

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
May 16, 2011
7:30 p.m.**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC PARTICIPATION
- V. CONSENT AGENDA

All items listed below are considered to be routine by the Governing Body and will be enacted by one motion (Roll Call Vote). There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the regular agenda.

By Staff:

- 1. Approve Regular Council Meeting Minutes - May 2, 2011
- 2. Approve Claims Ordinance 2883
- 3. Approve the following contracts for VillageFest 2011:

A-Z Exotic Animal Entertainment	Pony Rides/Petting Zoo	\$1,875.00
Games 2 U	Video Game Van	\$400.00
All Seasons Event Rental	Stage & Tent	\$1,219.57
- 4. Authorize the Mayor to execute the assignment of the Bucher, Willis & Ratliff Corporation Contract for Planning Services to H.W. Lochner, Inc.
- 5. Authorize the Mayor to execute a proclamation recognizing May 15-21, 2011 as Police Week and May 15 as Peace Officers Memorial Day
- 6. Ratify the Mayor's appointments of Scott M. Rosemann to the Board of Code Appeals for a 5 year term; Brett Lane to the Insurance Committee and Robert Glywa to the Sister City Committee for a three-year term
- 7. Approve the amendments to the City's Police Pension Plan
- 8. Ratify the Mayor's appointment of the following individuals to serve on the 2011 JazzFest Committee: Larry Kopitnik, Erin Chappas and Marilyn York

- VI. MAYOR'S REPORT
- VII. COMMITTEE REPORT

Council Committee of the Whole

COU2011-26 Consider Project 190890: 2010 Bond Project - Construction Change Order #7 adding the mill and overlay of Delmar Street from 83rd Street to Somerset Drive

Planning Commission

Consider Request for Special Use Permit for the operation of a Day Care Program at 4805 W 67th St - Dennis Enslinger

Consider Request for Special Use Permit for the installation of a 10' x 12' storage building at 5400 W 75th St - Dennis Enslinger

Park and Recreation Committee

Update - Diana Ewy Sharp

- VIII. STAFF REPORTS
- IX. OLD BUSINESS
- X. NEW BUSINESS
- XI. ANNOUNCEMENTS
- XII. ADJOURNMENT

If any individual requires special accommodations – for example, qualified interpreter, large print, reader, hearing assistance – in order to attend the meeting, please notify the City Clerk at 381-6464, Extension 4616, no later than 48 hours prior to the beginning of the meeting.

If you are unable to attend this meeting, comments may be received by e-mail at cityclerk@pvkansas.com

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
May 16, 2011**

The City Council of Prairie Village, Kansas, met in regular session on Monday, May 16, 2011, at 7:30 p.m. in the Council Chambers of the Municipal Building.

ROLL CALL

Mayor Ron Shaffer called the meeting to order and roll call was taken with the following Council members present: Al Herrera, Ruth Hopkins, Steve Noll, Michael Kelly, Andrew Wang, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz.

Also present were: Wes Jordan, Chief of Police; Captain Tim Schwartzkopf; Bruce McNabb, Director of Public Works; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Dennis Enslinger, Assistant City Administrator; Lisa Santa Maria, Finance Director; Chris Engel, Assistant to the City Administrator; Joyce Hagen Mundy, City Clerk.

Mayor Shaffer led all those present in the Pledge of Allegiance.

PUBLIC PARTICIPATION

Jori Nelson, 4802 West 69th Terrace, addressed the Council with her concerns regarding charges for her open records requests. She did not feel that obtaining information from the City should be a financial hardship for residents and that the City should be accountable and transparent in its activities. She felt the charges were arbitrary and being used to dissuade her from obtaining information. Ms. Nelson stated

that she will continue to work towards more transparency of City transactions and expenditures.

No one else was present to address the Council and public participation was closed at 7:35 p.m.

