

# CITY OF OVERLAND PARK

## MAYOR AND COUNCIL AGENDA

JANUARY 2002						
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		

FEBRUARY 2002						
S	M	T	W	T	F	S
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3	4	5	6	7	8	9
10	11	12	13	14	15	16
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24	25	26	27	28		

**Council Chamber  
8500 Santa Fe Drive**

**January 7, 2002**

MAYOR ED EILERT \_\_\_\_\_ COUNCIL PRESIDENT SADER \_\_\_\_\_ COUNCILMEMBERS PRESENT:

GERLACH \_\_\_\_\_ GILLILAND \_\_\_\_\_ GOODMAN \_\_\_\_\_ HAPPER SCHEIER \_\_\_\_\_

HIX \_\_\_\_\_ LEHNERTZ \_\_\_\_\_ KANDT \_\_\_\_\_ LOUDON \_\_\_\_\_ OWENS \_\_\_\_\_

7:30 p.m.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING:

STAFF PROPOSED ANNEXATION:

CONSIDERATION OF ADOPTION OF RESOLUTION NO. 3257  
AUTHORIZING PRESENTATION OF A PETITION FOR ANNEXATION  
AND REPORT SETTING FORTH PLANS FOR EXTENSION OF  
SERVICES TO THE JOHNSON COUNTY BOARD OF COUNTY  
COMMISSIONERS.

MAYOR ED EILERT

Council President  
Neil S. Sader

REPORT FROM COMMITTEE-OF-THE-WHOLE MEETING TO BE HELD ON  
JANUARY 7, 2002.

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:**

### **FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT**

#### **COMMITTEE CONSENT ITEMS:**

CONTRACT – ASE Group, Inc. / Access Kansas City to provide event planning services for the Overland Park Convention Center Grand Opening.

RESOLUTION NO. 3254 – Providing for a compensation program for employees of the City.

#### **STAFF CONSENT ITEMS:**

Director of Finance, Budget and Administration  
Kristy Cannon Stallings

COUNCIL MINUTES – November 5, November 12, and December 10, 2001.

CONFIRMATION OF INVESTMENTS.

EXPENDITURE ORDINANCE NO. 12B – Outlining the expenditures from the General Operating Fund for December 6 through December 19, 2001.

CAPITAL PROJECTS EXPENDITURE ORDINANCE NO. 12C – Outlining the expenditures from the Capital Projects Funds for December 13 through December 19, 2001.

CAPITAL PROJECTS EXPENDITURE ORDINANCE NO. 12D – Outlining the expenditures from the Capital Projects Funds for December 20 through December 27, 2001.

CAPITAL PROJECTS EXPENDITURE ORDINANCE NO. 1A – Outlining the expenditures from the Capital Projects Funds for December 28, 2001 through January 2, 2002.

APPLICATIONS FOR RENEWAL OF CATERERS LICENSE AND DRINKING ESTABLISHMENT LICENSE – PB & J Restaurants, Inc., d/b/a Yia-Yia's, 4701 W. 119<sup>th</sup> Street, William S. Crooks, manager.

APPLICATION FOR TEMPORARY PERMIT TO SERVE ALCOHOLIC LIQUOR – KC Catering, d/b/a KC Catering, 3018 S. 44<sup>th</sup> Street, for an event to be held January 12, 2002 from 7:00 p.m. to 11:00 p.m. at the Kansas City Gift Mart, 6800 W. 115<sup>th</sup> Street, Harold B. Simpson, manager.

### **COMMUNITY DEVELOPMENT**

#### **COMMITTEE CONSENT ITEM:**

ARBORETUM MASTER PLAN – Arboretum Botanical Gardens revised Master Plan.

### **PUBLIC SAFETY**

#### **STAFF CONSENT ITEMS:**

Chief of Police  
John Douglass

APPLICATIONS FOR RENEWAL OF MASSAGE THERAPY BUSINESS LICENSES:

Beach Club Tanning Company, 8809 West 95<sup>th</sup> Street, Jennifer Bahr, applicant.

Body & Soul Connection, 10440 Marty, Debra Price, applicant.

