

CITY OF OVERLAND PARK

MAYOR AND COUNCIL AGENDA

**Council Chamber
8500 Santa Fe Drive**

August 20, 2001

AUGUST 2001						
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SEPTEMBER 2001						
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MAYOR ED EILERT _____ COUNCIL PRESIDENT SADER _____ COUNCILMEMBERS PRESENT:
 GERLACH _____ GOODMAN _____ HALLIGAN _____ HIX _____ LEHNERTZ _____
 KANDT _____ KOBACH _____ LOUDON _____ OWENS _____

7:30 p.m.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

2001 MASTER PLAN

MAYOR ED EILERT

REAPPOINTMENTS TO THE SISTER CITY COMMITTEE:

	<u>TERM OF OFFICE</u>	
	<u>Beginning</u>	<u>Ending</u>
Geri Christian	02/01/01	02/01/03
David Wolfe	02/01/01	02/01/03
Marsha Chappelow	02/01/01	02/01/03
Carolyn Kadel	02/01/01	02/01/03
Jerry Cook	02/01/01	02/01/03
Rudy Beese	02/01/01	02/01/03

NEW APPOINTMENT TO THE SISTER CITY COMMITTEE:

Chris Hines	02/01/01	02/01/03
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RESOLUTION NO. 3238 – Recognizing and commending Kris Kobach for his dedicated service to the citizens of Overland Park as a member of the Overland Park City Council.

ORDINANCE NO. BO-2325 – Attesting to an increase in tax revenues for budget year 2002.

CONSIDERATION OF ADOPTION OF THE 2002 PROPOSED BUDGET AND 2002-2006 CAPITAL IMPROVEMENTS PROGRAM.

CITY MANAGER JOHN M. NACHBAR

If you need any accommodation for the meeting, please contact Marian Cook, 913/895/6151 (Kansas Relay Service 800/766/3777). Please give 48 hours' notice.

Information on Governing Body members and a seating chart are on the last page. Governing Body meetings are held on the first three Mondays of the month at 7:30 p.m. If you would like to present an item of business, please contact the City Clerk's office, 913/895/6151.

CONSENT AGENDA:

PUBLIC SAFETY

STAFF CONSENT ITEM:

Chief of Police
John Douglass

APPLICATION FOR RENEWAL OF MASSAGE THERAPY BUSINESS LICENSE – Dillard’s Your Salon & Spa, 11601 W. 95th Street, Shari Roper, applicant.

APPLICATIONS FOR MASSAGE THERAPY AND IN-OFFICE MASSAGE THERAPY BUSINESS LICENSES – Therapeutic Health Services, 6540 W. 95th Street, Patti J. Nelson, applicant.

FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT

STAFF CONSENT ITEMS:

Director of Finance, Budget and Administration
Kristy Cannon Stallings

CAPITAL PROJECTS EXPENDITURE ORDINANCE NO. 8C – Outlining the expenditures from the Capital Projects Funds for August 9 through August 15, 2001.

APPLICATION FOR RENEWAL OF DRINKING ESTABLISHMENT LICENSE – The Peanut of Kansas, Inc., d/b/a The Peanut South, 12663 Metcalf, Mike Vaughan, manager.

APPLICATION FOR RENEWAL OF CEREAL MALT BEVERAGE LICENSE – Bishop Rink Holdings, L.L.C., d/b/a Ice Midwest, 12140 W. 135th Street, Randall L. Brilliantine, manager.

ORDINANCE NO. MW-2319 – Levying special assessments against certain parcels of land within the City in order to pay the costs incurred from cutting weeds and other noxious growth on said parcels.

REGULAR AGENDA:

PUBLIC SAFETY

COMMITTEE REPORT:

Jack Halligan, Chairman
Terry Goodman, Vice Chairman

Thomas C. “Tim” Owens

George Kandt

Kris Kobach

Chairman
Jack Halligan

STAFF REPORT:

Chief of Police
John Douglass

REGULAR AGENDA - Continued

PUBLIC WORKS

COMMITTEE REPORT:

Byron C. Loudon, Chairman
Kris Kobach, Vice Chairman

Carl Gerlach

Jay F. Lehnertz

Jim Hix

Chairman
Byron C. Loudon

ORDINANCE NO. SWU-2315 – Establishing a storm water management program; creating a storm water utility; providing for the administration of both the program and the utility; establishing and imposing a storm water utility user fee on residential and non-residential property in the City; providing an appeal procedure; providing for collection of the fees; creating a storm water utility fund; and adding to the Overland Park Municipal Code new chapter 15.06 entitled “Storm Water Management Program and Utility” consisting of new section nos. 15.06.010; 15.06.020; 15.06.030; 15.06.040; 15.06.050; 15.06.060; 15.06.070; 15.06.080; 15.06.090; and 15.06.100.

