

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

- 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 - April 16, 2012
2. Approve the bid award to Edwards Chemical, Inc., for swimming pool chemicals
3. Approve the purchase of a cab and chassis for a dump truck with seven years parts and labor service warranties from Diamond International of Kansas City, MO for \$ 74,247.00 and the eventual disposal of Asset # 929 by auction
4. Ratify the Mayor's appointment of Shannon Tuttle to the Environment/Recycle Committee with her term expiring in April, 2015
5. Consider Amendment to Chapter 11, Article 10 entitled "Parades"
6. Approve the following contracts for VillageFest 2012

Fun Services	Rock Wall	\$1,200.00
	Trackless Train	
Sister Act Face Painting	Face Painters	\$2,240.00
Hy-Vee	Food Vendor	Pay \$175.00

**By Committee:**

- VI. MAYOR'S REPORT
- VII. COMMITTEE REPORTS
  - Planning Commission
  - PC2012-02 Consider Proposed Amendments to the Park and Recreation Master Plan Section of the Prairie Village Comprehensive Plan - Dennis Enslinger
- IX. STAFF REPORTS
- X. OLD BUSINESS
- XI. NEW BUSINESS
- 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  
May 7, 2012**

The City Council of Prairie Village, Kansas, met in regular session on Monday, May 7, 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: Ashley Weaver, Dale Warman, Steve Noll, Andrew Wang, Laura Wassmer, Brooke Morehead, Charles Clark, David Morrison, Ted Odell 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.

**PUBLIC PARTICIPATION**

Mayor Shaffer asked that comments on the proposed amendment to the Master Trail Plan be given during "Old Business" when that item would be considered by the Council.

Charles Schollenberger, 3718 West 79<sup>th</sup> Terrace, expressed his thanks and appreciation for the service of former Council members Al Herrera, Dale Beckerman and Diana Ewy Sharp. He congratulated and welcomed the new Council members Ashley Weaver, Brooke Morehead and Ted Odell. Mr. Schollenberger expressed concern over

the uncontrolled creeping escalation of his Time Warner bill for cable service. He noted his bill has more than doubled in the past 23 years. In 1990, he paid \$34 per month for standard service with the same service today costing \$75 per month.

Mr. Schollenberger noted that in 2008 SureWest, formerly Everest entered into a franchise agreement with the City of Prairie Village; however, service was never begun for whatever reasons - some speculate it was difficulty working with City officials, others say it was purely economic reasons. He was pleased to report that in late February, 2012, City Administrator Quinn Bennion met with SureWest officials regarding providing possible service in Prairie Village. Mr. Schollenberger urged the City to remove any unreasonable roadblocks that may prevent Prairie Village residents from finally having a choice for service in order to get service at competitive rates.

Mayor Shaffer recognized several Boy Scouts from Troop 16 attending for the "Citizenship and the Community" badge requirements and their leaders and parents.

No one else addressed the City Council and public participation was closed at 7:42 p.m.

## **CONSENT AGENDA**

Brooke Morehead asked that item #5 be removed from the Consent Agenda for discussion. David Morrison moved the approval of the Consent Agenda for May 7, 2012, except item #5:

1. Approve Regular Council Meeting Minutes - April 16, 2012
2. Approve the bid award to Edwards Chemical, Inc. for swimming pool chemicals
3. Approve the purchase of a cab and chassis for a dump truck with seven years parts and labor service warranties from Diamond International of Kansas City, Missouri for \$74,247 with the disposal of asset #929 by auction
4. Ratify the Mayor's appointment of Shannon Tuttle to the Environment/Recycle Committee for a three year term expiring in April, 2015

5. Removed for discussion.
6. Approve the purchase of one 2012 Ford Police Interceptor Sedan from Shawnee Mission Ford at a cost of \$23,519.00

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

Brooke Morehead questioned the cost of \$2240 for face painting at the City’s Villagefest celebration.

Quinn Bennion responded Villagefest is organized by a committee which decides what events and vendors are offered. The “Sister Act Face Painting” vendor agreement is for 7 individuals who do face painting and weird hairdo’s and includes their supplies, table, chairs and tent. This vendor participated in the 2011 festival and was very popular.

Steve Noll noted his wife, Marianne, chairs the Villagefest Committee and that the committee selects vendors based on their popularity among other factors. Although he does not have exact figures, he believes this agreement is comparable to the one for their participation in 2011. He noted the benefit of having 7 individuals in keeping the wait time limited for those participating.

Andrew Wang confirmed the face painting is done at no cost to the participants.

David Morrison stated he felt the cost of this agreement was high noting that it was more than 10% of the total budget for Villagefest. Assuming 224 kids participated, they would be getting \$10 per child. He feels other options should be investigated and suggested getting a quote from students in the art department at Shawnee Mission East.