CONSENT AGENDA

Dale Beckerman moved the approval of the Consent Agenda for Monday, May 16, 2011:

1. Approve Regular Council Meeting Minutes - May 2, 2011
2. Approve Claims Ordinance 2883
3. Approve the following contracts for VillageFest 2011:

A-Z Exotic Animal Entertainment	Pony rides/petting zoo	\$1,875.00
Games 2 U	Video Game Van	\$400.00
All Seasons Event Rental	Stage & Tent	1,219.57
4. Authorize the Mayor to execute the assignment of the Bucher, Willis & Ratliff Corporation Contract for Planning Services to H.W. Lochner, Inc.
5. Authorize the Mayor to execute a proclamation recognizing May 15-21, 2011 as Police Week and May 15 as Peace Officers Memorial Day
6. Ratify the Mayor's appointments of Scott M. Rosemann to the Board of Code Appeals for a five-year term; Brett Lane to the Insurance Committee and Robert Glywa to the Sister City Committee for a three-year term.
7. Approve the amendment to the City's Police Pension Plans to comply with IRS Code Section 401(a) governing retirement plans.
8. Ratify the Mayor's appointment of the following individuals to serve on the 2011 JazzFest Committee: Larry Kopitnik, Erin Chappas and Marilyn York.

A roll call vote was taken with the following members voting "aye": Herrera, Hopkins, Noll, Kelly, Wang, Wassmer, Beckerman, Clark, Morrison, Ewy Sharp and Belz.

MAYOR'S REPORT

Mayor Shaffer reported he represented the City at the following events during the past two weeks: BRGR 5K Run, Meeting at Homestead Country Club regarding the proposed platform tennis courts, Mission 60th Anniversary Parade and reception for their

outgoing Director of Public works, Asian Chamber of Commerce Annual Dinner, the Crawfish Festival, KC Chamber Business Leadership presentation and ground breaking for UMB at the Prairie Village Shopping Center.

COMMITTEE REPORTS

Council Committee of the Whole

COU2011-26 Consider Project 190890: 2010 Bond Project Construction Change Order #7

On behalf of the Council Committee of the Whole, Dale Beckerman moved the Governing Body approve Construction Change Order #7 for Project 190890: 2010 Bond Project with O'Donnell and Sons Construction for an increase of \$39,642.35 for adding mill and overlay to Delmar from 83rd Street to Somerset Drive. The motion was seconded by Al Herrera and passed unanimously.

Planning Commission

Consider request for Special Use Permit for the operation of a Day Care Program at 4805 West 67th Street by the Kansas City Autism Training Center

On Tuesday, May 3, 2011, the Kansas City Autism Training Center appeared before the Planning Commission to request a Special Use Permit for the operation of a Child Care Program at Faith Lutheran Church located at 4805 West 67th Street. KcATC plans to provide care for up to 50 children between the ages of 2 ½ and 12, Monday thru Friday from 7:30 a.m. to 5:30 p.m. The center will follow the school year calendar and also provide one-on-one therapy for 18 children diagnosed with autism.

Dennis Enslinger noted KcACT is currently operating at 7501 Belinder Avenue only providing care/training for children with autism. No one was present at a neighborhood meeting held prior to the public hearing before the Commission or at the

public hearing. The Planning Commission recommends approval of a three-year permit by the Governing Body subject to four conditions.

Dale Beckerman moved the Governing Body adopt Ordinance 2235 granting a Special Use Permit to allow the operation of a Child Care Program by Kansas City Autism Training Center (KcATC) at 4805 West 67th Street. The motion was seconded by Diana Ewy Sharp.

A roll call vote was taken with the following members voting “aye”: Herrera, Hopkins, Noll, Kelly, Wang, Wassmer, Beckerman, Clark, Morrison, Ewy Sharp and Belz.

Consider request for Special Use Permit for the installation of a 10’ x 12’ Storage Building at 5400 West 75th Street

On Tuesday, May 3, 2011, Asbury United Methodist Church appeared before the Planning Commission to request a Special Use Permit for the installation of a 10’ x 12’ storage building at 5400 West 75th Street to be used by the child care program operating out of their facility for the storage of toys and playground equipment. .