AGREEMENT – County Clerk of Johnson County, Kansas, regarding collection of storm water utility fees.

STAFF REPORT:

Director of Public Works
Robert Lowry

BID TABULATIONS:

Rock Salt.

Liquid Calcium Chloride.

River Sand.

123rd Street and Nall, Traffic Signal Installation.

CHANGE ORDER NO. 2 – Turner Construction Company for additional work on the Overland Park Convention Center.

AGREEMENT – Parsons Brinckerhoff Quade & Douglas, Inc., for preliminary and final design services for U.S. 69/I-35 from 95th Street to 75th Street.

FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT

COMMITTEE REPORT:

Thomas C. “Tim” Owens, Chairman
George Kandt, Vice Chairman

Neil S. Sader

Byron C. Loudon

Jack Halligan

Chairman
Thomas C. “Tim” Owens

REGULAR AGENDA - Continued

FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT

STAFF REPORT:

Director of Finance, Budget and Administration
Kristy Cannon Stallings

**APPLICATIONS FOR RENEWAL OF DRINKING ESTABLISHMENT LICENSES
CONTINGENT OF RECEIVING STATE LICENSES:**

Annie's/Ott's of Kansas, Inc., d/b/a Fred P. Ott's, 6700 College Boulevard, David Haddad, manager.

Embassy Suites Club No. 1, Inc., d/b/a Embassy Court, 10601 Metcalf, Stephen Arnold, manager.

Fox & Hound of Kansas, Inc., d/b/a Fox & Hound English Pub & Grille, 10428 Metcalf, Cindy Eddleman, manager.

J.P. Heff, Inc., d/b/a J. Barleycorn's Bar & Grill, 9148 Santa Fe, John Paul Heffernon, manager.

Longbranch Steakhouse Saloon, Inc., d/b/a Longbranch Steakhouse, 9095 Metcalf Avenue, Daniel Greet, manager.

On The Nose, Inc., d/b/a Copeland's of New Orleans, 11920 Metcalf, Nicholas Lourick, manager.

RSV Kansas, Inc., d/b/a Clubhouse Inn of Overland Park, 10610 Marty, Song-Hee Rhyne, manager.

8725 Metcalf II, Inc., d/b/a Fuddruckers, 8725 Metcalf, Rosario Delsorbo, manager.

**APPLICATION FOR RENEWAL OF CATERERS LICENSE CONTINGENT ON
RECEIVING STATE LICENSE** – Annie's/Ott's of Kansas, Inc., d/b/a Fred P. Ott's, 6700 College Boulevard, David Haddad, manager.

**APPLICATION FOR NEW DRINKING ESTABLISHMENT LICENSE CONTINGENT ON
RECEIVING TEMPORARY CERTIFICATE OF OCCUPANCY AND FIRE CODE
APPROVAL** – Johnny's Quivira, Inc., d/b/a Johnny's Tavern, 11316 W. 135th Street, Patrick Roberts, manager.

RESOLUTION NO. 3237 – Authorizing the City to execute a release of real estate and other release documents and to take certain other actions to effect the option to purchase pursuant to the lease in connection with the City's \$2,920,000 Industrial Revenue Bonds, Series 1986 (Burlington Northern Railroad Company Project) and \$5,250,000 Industrial Revenue Bonds, Series 1991 (Burlington Northern Railroad Company Project).

Director of Information Technology
Ken Rodney

BID TABULATION – Dell PowerEdge Servers.

REGULAR AGENDA – Continued

COMMUNITY DEVELOPMENT

COMMITTEE REPORT:

Carl R. Gerlach, Chairman
Jay F. Lehnertz, Vice Chairman

Neil S. Sader

Terry Goodman

Jim Hix

Chairman
Carl R. Gerlach

STAFF REPORT:

Director of Parks and Recreation
James Cox

BID TABULATIONS:

Playground Apparatus and Installation - 2001.

