



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
October 1, 2018**

The City Council of Prairie Village, Kansas, met in regular session on Monday, October 1, 2018, at 6:00 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas. Mayor Laura Wassmer presided.

ROLL CALL

Roll was called by the City Clerk with the following Council Members in attendance: Chad Herring, Jori Nelson, Serena Schermoly, Ronald Nelson, Tucker Poling, Andrew Wang, Sheila Myers, Brooke Morehead, Dan Runion, Courtney McFadden, Ted Odell, and Terrence Gallagher. Staff present: Tim Schwartzkopf, Chief of Police; Keith Bredehoeft, Director of Public Works; David Waters, Interim City Attorney; Wes Jordan, City Administrator; Jamie Robichaud, Assistant City Administrator; Alley Porter, Assistant to the City Administrator, and Joyce Hagen Mundy, City Clerk. Also present was City Planner Chris Brewster with Gould Evans.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Ron Nelson moved the approval of the agenda for October 1, 2018 as presented. The motion was seconded by Sheila Myers and passed unanimously.

INTRODUCTION OF STUDENTS & SCOUTS

No students or scouts were in attendance.

PUBLIC PARTICIPATION

Courtney Reyes spoke on behalf of the Kansas City Home Builders Association noting the negative impact the proposed Neighborhood Design Guideline regulations regarding windows and impervious surface could have. She urged the City Council to return the proposed regulations to the Planning Commission for further consideration with input from local builders.

Gary Mayerle, 6503 West 78th Street, an architect with Boyle & Mayerle advised the Council that the proposed regulations would affect remodels and additions within the city. He did not feel residents were upset with remodels and additions, but with new construction of large homes on sites previously having smaller older homes. He also felt residents were impacted with increased property appraisals and taxes resulting from the new homes.



John Matthews, 4916 West 65th Street, stated the number of people seeking smaller homes with one-car garages is dwindling. He noted if redevelopment is pushed out of the City by the proposed regulations everyone will suffer.

Terri Powell, a 50-year resident in the area of 74th & Cherokee, urged the Council to adopt the regulations to maintain the cohesiveness of the City, noting many of the newer homes simply do not fit.

Mark Kettlewell, 4122 Prairie Lane, expressed concern with the number of restrictions being placed on homes by the proposed regulations. He noted he'd like to build a new modern home in Prairie Village to better meet the needs of his family but felt it would not be possible under the proposed regulations.

Susan Forrest, 6837 El Monte, spoke in support of the proposed standards. However, she encouraged the Council to move the effective date of the regulations from February 1, 2019 as proposed to January 1, 2019.

Scott Koenigsdorf, Koenig Building + Restoration, spoke in support of the proposed standards noting the City of Fairway has had similar standards in place for two years. He added the exceptions proposed in the ordinance would address unique or special situations.

With no one else to address the Council, public participation was closed at 6:15 p.m.

CONSENT AGENDA

Mayor Wassmer asked if there were any items to be removed from the consent agenda and discussed.

Tucker Poling moved for the approval of the Consent Agenda of October 1, 2018:

- 1. Approval of the Regular City Council meeting minutes for September 17, 2018.**
- 2. Approval of claims ordinance #2970.**
- 3. Approval of installation of pedestrian activated beacons at 87th Street and Somerset Drive, 67th Street and Delmar and 83rd Street and Juniper.**
- 4. Approval of Resolution 2018-05 authorizing the Prairie Village Arts Council State of the Arts reception to be held October 12, 2018 as a special event and authorizing the sale, consumption and possession of alcoholic liquor and cereal malt beverages within the designated public areas of the event.**
- 5. Ratified the Mayor's appointment of Mark Morgan to the Tree Board for a two-year term.**
- 6. Ratified the Mayor's appointment of Sheila Evans to the Prairie Village Arts Council to complete an unexpired term ending February 2019.**
- 7. Approval of an agreement with Kansas City Tree Care, LLC for the 2018 Tree Trimming Program.**



A roll call vote was taken with the following votes cast: “aye” Herring, J. Nelson, Schermoly, R. Nelson, Poling, Wang, Myers, Morehead, Runion, McFadden, Odell and Gallagher.

