

COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE  
February 6, 2012  
7:30 p.m.  
Shawnee Mission East High School Cafeteria

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE OF ALLEGIANCE
- 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 - January 17, 2012
- 2. Approve Claims Ordinance 2892
- 3. Authorize the Mayor to execute the Final Plat for Benton House of Prairie Village First Plan and to accept easements and rights-of-way subject to the following conditions specified in the Planning Commission minutes of January 10, 2012
- 4. Approve the purchase of three (3) 2012 Ford Police Interceptor Sedans, and one (1) Ford Police Interceptor Utility. One sedan will be paid for by the City of Mission Hills
- 5. Approve the 2012 Recreation Fee Schedule as written

- VI. MAYOR'S REPORT
- VII. COMMITTEE REPORTS  
COU2012-01 Consider Professional Services Agreements with Consensus Consulting and Confluence for the Completion of the 84<sup>th</sup> Street and Mission Road Comprehensive Plan Amendment  
(If forwarded for action by Council Committee)
- VIII. STAFF REPORTS
- IX. OLD BUSINESS  
Consider fence design options along Tomahawk Trail
- 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](mailto:cityclerk@pvkansas.com)

**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
FEBRUARY 6, 2012**

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, February 6, 2012 at 7:40 p.m. in the Shawnee Mission East High School Cafeteria at 7500 Mission Road.

**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, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz.

Also present were: Wes Jordan, Chief of Police; Bruce McNabb, Director of Public Works; Keith Bredehoeft, Project Manager for 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 and Joyce Hagen Mundy, City Clerk.

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

**PUBLIC PARTICIPATION**

Mayor Shaffer announced that comments regarding the fence along Tomahawk would be taken prior to its discussion under Old Business.

No one addressed the Council.

## CONSENT AGENDA

Dale Beckerman moved the approval of the Consent Agenda for February 6, 2012:

1. Approve Regular Council Meeting Minutes - January 17, 2012
2. Approve Claims Ordinance #2892
3. Authorize the Mayor to execute the Final Plat for Benton House of Prairie Village First Plat and to accept easements and rights-of-way subject to the following conditions specified in the Planning Commission minutes of January 10, 2012
4. Approve the purchase of three (3) 2012 Ford Police Interceptor Sedans, and one (1) Ford Police Interceptor Utility with payment of one sedan by the City of Mission Hills.
5. Approve the 2012 recreation fee schedule as written

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

## MAYOR'S REPORT

Mayor Shaffer reviewed and events he attended during the past weeks representing the City including MARC Board of Directors meeting, area real estate forum, and opening of the Hollywood Casino and City Hall Day at Topeka.

Mayor Shaffer acknowledged the presence of a boy scout in the audience.

## COMMITTEE REPORTS

### **Council Committee of the Whole**

#### **COU2012-01 Consider Professional Services Agreement with Consensus Consulting and Confluence for the Completion of the 84<sup>th</sup> Street and Mission Road Comprehensive Plan Amendment**

Dennis Enslinger confirmed the recommendation of the Council Committee of the Whole was to direct the staff to complete a comprehensive plan amendment for review and public hearing before the Planning Commission based on the determination by the

Governing Body that the land uses allowed under the current zoning classification is appropriate for the former Mission Valley School site without any additional public engagement or traffic or drainage studies being conducted (Option 2). He stated that he spoke with the City's Planning Consultant regarding the potential cost of the amendment and noted without holding any focus groups or conducting any studies the cost would be approximately \$5,000. Mr. Enslinger noted the main comments would be taken at the Public Hearing before the Planning Commission with the Commission forwarding its recommendation on to the Governing Body for action.

On behalf of the Council Committee of the Whole, Dale Beckerman moved the Governing Body direct the staff to complete a comprehensive plan amendment for review and public hearing before the Planning Commission based on the determination by the Governing Body that the land uses allowed under the current zoning classification are appropriate for the former Mission Valley School site without any additional public engagement or traffic or drainage studies being conducted. The motion was seconded by Charles Clark.

Michael Kelly stated he felt it was premature to proceed with the amendment at this time.

