fee, pursuant to Section 12-409 of the Code of the City of Leawood, Kansas, 2000 (PR) – **Approved**
- J. Approve 5th and Final Payment in the amount of \$2,734.50 to Freeman Concrete Construction pertaining to the 2019 Residential Reconstruction Project, Phase 1 [Project #80219] (PW) – **Approved**
- K. Approve an expenditure in the amount of \$49,602.12 to KA-COMM Inc., for the purchase and installation of equipment (PD) – **Approved**
- L. Approve an expenditure in the amount of \$59,466.27 to KA-COMM Inc., for the purchase and installation of 10 Harris 185M Mobile Radios (FD) – **Approved**
- M. Approve an expenditure in the amount of \$25,065.00 from Industrial Sales, Inc., for the purchase of an irrigation boost pump at Gezer Park (PR) – **Approved**
- N. Approve an expenditure in the amount of \$116,838.00 from American Equipment Company for the purchase of a Swap Loader SL with Hook Lift, Force American Central Hydraulic System, Warren Dump Bed, Monroe Snowplow, Monroe Wing Plow and Monroe Spreader (PW) – **Approved**
- O. Approve an expenditure in the amount of \$44,340.53 from Crafc0 Inc., for the purchase of a Crack Pour Machine Easy Melter (PW) – **Approved**
- P. Approve an expenditure in the amount of \$15,516.40 from Kirby-Smith Machinery for the purchase of a Tack Machine (PW) – **Approved**
- Q. Approve an expenditure in the amount \$9,950.00 from GW Van Keppel Co., for the purchase of a Slot Cutter Machine (PW) – **Approved**
- R. Approve an expenditure in the amount of \$177,717.00 from Foley Equipment for the purchase of a Wheel Loader (PW) – **Approved**

- S. Approve an expenditure in the amount of \$222,230.00 from Cues Inc., for the purchase of a HI-Cube Van TV Inspection Vehicle (PW) – **Approved**
- T. Approve an expenditure in the amount of \$47,641.00 from K.C. Bobcat for the purchase of Bobcat E35 25 HP R-series Compact Excavator for Ironhorse Golf Course (PR) – **Approved**
- U. Approve an expenditure in the amount of \$125,364.47 from Professional Turf Products for the purchase of a Toro Sandpro 5040, True Surface vacu-cutter and Spiker inserts and Toro Lynx Smart Satellite boxes for Ironhorse Golf Course (PR) – **Approved**
- V. Approve an expenditure in the amount of \$20,000 from Kansas Golf and Turf Sales for the purchase of a 2020 Smithco Tournament XL 7000 Roller for Ironhorse Golf Course (PR) – **Approved**
- W. **Resolution No. 5340** accepting a Temporary Construction Easement from Grantor Joy A. Self, Trustee of the Joy A. Self Revocable Trust, for property located at 12604 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) – **Approved**
- X. **Resolution No. 5341** accepting a Permanent Drainage Easement from Grantor Joy A. Self, Trustee of the Joy A. Self Revocable Trust, for property located at 12604 Wenonga Lane, pertaining to the Leawood South Stormwater Project [Project #80256] (PW) – **Approved**
- Y. **Resolution No. 5342** accepting new GASB-34 Public Infrastructure in accordance with GASB-34 Guidelines of Reporting Inventory of Assets for property located in the 10300 block of Glenfield, for the New Development Donation for “The Reserve at Mission Woods” (PW) – **Approved**
- Z. **Resolution No. 5343** accepting new GASB-34 Public Infrastructure in accordance with GASB-34 Guidelines of Reporting Inventory of Assets for property located at approximately 126th Terrace and Delmar Streets in the Patrician Woods Subdivision pertaining to the Patrician Woods Stormwater Improvements (PW) – **Approved**
- AA. **Resolution No. 5344** accepting new GASB-34 Public Infrastructure in accordance with GASB-34 Guidelines of Reporting Inventory of Assets for properties located in the 8900 block of Pawnee, 8900 block of Cherokee Lane and the 3400 block of West 92nd Street, Leawood Subdivision pertaining to the 2019 Residential Reconstruction Project, Phase 1 (PW) – **Approved**
- BB. **Resolution No. 5345** approving and authorizing the Mayor to execute Addendum No. 3 to the Agreement dated November 1, 2010, between the City and the City of Overland Park, pertaining to maintenance of street lighting systems along common borders (PW) – **Approved**
- CC. **Resolution No. 5346** approving and authorizing the Mayor to execute an Amendment to the Agreement between the City and Next to Nature Landscape, LLC., pertaining to maintenance of medians and the right-of-way (PR) – **Approved**
- DD. **Resolution No. 5347** approving and authorizing the Mayor to execute Amendment No. 1 to the Agreement between the City and Kansas Gas Service pertaining to costs for 143rd Street Utility Relocation [Project #80129] (PW) – **Approved**
- EE. Approve Final Payment to Kansas Gas Service in the amount of \$225,180.74 pertaining to 143rd Street Utility Relocation [Project #80129] (PW) – **Approved**
- FF. **Resolution No. 5348** approving and authorizing the Mayor to execute a Professional Services Agreement in the amount of \$36,900.00 between the City and George Butler Associates (GBA) pertaining to the 2020 Bridge Inspections (PW) – **Approved**