COMMITTEE REPORTS

Planning Commission

COU2018-41 Consider approval of Ordinance 2392 amending the City of Prairie Village, Kansas Zoning Regulations by adding neighborhood design standards for R-1a and R-1b zoning districts, addressing building massing and frontage design, reorganizing and adjusting development standards, adding impervious coverage limits and accessory buildings, setback and lot exceptions

City Planning Consultant Chris Brewster reviewed the history of the development of the proposed design standards and zoning amendments. The proposed design standards were developed by an ad-hoc design standards committee, presented to the public at three public meetings, reviewed by the City Council, forwarded to the Planning Commission for review on August 7th with a public hearing held on Tuesday, September 11, 2018.

Mr. Brewster reviewed the proposed revisions:

- Street Tree Requirements
- Minimum frontage greenspace
- Break up massing on larger wall planes
- Require minimum percentage of windows and doors
- Limit the extent, projection and massing of garages on front elevations
- Add total lot impervious surface limit
- Clarify/revise standards for accessory structures
- Refine/limit current standards on setback encroachments
- Create non-variance process and criteria to “design standards”
- Require notice to neighbors for teardowns or new structures

The Planning Commission recommends adoption of Ordinance 2392 implementing the proposed standards with seven changes. The most significant changes made by the Commission were to increase the impervious coverage limit from 35% to 40% and that if approved, the changes would become effective February 1, 2019.

Mr. Brewster reviewed the options available to the City Council.

Council members requested clarification on the applicability of the standards, impact of the standards on drainage issues created by new construction, massing standards particularly related to smaller lots, required windows and impervious surface requirements.

Terrence Gallagher noted many of the e-mails received reference size and scale of homes. The restrictions set in 2016 allow large homes to continue to be built. The new standards proposed address design issues to have these homes blend in better with the existing neighborhoods.



Jori Nelson stated over the past four years only 4% of the building permits issued were for home additions noting a small number of residents will be impacted and residents will continue to be able to make improvements to their homes. She thanked the design standards committee, Planning Commission and staff for their extensive work to address the residents' concerns with this issue.

Jori Nelson moved the Governing Body approve Ordinance 2392 amending the City of Prairie Village, Kansas Zoning Regulations by adding neighborhood design standards for R-1a and R-1b zoning districts, addressing building massing and frontage design, reorganizing and adjusting development standards, adding impervious coverage limits and accessory buildings, setback and lot exceptions. Brooke Morehead seconded the motion.

Mayor Wassmer allowed for continued discussion with concerns raised regarding the proposed window regulations, regulation applicability to non-conforming properties, when a drainage permit was needed, massing and impervious surface regulations with several different scenarios presented and discussed.

Serena Schermoly expressed concern with the limited response from residents that the changes are being based. She also believed there was confusion on applicability of the regulations on existing homes with many residents thinking the regulations only apply to tear down and rebuilds. She believes the regulations are making "one-size fits all" regulations and prefers the creation of an architectural review board to address homes individually. She presented a comparison of similar regulations from other area cities.

Serena Schermoly moved to amend the motion by exempting existing homeowners from the greenspace and massing regulations. Brooke Morehead seconded the motion.

Discussion was held on whether the amendment, which substantially changes the motion, was "out of order". City Attorney stated the motion was in order, but as it is a change to the recommendation of the Planning Commission would require a two-thirds majority to pass.

Ted Odell expressed concern with the proposed regulations and added restrictions could prohibit or discourage homeowners from adding on to their homes or improving their properties. Redevelopment in the City is good and should be encouraged particularly in Wards with aging housing stock. He has concerns with several of the proposed regulations. Additional clarification was requested on the regulations for lot coverage, impervious surface and frontage greenspace.

Mayor Wassmer stated the City has been working on this issue for four years. The regulations seek common ground that applies to all homes to address the character of neighborhoods. She noted the proposed ordinance is not perfect, but it was vetted by professionals and the public to address a serious concern of Prairie Village residents. It can, and in all likelihood, will be changed in the future if issues arise.



Mayor Wassmer called for a vote on the proposed amendment with the motion failing with a vote of 2 (Schermoly, Morehead) to 10.

Mayor Wassmer called for a vote on the original motion adopting Ordinance 2392 as presented.

A roll call vote was taken with the following votes cast: “aye” Herring, J. Nelson, R. Nelson, Poling, Wang, Myers, Morehead, Runion, McFadden, Gallagher and Wassmer; voting “nay” Schermoly and Odell. The ordinance was adopted.

Mayor Wassmer recognized the extensive work that has gone into the development of these regulations by the ad-hoc committee, architects, builders, city staff, the Planning Commission and substantial input from residents. She expressed her thanks to all involved in this lengthy process.