# **CONSENT AGENDA** – Continued

## **PUBLIC WORKS**

### **COMMITTEE CONSENT ITEMS:**

AUTHORIZATION TO ADVANCE CONSTRUCTION AND REQUEST TO WAIVE CONSULTANT SELECTION PROCESS – Larkin Group for construction of 86<sup>th</sup> Street from Robinson to Valley View.

TRAFFIC SIGNAL DESIGN AND CONSTRUCTION – 132<sup>nd</sup> Street and Metcalf and redesignating escrow money.

STORMWATER VARIANCE – Southeast corner of 138<sup>th</sup> Terrace and Pflumm (Forest Glen).

WAIVER OF BID PROCESS – 3M to purchase components for updating OPTICOM.

### **STAFF CONSENT ITEM:**

Director of Public Works  
Robert Lowry

RESOLUTION NO. 3256 – Directing the City Clerk to provide public notice of the public hearing to consider the proposed assessments on an Improvement District No. 00-182 created for the installation of a crushed rock shear key at the bank toe, installation of subsurface drains, excavation and removal of material from the stream channel and all incidental grading and construction to help stabilize the existing bank slope and minimize future bank erosion in order to help protect three properties located along the south and east banks of Indian Creek in the subdivision of Countryshire.

## **REGULAR AGENDA:**

### **FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT**

#### **COMMITTEE REPORT:**

Thomas C. “Tim” Owens, Chairman  
Terry Happer Scheier, Vice Chairwoman

Neil S. Sader                      Byron C. Loudon                      George Kandt

Chairman  
Thomas C. “Tim” Owens

ESTABLISHMENT OF PARKING FEE – Overland Park Convention Center for covered parking fee in the amount of \$4.00 per day.

ART MASTER PLAN – Art Master Plan to allow for exhibition of local art in the Convention Center.

#### **STAFF REPORT:**

Director of Finance, Budget and Administration  
Kristy Cannon Stallings

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

Dos Reales, Inc., d/b/a Dos Reales – Authentic Mexican Restaurant, 8841 W. 75<sup>th</sup> Street, Rosendo Jimenez, manager.

Mission Hospitality, Inc., d/b/a Holiday Inn, Mission, 7240 Shawnee Mission Parkway, Shannon Turgeon, manager.

Ty’s International, Inc., d/b/a Sushi Gin, 9559 Nall, John E. Symmonds, manager.

**REGULAR AGENDA** - Continued

**FINANCE, ADMINISTRATION AND ECONOMIC DEVELOPMENT**

**STAFF REPORT** – Continued

Director of Information Technology

Ken Rodney

BID TABULATION – Tape Backup System.

Compaq Hardware.

Veritas Software.

Human Resources Director

Robert L. Jones

CONTRACT – Tercon, Inc. for consulting services for a Leadership Development Program.

**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 TABULATION – 2002 Street Tree Trimming.

Director of Planning and Development Services

Roger Peterson

**PUBLIC SAFETY**

**COMMITTEE REPORT:**

George Kandt, Chairman

Terry Goodman, Vice Chairman

Thomas C. "Tim" Owens

Marcia Gilliland

Terry Happer Scheier

Chairman

George Kandt

**STAFF REPORT:**

Chief of Police

John Douglass

## **REGULAR AGENDA** - Continued

### **PUBLIC WORKS**

#### **COMMITTEE REPORT:**

Byron C. Loudon, Chairman  
Jim Hix , Vice Chairman

Carl Gerlach

Jay F. Lehnertz

Marcia Gilliland

Chairman  
Byron C. Loudon

**STORMWATER VARIANCE** – Vicinity of the southwest corner of 133<sup>rd</sup> Street and Metcalf (Deer Creek).

#### **STAFF REPORT:**

Director of Public Works  
Robert Lowry

#### **BID TABULATIONS:**

9941 Roe Bank Erosion Control Project.

One 4-Wheel Broom Type Sweeper.

Two 1-Ton, 2-Wheel Drive Truck and Dump Bed.

One 1-Ton, 4-Wheel Drive Truck and Dump Bed.

