

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
May 21, 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 - May 7, 2012
2. Approve Claims Ordinance 2895
3. Approve the following contracts for VillageFest 2012

Games 2U	Video Game Van	\$ 400.00
Inflatabilities	Inflatables	\$1,605.00
Debbie Jackson Productions	DJ Services	\$ 900.00
Renegade Cow Productions	Headlining Band	\$1,200.00
4. Approve renewal of annual agreement for weed abatement services with Big Green, Inc. at the same rate provided in existing agreement
5. Approve agreement with Kansas City Crime Commission for TIPS Hotline Crime Stoppers Program at a cost of \$3,000

By Committee:

6. Authorize the renaming of Meadowlake Park in honor of former Mayor Monroe Taliaferro
7. Adopt Ordinance 2255 amending Section 11-202 entitled "Same; Prima Facie Violation" of Article 2 entitled "Local Regulations", of Chapter 11, entitled "Public Offenses & Traffic" of the Municipal Code of the City of Prairie Village, Kansas
8. Approve the 2013-2017 County Assistance Roads System (CARS) Program

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

Planning Commission

PC2012-05 Consider Proposed Comprehensive Plan Amendment for the Former Mission Valley Middle School Site

- IX. STAFF REPORTS
- X. OLD BUSINESS

COU2012-28 Consider Approving Ordinance No. 2258 Repealing Ordinance 2245 which established a temporary moratorium on all rezoning and special use permits in the area in and around the former site of the Mission Valley Middle School

- 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

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
May 21, 2012**

The City Council of Prairie Village, Kansas, met in regular session on Monday, May 21, 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, Ruth Hopkins, Steve Noll, Michael Kelly, Andrew Wang, Brooke Morehead, David Morrison, Ted Odell and David Belz.

Also present were: Wes Jordan, Chief of Police; Bruce McNabb, Director of Public Works; Pete Heaven, representing the 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 Comprehensive Plan be given during "Committee Reports" when that item would be considered by the Council.

No one addressed the City Council and public participation was closed.

CONSENT AGENDA

Ted Odell asked that item #1 be removed from the Consent Agenda for discussion. David Morrison moved the approval of the Consent Agenda for May 21, 2012, except item #1:

1. Removed
2. Approve Claims Ordinance 2895
3. Approve the following contracts for VillageFest 2012

Games 2U	Video Game Van	\$ 400.00
Inflatabilites	Inflatables	\$1,605.00
Debbie Jackson Productions	DJ Services	\$ 900.00
Renegade Cow Productions	Headlining Band	\$1,200.00
4. Approve renewal of annual agreement for weed abatement services with Big Green, Inc. at the same rate provided in existing agreement
5. Approve agreement with Kansas City Crime Commission for TIPS Hotline Crime Stoppers Program at a cost of \$3,000
6. Authorize the renaming of Meadowlake Park in honor of former Mayor Monroe Taliaferro
7. Adopt Ordinance 2255 amending Section 11-202 entitled "Same; Prima Facie Violation" of Article 2 entitled "Local Regulations", of Chapter 11, entitled "Public Offenses & Traffic" of the Municipal Code of the City of Prairie Village, Kansas
8. Approve the 2013-2017 County Assistance Roads System (CARS) Program

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

Ted Odell noted a correction on the discussion of the purchase of laptops. The City Clerk noted the correction would be made to the Council Committee of the Whole minutes.

David Morrison moved the approval of the regular council meeting minutes of May 7, 2012. The motion was seconded by Ted Odell and passed unanimously.

MAYOR'S REPORT

Mayor Shaffer stated the Mayor's Report was given at the earlier Council Committee of the Whole meeting.

COMMITTEE REPORTS

Planning Commission

PC2012-05 Consider Comprehensive Plan Amendment for the former Mission Valley Middle School Site

Mayor Shaffer noted the public hearing on this item was held before the Planning Commission on May 1, 2012; however, he would allow individuals to address the Council after the presentation of the Planning Commission recommendation by Dennis Enslinger. He asked for comments to be brief and for speakers to give their name and address.

Dennis Enslinger stated on February 6, 2011, the City Council voted not to move forward with the Comprehensive Plan Amendment for 84th & and Mission Road and directed staff to prepare a Comprehensive Plan Amendment for just the Mission Valley Middle School site, based on the uses in the R-1a District in which it is currently zoned.

The proposed amendment would be incorporated into Chapter 8 entitled "Potential Redevelopment" and follows the same format used for Somerset Elementary School. Residential neighbors and the property owner were provided with a draft copy of the proposed Comprehensive Plan Amendment to obtain their input. Many of the changes suggested by the Mission Valley Neighborhood Homes Association have been incorporated into the document.

The property owner of record, MVS, LLC, provided comments and suggested changes prior to the Planning Commission meeting. The Planning Commission did not

adopt the recommended language proposed by the property owners as they did not feel it met the intent of the City Council direction to prepare a comprehensive plan limiting the future uses to the R-1a zoning district. The Planning Commission has recommended the Governing Body adopt the proposed Comprehensive Plan

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

- 1) Uphold the recommendation of the Planning Commission to adopt the proposed amendment. This requires a simple majority vote.
- 2) Overturn the recommendation of the Planning Commission and deny the proposed amendment or make modifications to the proposed amendment. This requires nine (9) affirmative votes.
- 3) Return the item back to the Planning Commission for consideration, which requires a simple majority vote. If the item is returned to the Planning Commission, the City Council should provide direction to the Planning Commission.
- 4) Table consideration of the item to a later date.

Mr. Enslinger added if the Governing Body approves the proposed comprehensive plan amendment, it will also need to approve Ordinance No. 2258 repealing Ordinance No. 2245 which established a temporary moratorium on all rezoning and special use permits in the area in and around the former site of the Mission Valley Middle School.