- GG. **Resolution No. 5349** approving and authorizing the Mayor to execute an Agreement between the City and the City of Prairie Village, Kansas, for Public Improvements Engineering Work for the 8400 Block of Reinhardt Street and Reinhardt Lane Storm Drainage Improvement Project [Project #77021] (PW) – **Approved**
- HH. **Resolution No. 5350** approving and authorizing the Mayor to execute an Agreement between the City and the City of Prairie Village, Kansas, for Public Improvements for the 8400 Block of Reinhardt Street and Reinhardt Lane Storm Drainage Improvement Project [Project #77021 (PW) – **Approved**
- II. **Resolution No. 5351** approving and authorizing the Mayor to execute a Professional Services Agreement in the amount of \$408,334.81 between the City and Lamp Rynearson pertaining to the 2020 Corrugated Metal Pipe Replacement Project [Project #80256] (PW) – **Approved**
- JJ. **Resolution No. 5352** approving and authorizing the Mayor to execute a Construction Agreement in the amount of \$1,704,209.25 between the City and Superior Bowen Asphalt d/b/a O'Donnell & Sons Construction pertaining to the 2020 Residential Mill & Overlay Project [Project #70028] (PW) – **Approved**
- KK. **Resolution No. 5353** approving and authorizing the Mayor to execute a Professional Service Agreement in the amount of \$11,833.00 between the City and Phelps Engineering pertaining to City owned property located at approximately 96th Street and Lee Boulevard [Leawood Estates Lots 115, 116, 117, 118 and 119] [Project #80219] (PW) – **Approved**
- LL. **Resolution No. 5354** approving and authorizing the Mayor to execute an agreement in the amount of \$44,436.00 between the City and IDEMIA Identity & Security USA, LLC., for the purchase of LiveScan fingerprint equipment (PD) – **Approved**
- MM. Declaration of Surplus Property: (2) Engine Jacks, (1) Brush Leaf Vacuum (2) 4-Ton Hydraulic Service Jacks, (2) Leaf Boxes, (2) Stihl Saws, (1) Stihl Backpack Blower, (1) Command Post Vehicle and (2) leather lobby chairs (PW) – **Approved**
- NN. Declaration of Surplus Property: maintenance equipment at Ironhorse Golf Course (PR) – **Approved**
- OO. Police Department Monthly Report
- PP. Fire Department Monthly Report
- QQ. 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 October 22, 2019 Planning Commission Meeting]

- A. 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, January 21, 2020, March 2, 2020 and March 16, 2020 Governing Body Meetings***] ***CONTINUED TO JUNE 1, 2020***

[From the January 28, 2020 Planning Commission Meeting]

- B. Ordinance approving Planning Commission’s Recommendation of Denial of Request for Amended Preliminary Plan for Regents Park Multi-Family Development, located south of 135th Street and east of Kenneth Road (PC Case 04-20) [ROLL CALL VOTE]
CONTINUED TO MAY 18, 2020

[From the February 25, 2020 Planning Commission Meeting]