No one was present at a neighborhood meeting held prior to the public hearing before the Commission or at the public hearing. The Planning Commission recommends approval of a special use permit by the Governing Body subject to five conditions.

Al Herrera moved the Governing Body adopt Ordinance 2236 granting a Special Use Permit for the installation of a 10’ x 12’ storage building at 5400 West 75th Street, Prairie Village, Kansas. The motion was seconded by Dale Beckerman.

A roll call vote was taken with the following members voting “aye”: Herrera, Hopkins, Noll, Kelly, Wang, Wassmer, Beckerman, Clark, Morrison, Ewy Sharp and Belz.

Park & Recreation Committee

Diana Ewy Sharp reported the Parks Master Plan Committee met last week and reviewed and presented the concept plan for improvements to Weltner Park which includes a reconfiguration of the park, a perimeter trail, new shelter, more nature play areas similar to those at Franklin Park and a hillside slide. There will not be permanent restrooms constructed.

Laura Wassmer noted the concept approved includes all the desired items and may not be the final design due to funding limitations. Al Herrera confirmed that no major improvements were proposed for the basketball area or parking.

Diana Ewy Sharp reported the Franklin Park rededication will be Saturday, May 21st with a short formal program and stream activation at 11 o'clock. Both Indigo and Vanum Construction have contributed funds for the rededication. Funky Mama will be performing, Frisbees will be given out and there will be other activities for children. She encouraged all to attend.

JazzFest Committee

Steve Noll reported the 1st Annual BRGR 5K was successful with more than 200 runners and raised approximately \$7000 for JazzFest. He acknowledged the support of BRGR in sponsoring this event. The tentative line-up for the 2011 Jazz Festival to be held on Saturday, September 10th has been set by the committee featuring local Kansas City Jazz musicians.

Staff Reports

Public Safety

- Chief Jordan 5K events are becoming popular fund-raising events and noted they are working with St. Ann's on a possible 5K.
- This week is National Police Week. He thanked the Council for their strong support of the Police Department in providing necessary training and equipment to keep officers safe.
- The Tip-a-Cop fund raiser for Special Olympics held at Johnny's last week raised over \$1500.

Public Works

- Bruce McNabb noted that it is also National Public Works week.
- The City recently underwent a safety inspection of all City agencies by the State with only a couple minor infractions noted that are being addressed.
- Bruce announced that he is now a resident of Prairie Village
- The park signs have been placed at Franklin Park and Carroll Plaza now that construction has been completed at these locations. Diana added that a sign has been made for Weltner Park and will be installed after improvements to the park are completed.

Administration

- Dennis Enslinger stated the final weekend for Large Item Pickup south of 75th Street will be held this Saturday, May 21st.
- Mr. Enslinger noted that CVS has submitted an application to the Planning Commission for site plan approval for a new facility at Corinth Shopping Center with a Conditional Use Permit for a Drive-thru Window. He noted the Council will not have any formal review or approval of the application; however, he wanted to have Council input to forward to the Planning Commission on the application. The proposed site plan was distributed to the Council.

Laura Wassmer stated she was extremely disappointed with the plan submitted noting that it was similar to past submittals rejected by the City and does not fit Village Vision or what the City has directed them to do. She feels its appearance is worse than other CVS facilities. It does not fit with the rest of the Center, has minimal landscaping and is not what Prairie Village residents are looking for at this location.

Ruth Hopkins agreed, noting that the Council had provided photos of other facilities that are not reflected at all in the submitted plan.

Michael Kelly noted if the City wanted to have any impact on the design it would have to be done through the adoption of form-based codes or a comprehensive plan.

Dennis Enslinger responded that the Commission has some ability to ask for modifications to the overall design. A comprehensive plan provides a guide for development, not regulations.