Steve Noll stated other vendors could be considered for next year’s event. He noted the difficulty experienced in trying to find available vendors for a July 4<sup>th</sup> celebration, especially considering the high attendance at this event.

Steve Noll moved the City Council approve the following contracts for Villagefest

2012:

Fun Services	Rock Wall & Trackless Train	\$1,200.00
Sister Act Face Painting	Face Painting	\$2,240.00
Hy-Vee	Food Vendor	Pays \$ 175.00

The motion was seconded by Dale Warman and passed.

### **MAYOR'S REPORT**

Mayor Shaffer reported he represented the City at the following events during the past three weeks: On Tuesday, April 17<sup>th</sup>, he and Ruth Hopkins attended the celebration of playground equipment removed from Somerset Elementary School and donated by Hunt Midwest to Silver City Elementary School in Kansas City, Kansas. Other events included the Boy Scouts District Lunch on April 19<sup>th</sup>, the Final Legislative Breakfast and the Shawnee Mission East Earth Fair on April 21<sup>st</sup>, MARC Board and read to Headstart Students on April 24<sup>th</sup>, Johnson County Business Leadership Meeting on April 26<sup>th</sup>, Prairie Village Arbor Day event honoring the Park & Recreation Committee on April 18<sup>th</sup>, Northeast Johnson County Chamber and Johnson/Wyandotte County Mayors meetings on May 2<sup>nd</sup>, UCS Board and Advisory Council on May 4<sup>th</sup> and Sister City/Ukraine reunion on May 6<sup>th</sup>.

Mayor Shaffer noted 2012 Kansas Tax Rate & Fiscal Data Book found in the center of the March, 2012 KS GOVERNMENT JOURNAL. This reflects the population, tax rate, assessments, bonds, and debt information on all Kansas Cities. In the First Class cities of the state of Kansas only the City of Overland Park has a lower mill levy than Prairie Village with some cities have rates more than double that of Prairie Village.

## **COMMITTEE REPORTS**

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

#### **COU2012-23 Consider Construction Administration Agreement with TranSystems for 2012 Construction Projects**

On behalf of the Council Committee of the Whole, David Morrison moved the Governing Body approve the Construction Administration Agreement with TranSystems for 2012 construction projects for the City of Prairie Village at a cost not to exceed \$490,932.00. The motion was seconded by Charles Clark and passed unanimously.

### **Park & Recreation Committee**

Laura Wassmer encouraged the Council and audience to attend the Weltner Park rededication on Saturday, May 12<sup>th</sup> from 10 am to noon. She noted there would be entertainment for the children as well as food.

### **Planning Commission**

Mayor Shaffer noted the public hearing on this item was held before the Planning Commission on April 3<sup>rd</sup>; however, he would allow individuals to address the Council after the presentation of the Planning Commission recommendation by staff. He asked for comments to be brief and noted the City Council has received copies of all the communication given to the Planning Commission.

#### **PC2012-02 Consider Proposed amendments to the Park and Recreation Master Plan Section of the Prairie Village Comprehensive Plan**

Dennis Enslinger stated the Parks Master Plan was prepared in 2009; the Planning Commission approved incorporating it into the Prairie Village Comprehensive Plan (Village Vision) July 7, 2009 and the City Council approved it July 20, 2009.

Mr. Enslinger noted the City had been implementing the Trail Plan, as part of the Park Master Plan, with the construction of Somerset Trail along Somerset Avenue. In 2011, the City of Mission approached the City of Prairie Village and the City of Overland Park to discuss constructing the trail along Nall Avenue rather than Roe Avenue. The amendment to the Plan was initiated by the City Council when a trail was constructed by the City of Mission on Nall Avenue.

The Planning Commission opened the public hearing on the proposed trail plan amendments that moved the proposed trail from Roe Avenue to Nall Avenue to provide connectivity with the trail that has been constructed along Nall Avenue by the City of Mission at the February 7, 2012 meeting. At the request of City Council, the Planning Commission continued the item at the February 7<sup>th</sup> meeting to allow for the City Council to discuss the general topic of trails at the March 5<sup>th</sup> Council Committee meeting. At the March 6<sup>th</sup> Planning Commission meeting, the Planning Commission continued the item to the April 3<sup>rd</sup> meeting allowing for more time to notify property owners and residents along the proposed route changes. Staff mailed letters to all residents along both the existing trail and the proposed trail informing them of the proposed amendment and the public hearing.