Diana Ewy Sharp asked if the cost of the study was included in the motion. Dale Beckerman stated the motion only directs staff to develop the amendment. Charles Clark added studies on traffic and storm water would be done in conjunction with any request for rezoning or development. The amendment will serve as a statement of the city's interest in this property having the uses identified for R-1a zoning districts.

Andrew Wang agreed with Mr. Kelly that the Council that there is no reason for the Council to act tonight. He expressed concern with action being taken without public input from the other residents of Prairie Village.

David Morrison noted his previous opposition to the motion was due to the lack of available cost data. With the cost identified, he would be supporting the motion on the floor.

Mayor Shaffer called for a vote on the motion with the following votes cast: "aye" Herrera, Noll, Beckerman, Clark, Morrison, Ewy Sharp, Belz and "nay" Hopkins, Kelly, Wang. Mayor Shaffer declared the motion approved by a vote of 7 to 3.

## **STAFF REPORTS**

### **Administration**

- Lisa Santa Maria asked the Council members to complete the auditor questionnaire they received in their packet and noted she is waiting on final closing numbers to prepare the final quarterly report for 2011.
- Chris Engel announced the following opportunities provided by the Chamber: Gov. Brownback will speak on February 7<sup>th</sup>; Congressman Yoder will speak on February 23<sup>rd</sup> and the Saturday, Legislative Breakfast series.
- The Artist reception will be Friday, February 10<sup>th</sup> from 6:30 to 7:30 p.m.
- Dennis Enslinger stated the public hearing on the amendment to the Comprehensive Plan for the trail changes will be held before the Planning Commission tomorrow evening. He noted several residents on Nall will be speaking in opposition to the proposed placement of a trail on Nall.

Diana Ewy Sharp stated she had received several e-mails regarding the proposed amendment and feels that perhaps the Council needs to re-evaluate their support of trails. She suggested the Planning Commission item be continued.

Quinn Bennion stated he would like to have a general discussion on trails at the next meeting.

Mr. Enslinger responded the notice of hearing was appropriately published and notification of the hearing given. The Planning Commission needs to hold the public hearing; however, it can delay consideration of the item to their March 6<sup>th</sup> meeting after the Council has had the opportunity to discuss trails further.

Diana Ewy Sharp stated the Park & Recreation Committee did approve the proposed amendment to the Parks Master Plan relocating the trail from Roe to Nall.

Steve Noll stated the public looks to the Council for direction and if there are going to be any significant change the Council needs to be involved. He added the Council needs to re-evaluate the process followed for trails.

### **Public Safety**

- Chief Jordan briefly reviewed the final crime report for 2011 that was included in the Council Packet. The final numbers are within the five-year averages; however, Chief Jordan noted he would like to see the numbers lower.

### **Public Works**

- Bruce McNabb reported Public Works staff have been focusing on late winter early spring activities and safety training.
- The public meetings for the Somerset Drive Project will need to be delayed until after the Council's discussion of trails at its next meeting.

## **OLD BUSINESS**

Mayor Shaffer acknowledged the presence of a Boy Scout attending the Council meeting and asked him to introduce himself and tell why he is attending and his Troop..

### **Discussion about the Tomahawk Trail**

Mayor Shaffer called upon Public Works to present their research into what happened and what options are available with the related costs. Bruce McNabb reviewed the chronology of the project which began with a grant submittal in 2009. During the detailed field inspection and design phase of the project, it was determined that a more appropriate fence material was needed for safety purposes. Black PVC coated chain link fence was selected and specified in the construction documents. In October, 2011, the Governing Body approved a change order to the Cambridge Street/Weltner Park Project to construct the Tomahawk Trail Project with the fence constructed in November and December.

Keith Bredehoeft reviewed a fence design summary prepared for the project.

Ruth Hopkins noted the Parks Master Plan calls for asphalt trails yet the first two trails were constructed with concrete setting an expectation level and questioned why asphalt was the selected material for this trail. Mr. Bredehoeft responded that concrete is the material used when there will be significant interaction between the trail and driveways that are generally constructed of concrete. In green areas, an asphalt surface is used for trails. Steve Noll noted there are several asphalt driveways interacting with the concrete trail along Somerset.