Diana Ewy Sharp questioned the height. Mr. Enslinger replied the proposed structure is approximately five feet taller than the other structures in the center, but noted that Lane4 is looking at increasing the height of some of the buildings at Corinth. Mrs. Ewy Sharp asked if the Council should reach out to Lane4 as she felt they understood what the City was seeking. Mr. Enslinger responded that Lane4 is looking at modifications to the façade and has stated they do not believe the market supports the changes addressed in the comprehensive plan. He added that Lane4 is not the applicant for this request. Mrs. Ewy Sharp noted she is not concerned with the height of the building , but that the top story is basically a billboard sign and is not in character with the center.

David Morrison asked if this was the signature project for the center. Mr. Enslinger responded Lane4 has stated that they are not using CID funds for anything within the CVS footprint.

Ruth Hopkins asked if any “green technology” was being presented in the application such as that being done by UMB at their new facility. Mr. Enslinger stated at this point in time staff has not asked for any and they have not offered any.

Michael Kelly asked if Lane4 wanted CVS in the corner. Dennis Enslinger noted Lane4 is supportive of CVS moving to the corner as it will open space for other tenants on the interior of the center.

David Belz stated the proposed plan looks like any other CVS and reflects a lack of respect for the City and its desire to create a shopping environment that is sought by its residents. He is very disappointed in their failure to work with the City.

Dennis Enslinger noted there would be two open meetings for the public on this application and urged Council members to attend, noting that since they will not be voting on the application, there is no conflict created by their participation at these meetings. The first will be an informational meeting on Wednesday, May 18th at 6 p.m. at City Hall and the second will be the Public Hearing before the Planning Commission on June 7, 2011 at 7 p.m. He added the application is available on the City's website for residents to view.

- Dennis Enslinger stated he is looking at preparing a request for proposals for comprehensive plan services to address some of the issues that are anticipated to come before the City in the near future. Charles Clark moved to authorize staff to move forward on preparing an RFP for planning services. The motion was seconded by David Belz and passed unanimously.
- Lisa Santa Maria reported she is wrapping up the 2010 audit and recently attended the Springbrook Users Conference to learn more about the city's financial software.
- Chris Engel announced that the pool opens a week from Saturday and noted it is fully staffed.
- Quinn Bennion reminded the Council of two special meetings next week. The first is the CIP Budget presentation on Monday, May 23rd at 6 p.m. The second is a Special Meeting called for Wednesday, September 25th at 6:30 p.m. for the public hearing on CDBG proposals.

OLD BUSINESS

There was no Old Business to come before the Council.

NEW BUSINESS

There was no New Business to come before the Council.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Prairie Village Arts Council	05/18/2011	7:00 p.m.
Budget Worksession	05/23/2011	6:00 p.m.
Special Council Meeting	05/25/2011	6:30 p.m.
Environment/Recycle Committee	05/25/2011	7:00 p.m.
VillageFest Committee	05/26/2011	7:00 p.m.
Council Committee of the Whole	06/06/2011	6:00 p.m.
City Council	06/06/2011	7:30 p.m.

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The Prairie Village Arts Council is pleased to announce a Collage/Photomontage exhibit by Bryan Voell in the R. G. Endres Gallery for the month of May.

The annual large item pick-up has been scheduled. Homes on 75th Street and north of 75th Street will be collected on Saturday, May 14th. Homes south of 75th Street will be collected on Saturday, May 21st.

Recreation memberships are for sale in the City Clerk's office. The pool opens May 28th for the season.

The City offices will be closed on Monday, May 30th in observance of Memorial Day. Deffenbaugh also observes this holiday so trash pick-up will be delayed one day all week.

The 50th Anniversary books, Prairie Village Our Story, are being sold to the public.

ADJOURNMENT

With no further business to come before the City Council, the meeting was adjourned at 8:20 p.m.

Joyce Hagen Mundy
City Clerk