Bike Trail Asphaltic Construction and Overlay – 2001.

Compact Utility Loader.

Director of Planning and Development Services
Roger Peterson

SPECIAL EVENT PERMIT NO. 2001-252 – 8700 Lamar Avenue. Special event permit approval requested to allow an “appreciation breakfast” for the members of the Cosmopolitan Club of Johnson County. Application made by the American Stroke Foundation.

RECOMMENDATIONS FROM THE PLANNING COMMISSION:

PLANNING COMMISSION CONSENT AGENDA:

Director of Planning and Development Services
Roger Peterson

1. **FINAL DEVELOPMENT PLAN APPROVAL** – Overland Pointe Marketplace Shops, vicinity of the northeast corner of 133rd Street and Antioch Road. Application made by Polsinelli, Shalton & Welte. The Planning Commission approved this item on July 23, 2001, by a vote of 8 to 0.
2. **FINAL DEVELOPMENT PLAN APPROVAL** – Fountains Shopping Center, vicinity of the southeast corner of 119th Street and Glenwood. Application made by ACI/Boland, Inc. The Planning Commission denied this item on July 9, 2001, by a vote of 7 to 0.
3. **FINAL PLAT NO. 2001-44** – QuikTrip 210, vicinity of the southwest corner of 107th Street and Roe Avenue. Application made by the QuikTrip Corporation. The Planning Commission approved this item on July 23, 2001, by a vote of 9 to 0.

RECOMMENDATIONS FROM THE PLANNING COMMISSION – Continued

PLANNING COMMISSION CONSENT AGENDA - Continued

Director of Planning and Development Services
Roger Peterson

4. SPECIAL USE PERMIT NO. 2001-18 – 11530 W. 90th Street. Special use permit approval requested for an indefinite period of time, to allow Johnson County Med Act as a public service corporation in an industrial district. This property is currently zoned M-1, Industrial Park District. Application made by the Trammell Crow Company. The Planning Commission approved this item on July 23, 2001, by a vote of 9 to 0. Ordinance No. Z-2880.

5. REZONING NO. 2001-6 – Vicinity of the northwest corner of 151st Street and Antioch Road. Rezoning requested from A-J, Agricultural District, Johnson County, to CP-O, Planned Office Building District, to allow a retail development. Application made by Polsinelli, Shalton and Welte. The Planning Commission denied this item on July 9, 2001, by a vote of 8 to 0. Ordinance No. Z-2876. (Continued from the August 6, 2001, Council meeting.)

6. SPECIAL USE PERMIT NO. 2001-4 – Vicinity of the northeast corner of 133rd Street and Metcalf Avenue. Special use permit requested for an indefinite period of time to allow the construction of a hotel. This property is currently zoned CP-O, Planned Office Building District, and R-1, Single-Family Residential District. Application made by Andrew Schlagel. The Planning Commission denied this item on February 26, 2001, by a vote of 9 to 0. Ordinance No. Z-2858. (Continued from the June 18, 2001, Council meeting.)

PLANNING COMMISSION REGULAR AGENDA:

7. UTILITY EASEMENT VACATION NO. 2001-6 – 8215 West 99th Street. Application made by Lisa Bernard. This property is currently zoned R-1, Single-Family Residential District. ORDINANCE NO. VAC-2321.

8. REZONING NO. 2001-9 – 8437 Santa Fe Drive. Rezoning requested from R-1, Single-Family Residential District, to R-2, Two-Family Residential District, to allow a duplex. Application made by Cynthia Stepper, CPA. The Planning Commission denied this item on July 23, 2001, by a vote of 9 to 0. Ordinance No. Z-2879. (A VALID PROTEST PETITION HAS BEEN RECEIVED.)

9. REZONING NO. 2001-4 – Vicinity of the northeast corner of 135th Street and Lamar Avenue. Rezoning requested from R-1, Single-Family Residential District, to CP-O, Planned Office Building District, to allow an office complex. Application made by Andrew Schlagel. The Planning Commission approved this item on July 9, 2001, by a vote of 7 to 1. Ordinance No. Z-2861. (Continued from the August 6, 2001, Council meeting.)

ACCEPTANCE OF RIGHT-OF-WAY – A portion of 135th Street at Lamar Avenue, in conjunction with Rezoning No. 2001-4.

OLD BUSINESS:

NEW BUSINESS:

ADJOURNMENT: