

**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE  
April 16, 2012  
7:30 p.m.**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. PLEDGE OF ALLEGIANCE**

**IV. PRESENTATIONS**

Presentations to outgoing Council Members

Swearing in of Council Members

Police Department Awards

**V. PUBLIC PARTICIPATION**

**VI. 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 - April 2, 2012
2. Ratify the Mayor's appointment of Gregory T. Wolf to the Prairie Village Planning Commission/Board of Zoning Appeals to complete the unexpired term of Marlene Nagel, expiring in April, 2013
3. Approve the following contracts for VillageFest 2012

Clement McCrae Puppets	Puppet Shows	\$875.00
Captured Memories Photo Booth	Photo Booth	\$500.00

**By Committee:**

4. Approve the CCS Presentation Systems "Base" design to upgrade the audio and visual technology in the City's Council Chambers and Multi-Purpose Room at a cost of \$60,000

**VII. MAYOR'S REPORT**

**VIII. COMMITTEE REPORTS**

**Council Committee of the Whole**

COU2012-19 Consider approval of allocation from General Fund contingency to fund additional building inspections and plan review costs

COU2012-20 Consider approval of Project SODR0002: Somerset Dr - Roe Avenue to Nall Avenue- street improvement plans and two design alternates: realignment at Nall and trail

**IX. STAFF REPORTS**

**X. OLD BUSINESS**

Update on Tomahawk Trail Project and Fence

**XI. NEW BUSINESS**

Election of Council President

**XII. ANNOUNCEMENTS**

**XIII. 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  
April 16, 2012**

The City Council of Prairie Village, Kansas, met in regular session on Monday, April 16, 2012, 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: Dale Warman, Ruth Hopkins, Steve Noll, Michael Kelly, Andrew Wang, Laura Wassmer, David Morrison and David Belz.

Also present were: Wes Jordan, Chief of Police; 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.

**PRESENTATIONS**

Mayor Ron Shaffer noted the three outgoing Council members. Al Herrera (Ward 1), Dale Beckerman (Ward 4) and Diana Ewy Sharp (Ward 6) were not in attendance but will be recognized with individual proclamations and plaques.

**Oath of Office**

City Clerk Joyce Hagen Mundy issued the oath of office to the recently elected Council members: Ashley Weaver (Ward 1), Ruth Hopkins (Ward 2), Andrew Wang (Ward 3), Brooke Morehead (Ward 4), David Morrison (Ward 5) and Ted Odell (Ward 6). The new council members were invited to take their place with the Council at the dais.

## **Police Department Awards Presentation**

Chief Wes Jordan stated the Police Department is pleased to present the following individuals with Supervisory Recognition Awards:

The first awards recognized exceptional performance in response to the October 21, 2011 bank robbery at US Bank at 6940 Mission Road and were awarded to Dispatcher Naomi Kent; Officer Cody Stech and Officer Daryl Thompson.

The second awards recognized exceptional performance by Detectives Luke Roth and Jason Wakefield in response to their tireless efforts in the investigation, arrest and conviction of Brian Pennington for the attempted first degree murder and aggravated burglary of Marti Hill.

Chief Jordan was pleased to present to Ms Marti Hills the "Spirit of Fortitude" Award in recognition of her strength, courage and determination to overcome unwarranted adversity and move forward telling her story for the benefit of others.

## **PUBLIC PARTICIPATION**

John Joyce, 4201 Delmar, addressed the Council with the following suggestions: 1) that the City review the permit fees charged to cover the costs of inspections; 2) if a community center is not going to be built in the near future that the City stop spending funds on a feasibility study, noting the funds are needed elsewhere; and 3) to not construct 8-foot concrete trails, stating that he felt such an expenditure was fiscally irresponsible. He noted he would have more comments regarding the proposed park sales tax when that item is discussed by the Council.

Michael Shook, 5501 West 81<sup>st</sup> Street, spoke on behalf of the Nall neighborhood group opposing the proposed change to the Parks Master Plan Trail System relocating the trail from Roe Avenue to Nall Avenue. He noted their group, which has grown to

over 100 residents, supports the trail as proposed along Roe where it provides the desired connectivity to city amenities.

Susan Bruce, 4501 West 72<sup>nd</sup> Terrace, expressed her appreciation to the City Council for changing the fence along the Tomahawk Trail. She noted the neighborhood is pleased with the new fence as it is without the addition of chain link.

Mayor Shaffer recognized a boy scout from Troop 91 present to earn his "Citizenship and the Community" badge.

No one else addressed the City Council and public participation was closed at 7:55 p.m.

## **CONSENT AGENDA**

Michael Kelly moved the approval of the Consent Agenda for April 16, 2012:

1. Approve Regular Council Meeting Minutes - April 2, 2012
2. Ratify the Mayor's appointment of Gregory T. Wolf to the Prairie Village Planning Commission & Board of Zoning Appeals to complete the unexpired term of Marlene Nagel, expiring in April, 2013
3. Approve the following 2012 Villagefest contracts:

Clement McCrae Puppets	Puppet Shows	\$875.00
Captured Memories Photo Booth	Photo Booth	\$500.00
4. Approve the CCS Presentation Systems "Base" design to upgrade the audio and visual technology in the City's Council Chambers and Multi-Purpose Room at a cost of \$60,000

A roll call vote was taken with the following members voting "aye": Weaver, Warman, Hopkins, Noll, Kelly, Wang, Wassmer, Morehead, Morrison, Odell and Belz.

## **MAYOR'S REPORT**

Mayor Shaffer reported he represented the City at the following events during the past two weeks: Johnson/Wyandotte County Mayors meeting at the Legends casino, A VIP tour of the LDS temple, Head Start Luncheon on April 10<sup>th</sup>. He will be attending the

dedication of the playground equipment taken from Somerset Elementary School and donated to Silver City Elementary School in Kansas City, Kansas. Mayor Shaffer acknowledged Kaler Bole and Hunt Midwest for making the arrangements for the donation of the equipment. Three Shawnee Mission East Students recently received awards from the “Shooting Stars” Program.

## **COMMITTEE REPORTS**

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

#### **COU2012-19 Consider Allocation from General Fund Contingency to fund additional building inspections and plan review costs**

On behalf of the Council Committee of the Whole, Michael Kelly moved the Governing Body approve the release of \$20,000 from General Fund Contingency to fund additional building inspection and plan review costs. The motion was seconded by Andrew Wang and passed unanimously.

#### **COU2012-20 Consider approval of Project SODR0002: Somerset Drive - Roe Avenue to Nall Avenue**

On behalf of the Council Committee of the Whole, Michael Kelly moved the Governing Body approve the addition of intersection improvements at Nall Avenue to Project SODR0002: Somerset Drive - Roe Avenue to Nall Avenue. The motion was seconded by Andrew Wang and passed unanimously.

## **STAFF REPORTS**

Mayor Shaffer announced that Staff Reports were given at the earlier Council Committee of the Whole meeting.

## **OLD BUSINESS**

### Update on Tomahawk Trail Project and Fence

Keith Bredehoeft reported the new fence has been installed along the Tomahawk Trail and noted that residents had asked if the chain link proposed to be installed behind the log rail could be omitted. Laura Wassmer asked if the staff felt the fence would provide the desired safety without the installation of the chain link. Mr. Bredehoeft responded the chain link would provide greater safety, but the fence meets safety standards as it currently stands.

Steve Noll moved the Council approve a change to the specifications for the fence removing the proposed chain link mesh and consider the project complete. Ruth Hopkins seconded the motion. Laura Wassmer confirmed the motion reflected the consensus of the neighborhood. The motion was voted on and passed unanimously.

## **NEW BUSINESS**

### **Election of Council President**

Michael Kelly nominated David Scott Morrison to serve as Council President for 2012-2013. The motion was seconded by Andrew Wang.

Steve Noll noted this is a sensitive and unique situation that presents awkwardness for the City by being led by an individual who has an active litigation in process against the City. He suggested that Mr. Morrison defer his seat as Council President until this issue has been resolved.

David Morrison noted the litigation referenced was his challenge of a charter ordinance. He does not want to see the Council President position politicized. He committed, if elected, that he would ensure that everyone has the ability to be heard. He did not feel whether or not he was serving as Council President would have any

bearing on the case. He feels that for the Council to abandon its long standing tradition of the longest tenured Council member who has not served as Council President being selected would be inappropriate and set a bad precedent. He feels it is time to put this issue behind and to start fresh.

City Attorney Katie Logan recapped the case at district court, appeals court and the Kansas Supreme Court. The City has won the case at the first two levels.

Laura Wassmer asked how much has the City spent on this litigation. Ms Logan responded over \$13,000 has been paid out in legal fees to date.

Ruth Hopkins stated she cannot support the election of an individual who not only would not support the action of the Council by a greater than 2/3 vote, but who brought legal action against the City causing loss of revenue. She views his actions as bordering on unethical. Laura Wassmer agreed with Mrs. Hopkins.

Mr. Morrison stated that he does not feel he did anything wrong. He noted that he has not said he would not pay the city's expenses incurred by the lawsuit. Those decisions are not made until the court action is final. He felt his action was both proper and legal.

Andrew Wang stated he does not believe the lawsuit against the city is unethical. He finds it irritating and expensive, but within Mr. Morrison's rights.

Dale Warman agreed that the action taken by Mr. Morrison was neither illegal nor unethical; however, these actions against your fellow council members demonstrated a lack of respect and acceptance of the actions of the Council as a whole and created several questions in the public's mind as to the ethics of other Councilmember's. He would hope that Mr. Morrison has learned that this position requires the support and



acceptance of decisions of the Council made for the benefit of Prairie Village, regardless of your individual vote.

Mayor Shaffer called for a vote on the motion with the motion passing by a vote of 8 to 3 with Nall, Hopkins & Wassmer voting “nay”.

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

Arts Council	04/18/2012	7:00 p.m.
Environmental/Recycle Committee	04/25/2012	7:00 p.m.
VillageFest Committee	04/26/2012	7:00 p.m.
Council Committee of the Whole	05/07/2012	6:00 p.m.
City Council	05/07/2012	7:30 p.m.

The Prairie Village Arts Council is pleased to announce a mixed media exhibit by Shawnee Mission East Faculty in the R. G. Endres Gallery for the month of April.

The 11<sup>th</sup> Annual Earth Fair is Saturday, April 21<sup>st</sup> at Shawnee Mission East High School from 10:00 a.m. to 3:00 p.m.

This year’s Arbor Day event will be held at Franklin Park on April 28<sup>th</sup> at 10:00 a.m.

**Council Member photos will be taken on Monday, May 7<sup>th</sup> from 5:15 - 6:00 p.m. in the Council Chambers**

The JazzFest 5k fundraiser will be held on May 19<sup>th</sup> at 8:00 a.m.

Recreation memberships are for sale in the City Clerk’s Office. The pool opens May 26<sup>th</sup> at 11:00 a.m.

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 8:25 p.m.

Joyce Hagen Mundy  
City Clerk