



**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, November 2, 2020
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:30 P.M.

NOVEMBER 2020

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

DECEMBER 2020

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20	21	22	23	24	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

<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. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF AGENDA**
- 4. 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/.

Public comments on non-agenda items will not be accepted during this meeting. Public comment 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.

- 5. PROCLAMATIONS** **Small Business Saturday, November 28, 2020**
- 6. PRESENTATIONS/RECOGNITIONS**
- 7. SPECIAL BUSINESS**
 - A. Approve the Mayor’s recommendation of appointment of Gerald William Merrill as Municipal Judge [ROLL CALL] - **Approved**
 - B. Administer Oath of Office: Judge Gerald William Merrill

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.

8. 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. 2020-40 and 2020-41 - **Accepted**
- B. Accept minutes of the October 19, 2020 Governing Body Meeting - **Accepted**
- C. Accept minutes of the October 12, 2020 Special Call Meeting - **Accepted**
- D. Accept minutes of the October 5, 2020 Work Session - **Accepted**
- E. Accept minutes of the June 23, 2020 Ironhorse Advisory Board Meeting - **Accepted**
- F. Accept minutes of the August 6, 2020 Ironhorse Advisory Board Meeting - **Accepted**
- G. Accept minutes of the August 5, 2020 Bike/Walk Committee Meeting - **Accepted**
- H. Approve an expenditure in the amount of \$20,935 to Creative Displays of Kansas City, Inc. pertaining to installation and maintenance of Holiday Lights for City Hall (PR) - **Approved**
- I. **Resolution No. 5432** approving and authorizing the Mayor to execute a License and Service Agreement between the City of Leawood and Club Car, LLC, pertaining to the use of software in golf carts at Ironhorse Golf Course (PR) - **Approved**
- J. Approve an expenditure in the amount of \$17,685 to American Dish Service pertaining to the purchase of (3) Ultraviolet Light Cabinets (FD) - **Approved**
- K. **Resolution No. 5433** approving and authorizing the Mayor to execute a Lease Agreement and associated documents between the City of Leawood and DLL Finance LLC, in the amount of \$60,644.92 annually pertaining to the lease of golf cars, utility vehicles and a beverage unit for the City's public golf course facility, Ironhorse Golf Course, located at 15400 Mission Road (F) - **Approved**
- L. **Resolution No. 5434** approving and authorizing the Mayor to sign a Subrecipient Grant Agreement with Johnson County pertaining to reimbursement of expenses incurred due to the Coronavirus (F) - **Approved**
- M. **Resolution No. 5435** approving and authorizing the Mayor to execute a Service Agreement between the City and Online Solutions, LLC, in the amount of \$75,500.00 pertaining to Citizenserve, an online system for permits and licensing (IT) - **Approved**
- N. **Resolution No. 5436** approving and authorizing the Mayor to execute an Agreement between the City of Leawood and Design Mechanical, Inc., in an amount not to exceed \$110,000.00 pertaining to the purchase and installation of an HVAC ionization system for certain HVAC systems [Project #74109] (PW) - **Approved**
- O. **Resolution No. 5437** accepting new GASB-34 Public Infrastructure in accordance with GASB-34 Guidelines of Reporting Inventory of Assets for property located at 117th Street and Town Center Drive, RW4 Building pertaining to a new development at 5100 W 115th Place (PW) - **Approved**
- P. **Resolution No. 5438** approving and authorizing the Mayor to execute an Independent Contractor Agreement between the City and K & W Underground, Inc. in the amount of \$23,999.00 pertaining to the installation of fiber along 143rd Street [Project #76048] (PW) - **Approved**
- Q. **Resolution No. 5439** 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 Improvements [Project #80256] (PW) - **Approved**
- R. **Resolution No. 5440** 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 Improvements [Project #80256] (PW)
- **Approved**
- S. **Resolution No. 5441** 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 Improvements [Project #80256] (PW)
- **Approved**
- T. **Resolution No. 5442** approving and authorizing the Mayor to execute Change Order No. 1 between the City and Realm Construction Inc. in the amount of \$35,000.00 pertaining to work performed on the 135th Street Concrete Repair Program (PW) - **Approved**
- U. Approve an expenditure in the amount of \$18,000.00 to Precision Small Engine for the purchase of (2) 50” platinum cooling fans (PR) - **Approved**
- V. Declaration of surplus property: (1) John Deere Rotary Cutter Mower (PR) - **Approved**

9. MAYOR’S REPORT

10. COUNCILMEMBERS’ REPORT

11. CITY ADMINISTRATOR REPORT

12. STAFF REPORT

13. COMMITTEE RECOMMENDATIONS

[From the October 13, 2020 Planning Commission Meeting]

- A. **Ordinance No. 3015** amending Section 16-3-3 of the Leawood Development Ordinance [LDO] entitled “Administrative Approvals” and repealing existing section 16-3-3 and other sections in conflict herewith (Case 74-20) [ROLL CALL] - **Passed**
- *B. Resolution approving a Revised Final Plan for Town Center Crossing – Revised Design Guidelines, located south of 119th Street and east of Roe Avenue (Case 66-20)
[Continued to the November 16, 2020 Governing Body meeting]
- *C. Resolution approving a Revised Final Plan for Town Center Plaza – Revised Design Guidelines, located north of 119th Street and west of Roe Avenue (Case 67-20)
[Continued to the November 16, 2020 Governing Body meeting]
- *D. Resolution approving a Revised Final Plan for Town Center Plaza – Revised Sign Guidelines, located north of 119th Street and west of Roe Avenue (Case 82-20) [ROLL CALL] *[Continued to the November 16, 2020 Governing Body meeting]*
- *E. Resolution approving a Revised Final Plan for Town Center Crossing – Revised Sign Guidelines, located south of 119th Street and east of Roe Avenue (Case 83-20) [ROLL CALL] *[Continued to the November 16, 2020 Governing Body meeting]*

