

City Council Action Summary - July 19, 2010

Report from the July 19, 2010, Committee-of-the-Whole meeting that the following actions be taken:

1) Recommend 2011 Operating Budget for publication, and following publication of the proposed budget, expenditures may be reduced but not increased; 2) Set a public hearing for the 2011 Budget for 7:30 p.m., on August 16, 2010, in the Council Chamber at City Hall; and 3) Schedule adoption of the 2011 Budget and the 2011-2015 Capital Improvements Program immediately following the public hearing on August 16, 2010.

Approved the following Consent Agenda items:

COMMUNITY DEVELOPMENT:

Committee item:

- 1) Ordinance No. REP-2882 – Relating to the regulation and licensing of coin-operated amusement devices.

FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT:

Staff items:

- 1) Council Minutes – June 7, 2010.
- 2) Expenditure Ordinance No. 7A – Outlining the expenditures from the General Operating Fund for June 23 through July 6, 2010.
- 3) Capital Projects Expenditure Ordinance No. 7B –Outlining the expenditures from the Capital Projects Fund for July 8 through July 14, 2010.
- 4) Applications for Renewal of Drinking Establishment Licenses Contingent on Receiving State Licenses:
 - a) Bella, L.L.C., d/b/a Sunlighten, 7373 W. 107th Street, Heather Holder, new manager.
 - b) GM Restaurants of Kansas, Inc., d/b/a The Olive Garden Italian Restaurant No. 1111, 6750 W. 95th Street, Barbara E. Horton, manager.
 - c) Smokehouse BBQ, Inc., d/b/a Smokehouse BBQ, Inc., 7121 W. 135th Street, Mahmoud Tarakemeh, manager.
 - d) Ichiban Sushi, d/b/a Ichiban Sushi, 11809 College Boulevard, Yong H. Chon, manager.
- 5) Application for Renewal of Class A Private Club License - Milburn Golf and Country Club, d/b/a Milburn Golf and Country Club, 7501 W. 69th Street, Randy Hunt, manager.
- 6) Application for New Cereal Malt Beverage License - Gavino's Mexican Restaurant, L.L.C., d/b/a Gavino's Mexican Restaurant, 8220 Metcalf, Israel Vargas, manager.
- 7) Applications for Renewal of Cereal Malt Beverage Licenses:
 - a) Wal-Mart Stores, Inc., d/b/a Neighborhood Market No. 5180, 10303 Metcalf, Jeffrey M. Frank, manager.
 - b) Wal-Mart Stores, Inc., d/b/a Neighborhood Market No. 5207, 9000 Metcalf, Michael Weant, manager.
 - c) Wal-Mart Stores, Inc., d/b/a Wal-Mart Supercenter No. 3273, 15700 Metcalf, Keith D. McEaney, manager.
- 8) Application for Temporary Permit to Sell Alcoholic Liquor - Silvercrest at Deer Creek Retirement Community, for an event to be held July 22, 2010, from 2 p.m. until 11 p.m., 13060 Metcalf, PJ Prusia, manager.
- 9) Application for Temporary Permit to Sell Alcoholic Liquor - Silvercrest at Deer Creek Retirement Community, for an event to be held August 26, 2010, from 2 p.m. to 11 p.m., 13060 Metcalf, PJ Prusia, manager.

PUBLIC SAFETY:

Committee items:

- 1) Agreement – Nextel West Corp., for the frequency reconfiguration to implement the rebanding of the City's 800 MHz radio system and authorizing the Chief of Police or his designee to execute the necessary rebanding documents once the project is initiated.
- 2) Agreement – Intergraph Public Safety for Software Maintenance Services from August 1, 2010, through April 30, 2011, in the amount of \$113,236.88.
- 3) Request to Waive Bid Process and Authorize Purchase – Dell Corporation, using the Western States Contracting Alliance State of Kansas contract for servers for the Police Intergraph System in an amount not to exceed \$75,000.
- 4) Request to Waive Bid Process and Authorize Purchase – SHI International Corporation, using the State of Kansas contract, for software to support the Police Intergraph System Upgrade in an amount not to exceed \$35,300.

Denied Resolution No. 3825 – Providing conditional approval of the development of senior affordable rental housing for the vicinity of 137th Street and Riley.

Approved Ordinance No. PMV-2881 –Relating to vehicle use, parking and storage in the City, amending and repealing existing Overland Park Municipal Code Sections 7.22.010, 7.22.020, 7.22.030, 7.22.040, 7.22.050, 7.22.060, 7.22.070, 7.22.080, 7.22.085, 7.22.085, 7.22.090, 7.22.100, 7.22.110.

Approved low bid for 2010 CDBG Streetlighting in the amount of \$330,461 from K & W Underground, Inc.

Approved Change Order No. 1 – Miles Excavating, Inc., for additional work on the 83rd Street and Grandview Ditchliner Improvements in the amount of \$139,844.45.

Approved Change Order No. 3 – Teague Electric for additional work on the 2009 Collector Streetlighting project in the amount of \$3,670 and an extension of time for completing the project.

Approved the following Recommendations from the Planning Commission Consent Agenda as stipulated::

- 1) Acceptance of Right-of-Way – Final Plat No. 2010-15 – Summerwood Estates Third Plat, vicinity of the southwest corner of 159th Street and Quivira.
- 2) Revised Preliminary Plan – Mission Farms West, vicinity of 105th Street and Mission.
- 3) Ordinance No. Z-3453 (Special Use Permit No. 2010-8) – 7880 Mastin, for a three-year period of time to allow the renewal of a billboard.
- 4) Ordinance No. Z-3454 (Special Use Permit No. 2010-9) – 7700 Wedd, for a three-year period of time to allow the renewal of a billboard.
- 5) Ordinance No. Z-3452 (Rezoning No. 2010-4) – Vicinity of the northwest corner of 191st Street and Antioch, from PRN-2J, Planned Residential Neighborhood Two District, Johnson County, to A, Agricultural District, to allow a large-lot, single-family subdivision.

Approved Residential Day-Care Permit No. 2010-1, 10920 West 91st Street, for a one-year period of time, with no stipulations.

Approved Ordinance No. VAC-2880 (Street Right-of-Way Vacation No. 2010-2), vicinity of the northeast corner of 127th Street and Grant.

OLD BUSINESS:

Held executive session for a period of ten minutes to discuss matters subject to the attorney-client privilege and relating to a dispute regarding the September 1, 2006, Payment in Lieu of Tax Agreement (PILOT) with Capital One and Capital Homes.

Approved the Settlement Agreement, Mutual Release and Joint Disbursement Instructions between the City and Capital One Services and Capital One Home Loans, providing for the payment of \$555,000 to be paid by Capital One Services and Capital One Home Loans to the Treasurer of Johnson County in settlement of a “clawback” dispute relating to the September 1, 2006, PILOT Agreement between the parties.

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