The public hearing was continued at the April 3<sup>rd</sup> meeting of the Planning Commission with several residents addressing the Commission. The Commission also received written comments from several residents prior to the hearing. At the public hearing a petition in opposition to the proposed amendment was presented with more than 100 signatures in support of the existing proposed location along Roe Avenue referencing the Trails System Summary which stated:



“...the proposed trail system connects directly to or within one block of 27 of the 32 anticipated destinations. ...”

Residents signing the petition felt any change in the location of the trail would diminish the usefulness of the trail, would run the trail along a street that is unsuited to that purpose; would necessitate the addition of numerous connectors along east/west streets in order to connect with the destinations located along Roe; and would raise numerous practical problems that have not been considered by the City.

The Planning Commission unanimously recommended that the Governing Body not make the proposed changes to the Master Trail Plan contained in the Park and Recreation Master Plan which include the following: moving the Roe Avenue trail route to Nall from 63<sup>rd</sup> Street to 91<sup>st</sup> Street and extending the necessary east west connection routes to accommodate this change.

Mr. Enslinger stated the City Council can take one of the following actions:

- 1) Uphold the recommendation of the Planning Commission not to make any of the proposed changes. This requires a simple majority vote.
- 2) Overturn the recommendation of the Planning Commission and make the proposed changes or make modifications to the proposed changes. This requires nine (9) affirmative votes. This will also require the drafting and approval of an ordinance detailing the proposed changes.
- 3) Return the item back to the Planning Commission for consideration, which requires a simple majority vote.
- 4) Table consideration of the item to a later date.

Mayor Shaffer opened the meeting to public comment on this item.

Carolyn Jensen, 7839 Nall Avenue, distributed a letter to the Council addressing her concerns and opposition to the proposed movement of the trail from Roe Avenue to Nall Avenue. Areas of concern noted were the non-central location of Nall to the rest of the City, the lack of direct connectivity to City parks, the high volume and speed of traffic

on Nall Avenue and possible damage to large mature trees that abut Nall Avenue. Mrs. Jensen noted the reasons given in the Master Trail Plan for the initial location along Roe Avenue are valid and should be followed.

Joel Joyce, 8000 Fontana, added that there is a consensus among the neighboring property owners that not only should the proposed trail remain along Roe Avenue, but that there should not be connector trails built along 67<sup>th</sup> Street to connect the trail to the trail constructed by the City of Mission. The neighborhood does not feel this is necessary or that it would add any value to the neighborhood.

With no one else wishing to address the City Council, public comment was closed at 8:05 p.m.

Charles Clark questioned what would be the most appropriate action of the City Council following the action taken by the Council not approving the installation of a trail along Somerset at the last Council meeting. He feels the Master Trails Plan is basically dead.

Steve Noll stated he would like to see the Park & Recreation Committee relook at this issue and determine what they want to see; i.e. a trail system, a bike lane, a walking path, wider sidewalks providing connectivity to other recreational areas. There is a lot of concern and interest in this issue and he feels it needs to be re-examined with a clear objective set and determination of what is acceptable and what is not. What is the objective being sought with the trail system.

Laura Wassmer stated, as chair of the Park & Recreation Committee, she supports Mr. Noll's suggestion and would be happy to take this issue back to the committee. She noted there was not a consensus among the committee. She initially

supported the plan in concept until she saw the width of the trail. She feels that they destroy the residential character of our neighborhoods.

Steve Noll felt there was confusion as to where trails fit within the City. He felt they were appropriate within the parks, but questioned how to justify placing them in residents' front yards.

Dennis Enslinger advised the City Council that action was necessary on the specific amendment proposed. He added then the Council can take further action on the issue such as referring it back to the Park & Recreation Committee for further consideration.

Steve Noll moved the Governing Body adopt the recommendation of the Planning Commission to not accept the proposed change in the location of the trail from Roe Avenue to Nall Avenue in the Master Trail Plan contained in the Park and Recreation Master Plan section of the City's Comprehensive Plan, Village Vision. The motion was seconded by Charles Clark. Dale Warman stated his support for the motion. Mayor Shaffer called for a roll call vote with the following votes cast: "aye" Weaver, Warman, Noll, Wang, Wassmer, Morehead, Clark, Morrison, Odell, Belz and Shaffer. The motion passed unanimously.

It was the consensus of the Governing Body that a discussion about the trail plan and purpose be returned to the Park and Recreation Committee for reconsideration.

## **STAFF REPORTS**

### **Public Safety**

- Chief Jordan reviewed the distributed crime statistics for the first quarter of 2012. He was pleased to report a decrease in residential burglaries from last year, but noted an increase in theft rates. He added detectives are currently working 5 employee theft/embezzlement cases.
- Chief reported on the attempted robbery in Mission Hills in the parking lot of the Indian Hills Country Club.