One 45-Foot Lift Truck.

Two 2-Wheel Drive Truck and Sign Service Body.

Two Salt/Sand Spreaders.

Vehicles.

**AGREEMENT** – City of Lenexa for the public improvement of 103<sup>rd</sup> Street from Quivira Road to Pflumm Road.

## **RECOMMENDATIONS FROM THE PLANNING COMMISSION:**

### **PLANNING COMMISSION CONSENT AGENDA:**

Director of Planning and Development Services  
Roger Peterson

1. **RESIDENTIAL DAY CARE PERMIT NO. 2001-5** – 13241 West 132<sup>nd</sup> Street. Application made by Maria Holiday. The Planning Commission approved this item on December 17, 2001, by a vote of 8 to 0.
2. **FINAL DEVELOPMENT PLAN APPROVAL** – Extreme Ford, 7131 West 135<sup>th</sup> Street. Application made by Davidson Design Group. The Planning Commission approved this item on December 17, 2001, by a vote of 8 to 0.

## **RECOMMENDATIONS FROM THE PLANNING COMMISSION** - Continued

### **PLANNING COMMISSION CONSENT AGENDA** - Continued

Director of Planning and Development Services  
Roger Peterson

3. PRELIMINARY PLAN APPROVAL – College Oaks, 11031 Cody Street. Application made by Shafer, Kline and Warren, Inc. The Planning Commission approved this item on December 17, 2001, by a vote of 9 to 0.
4. REVISED PRELIMINARY PLAN APPROVAL – Canterbury Preparatory School, 6820 West 121<sup>st</sup> Street. Application made by Phoenix Engineering. The Planning Commission approved this item on December 17, 2001, by a vote of 9 to 0.
5. REVISED PRELIMINARY PLAN APPROVAL – Overland Trail Office Park, vicinity of the northeast corner of 135<sup>th</sup> Street and Lamar Avenue. Application made by H.O. Properties II. The Planning Commission approved this item on December 17, 2001, by a vote of 9 to 0.
6. SPECIAL USE PERMIT NO. 2001-50 – 7594 West 119<sup>th</sup> Street. Special use permit requested for a five-year period of time, to allow an arcade and amusement center. This property is currently zoned CP-2, Planned General Business District. Application made by Play Central Station. The Planning Commission approved this item on December 17, 2001, by a vote of 8 to 0 to 1. Ordinance No. Z-2910.
7. SPECIAL USE PERMIT NO. 2001-51 – 10975 Metcalf Avenue. Special use permit requested for a one-year period of time, to allow renewal of a dance club. This property is currently zoned CP-2, Planned General Business District. Application made by Ryan Johnson. The Planning Commission approved this item on December 17, 2001, by a vote of 9 to 0. Ordinance No. Z-2911.
8. SPECIAL USE PERMIT NO. 2001-52 – 6700 West 135<sup>th</sup> Street. Special use permit requested for a three-year period of time, to allow a drinking establishment. This property is currently zoned C-2, General Business District. Application made by Polsinelli, Shalton & Welte. The Planning Commission approved this item on December 17, 2001, by a vote of 9 to 0. Ordinance No. Z-2912.

### **PLANNING COMMISSION REGULAR AGENDA:**

9. SPECIAL USE PERMIT NO. 2001-47 – 7955 Frontage Road. Special use permit requested for a five-year period of time, to allow a drinking establishment. This property is currently zoned CP-2, Planned General Business District. Application made by Steven McConnell. The Planning Commission approved this item on December 17, 2001, by a vote of 6 to 2 to 1. Ordinance No. Z-2909.

### **OLD BUSINESS:**

Robert J. Watson  
City Attorney

SETTLEMENT – In the cases of *Neighbors Investments, Inc., v. City of Overland Park, Kansas*, Johnson County District Court Case Nos. 00V1751, 00CV1753 and 00CV1755, and *David C. Neighbors et al. v. City of Overland Park, Kansas*, Johnson County District Court Case Nos. 00CV1752 and 00CV1756.

**NEW BUSINESS:**

**ADJOURNMENT:**