[From the October 19, 2020 Governing Body Meeting]

- F. Discussion of Villa de Fontana and Possible Motions to Rescind

If Motions to Rescind are Made and Passed, then the following two items may be considered:

Ordinance No. 3016 rescinding Ordinance No. 3011 approving Planning Commission's recommendation of denial of a rezoning from SD-CR (Planned General Retail), SD-O (Planned Retail), and RP-3 (Planned Cluster Attached Residential) to RP-2 (Planned Cluster Detached Residential), Preliminary Plan and Preliminary Plat for Villa de Fontana, located south of 135th Street and east of Roe Avenue. (PC Case 70-20) **Motion to Rescind – Passed, 5-3**

1. Ordinance approving Planning Commission's recommendation of denial of a Rezoning from SD-CR (Planned General Retail), SD-O (Planned Office) and RP-3 (Planned Cluster Attached Residential) to RP-2 (Planned Cluster Detached Residential), Preliminary Plan, and Preliminary Plat for Villa De Fontana, located south of 135th Street and east of Roe Avenue (PC 70-20) [ROLL CALL]. **Motion to Override – Passed, 6-3**

Note: A vote to approve this ordinance is a vote to deny the developer's application.

2. Resolution approving the Planning Commission's recommendation of denial of a final plan and final plat for Villa De Fontana, located south of 135th Street and east of Roe Avenue (PC 81-20) [ROLL CALL] **Motion to Rescind – Passed 8-0**

Note: A vote to approve this resolution is a vote to deny the developer's application

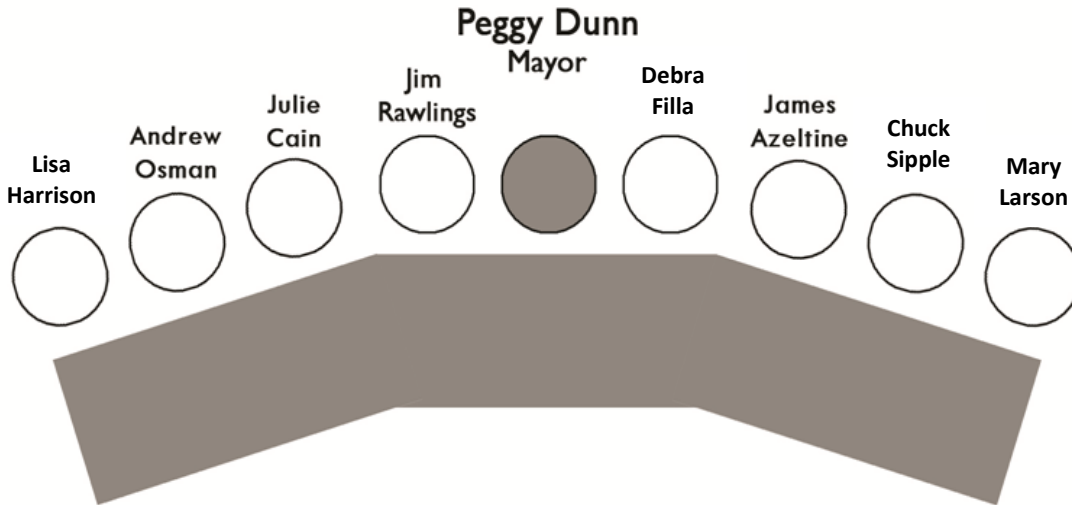
14. OLD BUSINESS

15. NEW BUSINESS

- A. **Ordinance No. 3017** appropriating the amounts set up in each fund in the budget for Fiscal Year 2021, providing for the payment of all claims and charges against the accounts provided for therein; and approving and ratifying the payment of all claims against the accounts [ROLL CALL VOTE] (F) - **Passed**
- B. **Ordinance No. 3018** amending Sections 14-308 and 14-310 of the Code of the City of Leawood, Kansas, 2000, pertaining to Parking, and repealing existing Sections 14-308, 14-310, and any other Sections in conflict herewith [ROLL CALL VOTE] (PD) - **Passed**
- C. Schedule Work Session for Monday, November 16, 2020 at 6:00 P.M.
- D. Schedule Governing Body meeting Monday, November 16, 2020 at 7:30 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.

DATE	TIME	SUBJECT	LOCATION
Monday, Nov. 16, 2020	6:00 P.M.	Work Session	Council Chamber
Monday, Nov. 16, 2020	7:30 P.M.	Governing Body Meeting	Council Chamber
Monday, Dec. 7, 2020	6:00 P.M.	Work Session	Council Chamber
Monday, Dec. 7, 2020	7:30 P.M.	Governing Body Meeting	Council Chamber
Monday, Dec. 21, 2020	7:00 P.M.	Governing Body Meeting	Council Chamber
Tuesday, Jan. 19, 2021	6:00 P.M.	Work Session - Review residential above ground swimming Pools	Council Chamber
Monday, Jan. 25, 2021	6:00 P.M.	Governing Body Short, Near & Long-Term Goals	Council Chamber
Monday, Feb. 15, 2021	6:00 P.M.	Work Session – Review Climate Action KC Review	Council Chamber
Monday, March 1, 2021	6:00 P.M.	Work Session – Review proposed design of the new Fire Station No. 1	Council Chamber
Monday, March 1, 2021	7:30 P.M.	Governing Body Meeting	Council Chamber

Monday, April 5, 2021	6:00 P.M.	Work Session – C.I.P Presentation 2022-2026 Budget Model Assumptions	Council Chamber
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