- The CIT team will be presenting at the Leadership Northeast Program this week.
- Police staff will be training at the vacant Mission Valley Middle School later this week.

### **Public Works**

- Bruce McNabb reported the City only received one storm drainage complaint from the heavy weekend rain.
- The 75<sup>th</sup> Street Subcommittee has met and set direction and scope for the project.
- The artificial stream at Franklin Park is now working.
- Bids will go out this week for the City's 2012 Street Paving Work for approximately \$5.5 million worth of work.

### **Administration**

- Chris Engel announced the Weltner Park dedication this coming Saturday, May 12<sup>th</sup> and that he is still looking for a synchronized swim coach.
- The City has received word that the Jazz Band from Dolyna will not be able to perform at the 2012 Prairie Village Jazz Festival.
- Dennis Enslinger announced Large Item Pick-up will be this Saturday, May 12<sup>th</sup> for areas north of 75<sup>th</sup> Street and next Saturday, May 19<sup>th</sup> for areas south of 75<sup>th</sup> Street
- The Endres Gallery Art reception will be this Friday, May 11<sup>th</sup> from 6:30 to 7:30 p.m.
- The Planning Commission has received an application for exterior façade renovations for the Hen House at Corinth Square. The Planning Commission will consider the application on June 5<sup>th</sup>. Staff will review the application with the Council at the May 21<sup>st</sup> meeting to get input.
- Quinn Bennion distributed revised committee sheets reflecting the new Council/Committee assignments and asked the Council to review them for accuracy and get back with staff
- Staff has received a request from RED to move meeting date for consideration of the proposed amendment to the Comprehensive Plan addressing the Mission Valley School site from May 21<sup>st</sup> to June 4<sup>th</sup> due a scheduling conflict for them with an out of town conference. Mr. Bennion requested direction from the Council on the requested meeting change.

Council discussed the advantages of keeping the meeting on May 21<sup>st</sup> and advantages of moving the meeting to June 4<sup>th</sup>. Brooke Morehead moved the Council keep the consideration of the Comprehensive Plan addressing the Mission Valley School site on the May 21<sup>st</sup> agenda as published and announced. The motion was seconded by David Morrison and passed by a vote of 6 to 4.

## **OLD BUSINESS**

### **Consider amendment to Chapter 11, Article 10 entitled “Parades”**

Chief Wes Jordan noted that a recent review of the code revealed that in 2008 when changes were made to Sections 11-1105 and 11-1106 of the street race regulations, those changes were inadvertently carried over to 11-1005 and 11-1006 of parade regulations. The proposed ordinance returns the previous language to the parade regulations with the addition of paragraph L adding insurance requirements and the naming of the city as an additional insured. The city attorney has reviewed and approved the ordinance.

David Belz moved the Governing Body adopt Ordinance 2254 relating to parade permits by amending Section 11-1003 “Same Application; Procedure; Section 11-1005 “Permit Issuance Standards” and Section 11-1006 “Permit Issuance” of Article 10 “Parades” of Chapter XI “Public Offenses & Traffic” of the code of the City of Prairie Village: The motion was seconded by Laura Wassmer.

A roll call vote was taken with the following votes cast: “aye” Weaver, Warman, Noll, Wang, Wassmer, Morehead, Clark, Morrison, Odell, Belz, and Shaffer. Mayor Shaffer declared the ordinance adopted.

## **NEW BUSINESS**

Dale Warman announced the Relay for Life event will be held at Franklin Park on Saturday, August 25<sup>th</sup> and encouraged people to become involved in this event. There will be a kick-off event on Wednesday, May 16<sup>th</sup> at 6 p.m. at Johnny’s Tavern.

## **ANNOUNCEMENTS**

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

Park & Recreation Committee

05/09/2012

7:00 p.m.

Sister City Committee	05/14/2012	7:00 p.m.
Arts Council	05/16/2012	7:00 p.m.
Council Committee of the Whole	05/21/2012	6:00 p.m.
City Council	05/21/2012	7:30 p.m.

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The Prairie Village Arts Council is pleased to announce a photography exhibit by Julie Fallone in the R. G. Endres Gallery for the month of May. The artist reception will be held on May 11th from 6:30 to 7:30 p.m.

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

Saturday, May 12<sup>th</sup> will be the rededication of the recent improvements to Weltner Park from 10 a.m. to 12 noon.

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.

The City offices will be closed Monday, May 28<sup>th</sup> in observance of the Memorial Day Holiday. Deffenbaugh also observes this holiday so pick-up will be delayed.

**ADJOURNMENT**

With no further business to come before the City Council, the meeting was adjourned at 8:55 p.m.

Joyce Hagen Mundy  
City Clerk