Diana Ewy Sharp added the Parks Master Plan calls for perimeter trails, such as Somerset, to be constructed of concrete and Park Trails (Franklin Park) to be constructed with asphalt.

Al Herrera asked that the conversation return to the topic at hand - the construction of the fence. Mr. Bredehoeft reviewed design plans for the fence and addressed other optional materials that were not considered. Split rail wood fence was not considered due to its more frequent repair or replacement; wrought iron was not considered because of its high initial cost and on-going maintenance (paint) costs. The placement of fence on top of a Gabion "Wall" was not considered due to its structural instability. He noted the gabion is not a concrete retaining wall, but merely a concrete pad and would not provide the necessary foundation support for a fence.

Keith Bredehoeft presented five options reviewing each based on safety considerations, risk analysis, additional costs, estimated life, maintenance and capital life cycle costs.

#### **Option A. Retail Existing Black PVC Coated Chain Link Fence**

Safety/Risk: Addresses all concerns/Less risk

Additional Costs: \$0

Expected Life: 30 years

Life Cycle Costs: \$22,000

**Option B. Removing Existing Fence - No Replacement**

Safety/Risk: Does not meet guidelines/Assume greater risk

Additional Costs: \$3,000

Expected Life: N/A

Life Cycle Costs: \$25,000

Addresses all concerns/Less risk

Additional Costs: \$0

Expected Life: 30 years

Life Cycle Costs: \$22,000

**Option C. Remove Existing Fence - Move Closer to Wall**

Safety/Risk: Does not meet guidelines/Assume greater risk

Additional Costs: \$10,000

Expected Life: 30 years

Life Cycle Costs: \$32,000.

**Option D. Remove Existing Fence - Install Round Rail Fence at Current Location**

Safety/Risk: Not a barrier fence, would reduce safety concerns/Less risk with this option

Additional Costs: \$17,000

Expected Life: 15 years

Life Cycle Costs: \$56,000.

**Option E. Remove Existing Fence - Install Round Rail with Chain Link Supplement at Current Location**

Safety/Risk: Addresses all concerns/Less risk

Additional Costs: \$0

Expected Life: 15 years wood and 30 years Chain Link

Life Cycle Costs: \$62,000.

Mayor Shaffer called for public comment.

Jerry Stogstill, 4414 Tomahawk Road, provided a scenarios of what was at this location previously and what exists now and how the City proceeded to get to the current situation. He expressed frustration with the lack of communication with the neighbors regarding the project and felt the action taken created more hazards that



previously existed. He asked the Council to acknowledge its mistake and to work with the neighborhood to correct the situation.

Marianne Noll, 4500 West 73<sup>rd</sup> Terrace, noted that since the last meeting she has talked with additional people regarding the fence and although almost all the neighbors don't like the fence; half want it removed and the other half don't want the City to spend the additional funds. She feels the trail was placed too close to the creek and noted there are locations where a fence is necessary for safety reasons. Mrs. Noll acknowledged residents responses to the improvements at Weltner and Franklin Park are "Great" while their response to the new Tomahawk Trail is "It's not that bad". She feels the Park & Recreation Committee, City Council and Public Works should be ashamed of this inferior project.

Jim Blackwell, 4200 Homestead Drive, noted he walks frequently and has walked the new trail and believes it would be a foolish expenditure of City funds to remove the fence or to replace the fence with another type of fence. \$20,000 has been spent and it is time to accept what is in place and move forward.

Leo Wetherhill, 4400 Tomahawk, expressed thanks to the public works staff for preparing the information on design options. He does not believe the City would approve the placement of a black chain link fence in his front yard; yet, every morning when he steps out the front of his house he sees a large black chain link fence across the street. He noted the fence constructed at Weltner Park is very attractive and he would like to see a more aesthetically pleasing fence use for the trail. He asked the City to please do it right.