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

John Duggan, representing the Mission Valley Neighborhood Association, expressed the association's support of the proposed amendment as prepared by staff. They feel it is consistent with the direction given the staff by the Governing Body on February 6, 2012. He opposes the suggested broadening of the language proposed by MVS, LLC and urged the City Council to adopt the amendment as recommended by the Planning Commission.

Brian Doerr, 4000 West 86th Street, a resident and representative of the neighborhood association spoke in support of the acceptance of the Planning Commission's unanimous recommendation for approval of the Comprehensive Plan Amendment directing the development of the property consistent with the allowed uses in R-1a (Single Family Residential Zoning District). Mr. Doerr reviewed the issues as identified by staff in the development of the site as found in the proposed amendment.

Craig Satterlee, 8600 Mission Road, stated as a property owner located very close to the Mission Valley Middle School site, he is very concerned with the prospect of this land being developed as a Mixed-Use District noting concerns with increased traffic along Mission Road, decreased property values for the surrounding residential properties and the negative impact of additional retail development on the existing area shops. Mr. Satterlee supports the proposed amendment as presented and asked the City Council when they receive a proposal for rezoning to keep this property R-1a.

Charles Miller, 8520 Delmar, attorney for MVS, LLC., stated the property owners believe their suggested changes are appropriate for the Comprehensive Plan amendment which is a guide for the development of property and land use in the City. A Comprehensive Plan does not dictate what to do, there are several factors that need to be considered in a land use application and the City Council and Planning Commission will need to weigh those considerations carefully.

Mr. Miller noted the misrepresentations that developed because a specific plan for the development was not available. He felt in some cases the neighborhood was operating out of fear of the worst possible development scenario. He stated it is time to move forward and the owners are currently working on a development plan that will be

presented to both the City and the neighborhood. This will not be a take it or leave it plan, but a progressive plan as input is received from different groups of people. There will be a process that hopefully will lead to the best possible use of this site.

With no one else wishing to address the City Council, public comment was closed at 7:50 p.m.

David Morrison moved the Governing Body adopt Ordinance No. 2257 adopting the Comprehensive Plan Amendment for the former Mission Valley Middle School site and authorize the Mayor to sign the effectuating ordinance. The motion was seconded by Ted Odell.

A roll call vote was taken with the following members voting “aye”: Weaver, Warman, Noll, Kelly, Wassmer, Morehead, Clark, Morrison, Odell, Belz and Shaffer; voting “nay” Hopkins, Wang. The motion passed by a vote of 9 to 2.

STAFF REPORTS

Mayor Shaffer announced that staff reports were given at the Council Committee meeting earlier this evening.

OLD BUSINESS

COU2012-28 Consider Ordinance No. 2258 Repealing Ordinance No. 2245 which established a temporary moratorium on all rezoning and special use permits in the area in and around the former site of the Mission Valley Middle School.

David Morrison moved the Governing Body adopt Ordinance No. 2258 repealing Ordinance No. 2245 which established a temporary moratorium on all Rezoning and Special Use Permit applications in the area in and around the former site of the Mission Valley Middle School. The motion was seconded by Steve Noll.

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

Mayor Shaffer recognized several Boy Scouts from Troop 282 attending for the “Citizenship and the Community” badge requirements and their leaders and parents.

Council Laptops

Andrew Wang noted that at the last meeting the Council discussed whether to replace their existing laptops with an iPad or tablet type device. He stated he had given the issue a lot of thought over the past two weeks and strongly feels a tablet type device is more appropriate for the purpose for which Council uses the devices - to access the Council packet electronically at Council meetings and to receive and respond to e-mails from residents. A laptop computer is not necessary for these actions. The iPad with the applications presented by staff would allow council members to make notes on documents, send and receive documents and access information electronically with a greater portability for use during meetings.

Michael Kelly stated that iPads are not toys - they are the direction technology is going with multiple free applications available to allow for multiple functionality. He encouraged council members to move forward with this new technology. Mr. Kelly noted that existing council members could possibly be grandfathered and given the option to purchase their computers from the city for continued use.

Ted Odell stated he felt either option was acceptable. David Belz stated he supported iPads during the discussion at the last meeting and questioned if the decision

had not already been made. He expressed concern about revisiting the discussion without all of the council present.

Mayor Shaffer confirmed that no motion was made during the last meeting. Council members indicated their preference with 5 supporting laptops with 4 supporting iPad/tablets.

Andrew Wang moved to direct staff to purchase iPad/tablet type devices for the replacement of the existing laptops and for new council members wanting city provided devices. The motion was seconded by Michael Kelly.

David Belz expressed concern with giving staff direction at one meeting and changing the direction at the next. Dale Warman confirmed no official motion was made on the purchase of laptops.

The motion was voted on and passed by a vote of 8 to 1.

NEW BUSINESS

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

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Environment/Recycle Committee	05/23/2012	7:00 p.m.
VillageFest Committee	05/24/2012	7:00 p.m.
JazzFest Committee	05/30/2012	7:00 p.m.
Council Committee of the Whole	06/04/2012	6:00 p.m.
City Council	06/04/2012	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.

Recreation memberships are for sale in the City Clerk's Office. The pool opens Saturday, May 26th at 11:00 a.m.

The City offices will be closed Monday, May 28th in observance of the Memorial Day Holiday. Deffenbaugh also observes this holiday, so trash services will also be delayed one day.

ADJOURNMENT

With no further business to come before the City Council, the meeting was adjourned at 8:15 p.m.

Joyce Hagen Mundy
City Clerk