Environment/Recycle Committee

Sheila Myers invited all to attend the Mayoral forum on environmental issues sponsored by the Environment/Recycle Committee on Wednesday, October 3 from 7 to 8 p.m. in the Council Chambers.

Teen Council

Terrence Gallagher announced the 2018 Teen Council will attend the October 15 meeting.

Statutory Committee

Terrence Gallagher announced the Statutory Committee would be hosting a two-hour statue cleaning class with Paul Benson on Saturday, October 13 at 9 a.m. He noted a Boy Scout Troop would be helping take care of city statues.

Prairie Village Arts Council

Serena Schermoly encouraged all to attend the upcoming Artist reception for the State of the Arts Show to be held on Friday, October 12 from 6 to 8 p.m.

Park & Recreation Committee

Chad Herring announced that the October 10 meeting would begin at 5:30 p.m. due to a conflict with College Night being held at Shawnee Mission East. At their September 12 meeting, the committee approved playground equipment for Franklin Park with their recommendation being presented to the Council on October 15.

MAYOR'S REPORT

Mayor Wassmer reported she participated in the Mission Hills luncheon recognizing the police department's service to their city, the St. Ann's School/Brighton Gardens Relays and ribbon cutting for the opening of the Kessler apartments at Meadowbrook.



Mayor Wassmer announced the city will issue requests for qualifications for the position of City Attorney to allow the city to gain a greater perspective and comparison of the services available and fees. Interim City Attorney David Waters will be participating in this process. As this is a two-year mayoral appointment, the process has been discussed and approved by both candidates for mayor. Mayor Wassmer reviewed the timetable noting that the official appointment will be made in January by the Mayor-elect.

STAFF REPORTS

Public Safety

- Chief Schwartzkopf announced national coffee with a cop day will be recognized on Wednesday, October 3 from 7 a.m. to 9 a.m. at Starbucks in the Village Shops

Public Works

- Keith Bredehoeft reported a public meeting would be held on the Mission Road/68th Street flooding/drainage study on Tuesday, October 9 at 4:30 p.m. in the Multi-purpose Room. One of the options from the study is the regrading and raising of the area along Schliffke Park. This is proposed to be a future SMAC project with the county paying 75% of the estimated \$1.5M in costs.
- Mr. Bredehoeft advised that the steeple from the church previously located on the North Park site would not be able to be incorporated with the park structure as originally planned.
- Johnson County is now working to place an ATA bus stop/structure at Meadowbrook on 95th Street just east of Rosewood. The associated costs of \$35,000 were previously factored in the TIF District.

Courtney McFadden expressed concern with the development of the trails in Meadowbrook Park. Wes Jordan responded he has spoken with Jill Geller at JCPRD and asked her to present an update to the City Council on the development of the park and timetable for its opening. He is hopeful that this will occur in November.

- Mr. Bredehoeft provided an update on the emergency road repair at 67th and Mission Road.

Administration

- Jamie Robichaud asked Council members to respond to her if they are interested in the landfill tour being offered on October 18 by Republic.
- Wes Jordan reviewed the items anticipated to be on the October 15 Council agenda.

OLD BUSINESS

There was no Old Business to come before the City Council.

NEW BUSINESS

There was no New Business to come before the City Council.



COUNCIL COMMITTEE OF THE WHOLE

There were no items for consideration by the Council Committee of the Whole.

EXECUTIVE SESSION

Dan Runion moved that the Governing Body, recess into Executive Session in the MPR for 20 minutes to discuss a staffing transition plan pursuant to KSA 75-4319 (b) (1) for the purpose of consulting with the City Attorney on personnel matters of nonelected personnel. Present will be the Mayor, City Council, City Administrator and City Attorney. The motion was seconded by Tucker Poling and passed unanimously. The open meeting will resume in the City Council Chambers at 8:35 p.m.

Mayor Wassmer announced to the public that no official business would take place after the conclusion of the executive session.

The City Council meeting was reconvened by Mayor Wassmer at 8:35 p.m. in open session from executive session where no binding action was taken.

ANNOUNCEMENTS

Mayor Wassmer announced there would be a Mayoral Forum on Thursday, October 11 hosted by the Shawnee Mission Post.

Chad Herring announced that Ward 1 will be hosting an open house forum and update on plans for North Park on Saturday, October 6 at 3:30 p.m. at the Community Center for its residents, adding that others are welcome to attend.

ADJOURNMENT

With no further business to come before the City Council, Mayor Wassmer declared the meeting adjourned at 8:40 p.m.

Joyce Hagen Mundy
City Clerk