Ruth Hopkins noted at the earlier meeting the entire roomful of people chose not to have input into a City process; however, these people would have loved to have input

into this project. She questioned why the options only included the removal and replacement of the fence. Mrs. Hopkins noted there are excess funds from the Franklin Park renovation that the Park & Recreation Committee wanted to use for artwork in that park. She feels this money would be better spent correcting this situation.

Al Herrera noted Public Works was given a work order to construct the fence by direction of the City Council. They are not to blame. He pointed out that he lives across from Prairie Elementary School and views an extensive chain link fence every day. Mr. Herrera stated it would be fiscally irresponsible to spend additional city funds to remove the fence. He has spoken with several residents who have no objection to the fence. He supports Option A.

Michael Kelly noted the blame should go to the City Council who should have done their due diligence to note the change to the plans presented; however, he does feel staff should have made council members aware of the change. He feels there should be a higher expectation for the materials used in public spaces.

Steve Noll noted there should be public information meetings if a lower value material is being considered for a project. This neighborhood is very proud of its homes and Brush Creek. He noted there is \$70,000 remaining in the park fund because someone decided to only spend \$20,000 because it doesn't matter what it looks like. Prairie Village has higher standards than that and has since its formation by JC Nichols.

Steve Noll moved the City Council authorize the expenditure of up to \$20,000 and direct staff to remove the existing fence along the Tomahawk Trail and install a round rail fence with chain link supplement at the current location. The motion was seconded by Ruth Hopkins.

Diana Ewy Sharp thanked Public Works staff for their research. She stated the Park & Recreation Committee is fine with the existing fence and does not want to waste money replacing the current fence. She supports Option A.

Al Herrera questioned the installation of a 15 year fence over a 30 year fence at an additional cost of \$20,000. He does not view this as a good expenditure of city funds.

Steve Noll disagreed and felt that \$20,000 should be taken from the available \$70,000 in the budget to do this project correctly.

Mayor Shaffer called for a vote with the following votes cast: “aye” Hopkins, Noll, Wang, Kelly, Clark, Morrison; and “nay” Herrera, Beckerman, Ewy Sharp and Belz. The motion was declared passed by a 6 to 4 vote.

### **NEW BUSINESS**

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

### **ANNOUNCEMENTS**

Mayor Shaffer announced that Jack Shearer has agreed to be Chairman of the Jazz Fest Committee. His appointment will be on the next Council agenda. He also noted photos in the Kansas City STAR on Sunday featuring the Gingerbread House Event held by the Municipal Foundation at Brighton Gardens last December.

#### **Committee meetings scheduled for the next two weeks include:**

|  |            |           |
|--|------------|-----------|
| Planning Commission                      | 02/07/2012 | 7:00 p.m. |
| Park & Recreation Committee              | 02/08/2012 | 7:00 p.m. |
| JazzFest Committee                       | 02/08/2012 | 7:30 p.m. |
| Sister City Committee                    | 02/13/2012 | 7:00 p.m. |
| Prairie Village Arts Council             | 02/15/2012 | 7:00 p.m. |
| Council Committee of the Whole (Tuesday) | 02/21/2012 | 6:00 p.m. |
| City Council (Tuesday)                   | 02/21/2012 | 7:30 p.m. |

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The Prairie Village Arts Council is pleased to announce a photography exhibit by Melinda Heaton in the R. G. Endres Gallery for the month of February. The artist reception will be held on Friday, February 10<sup>th</sup> from 6:30 p.m. to 7:30 p.m.

The City offices will be closed Monday, February 20<sup>th</sup> in observance of Presidents' Day. Deffenbaugh does not observe this holiday so recycling and solid waste pick-up will be on the normal schedule.

Large Item pick-up is scheduled for May 12<sup>th</sup> for homes on 75<sup>th</sup> Street and north of 75<sup>th</sup> Street and May 19<sup>th</sup> for homes south of 75<sup>th</sup> Street.

### **ADJOURNMENT**

With no further business to come before the City Council, the meeting was adjourned at 9:00 p.m.

Joyce Hagen Mundy  
City Clerk