- C. Resolution approving a Revised Final Plan for Camelot Court Waterway Gas and Wash Company located north of 119th Street and west of Tomahawk Creek Parkway (PC Case 11-20) [ROLL CALL VOTE] ***[Continued from March 16, 2020] CONTINUED TO MAY 18, 2020***
- D. Ordinance amending Section 16-4-5.4 of the Leawood Development Ordinance entitled “Required Parking Ratios” and repealing existing Section 16-4-5.4 and other sections in conflict herewith (PC Case 20-20) [ROLL CALL VOTE] ***[Continued from March 16, 2020] CONTINUED TO MAY 18, 2020***

13. OLD BUSINESS

Ordinance amending Chapter 14, Article 5 of the Code of the City of Leawood, 2000, by adding a new Section 14-501a entitled “Towing of Vehicles from Private Property [non-city initiated]” and repealing other sections in conflict herewith [ROLL CALL VOTE] ***[Continued from March 2, 2020 and March 16, 2020 Governing Body Meetings] CONTINUED TO JULY 20, 2020***

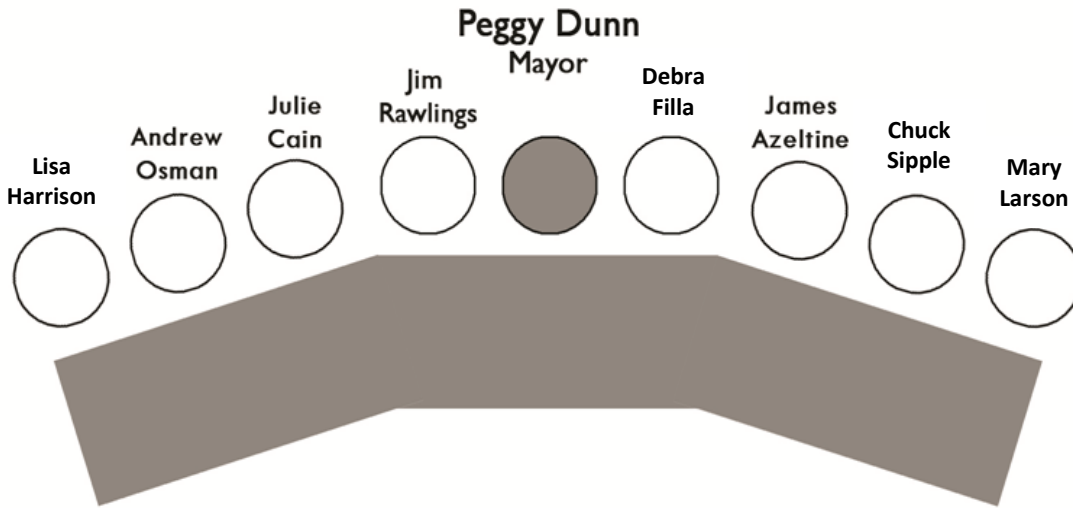
14. OTHER BUSINESS

15. NEW BUSINESS

- A. **Ordinance No. 2995** amending Article 1 of Chapter 1 of the Code of the City of Leawood, 2000, by adding a new Section 1-121a pertaining to suspension of certain code requirements due to the COVID-19 Pandemic [ROLL CALL VOTE] - **Passed**
- B. **Ordinance No. 2996** calling for an election to be held on November 3, 2020, for the purpose of voting on a proposition to re-authorize the City of Leawood, Kansas to levy a one-eighth percent [.125%] City Retailers’ Sales tax, in addition to the one percent [1.0%] currently levied, with the City of Leawood, Kansas, and to use the revenue from the additional tax to fund an accelerated Residential and Thoroughfare Street Improvement Program and to make Stormwater Improvements when such improvements are not otherwise eligible for funds from other governmental sources. Such additional tax to take effect on July 1, 2021 and to end on June 30, 2028 [ROLL CALL VOTE] (F) - **Passed**
- C. **Ordinance No. 2997** Amending Section 1-115 entitled “Quorum” and Section 1-117 entitled “Procedures” of the Code of the City of Leawood, Kansas, 2000, and Repealing Existing Sections 1-115 and 1-117 and Other Sections in Conflict Herewith [ROLL CALL VOTE] - **Passed**

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Mayor and City Council



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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.

DATE	TIME	SUBJECT	LOCATION
June 8	6:00 PM	Budget & Finance Committee	Main Conf. Room
June 9	<i>Tentative</i>	Budget & Finance Committee	Main Conf. Room