

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
June 18, 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 - June 4, 2012
2. Approve Claims Ordinance
3. Approve the following VillageFest Contracts for 2012: Ararat Shrine Clowns, 3 Clowns, \$600; and Commemorative Air Force, Plane Flyover, \$1,200
4. Approve the following performance contracts for the 2012 Prairie Village Jazz Festival contingent upon review and approval by the City Attorney: Mike Metheny Quartet, Rich Wheeler Quartet, Diverse, Megan Birdsall, Bobby Watson and Karrin Allyson.

By Committee:

5. Authorize the Mayor to execute the Final Plat for "Rutiaga Ranch" for its acceptance of rights-of-way and easements subject to the conditions required by the Planning Commission
6. Authorize the Mayor to execute the Final Plat for "75 Mission Office Condominium" 2nd Plat for its acceptance of rights-of-way and easements subject to the conditions required by the Planning Commission
7. Approve the addition of the following fees to the Prairie Village Fee Schedule: State of Kansas Judicial Branch Education Fee (\$0.50) and State of Kansas Court Costs and Law Enforcement Training Center Fund (\$20.00)
8. Approve the low bid of Bordner Roofing Company in the amount of \$53,327.00 for Project 190918: Public Safety Roof Replacement.

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

Council Committee of the Whole

COU2012-32 Consider Construction Contract for Project 2011 Bond, 2012 Paving and 2012 CARS Project

COU2012-08 Consider approval of Security System Upgrades and additions

Planning Commission

PC2012-06 Consider Request for Special Use Permit for the Operation of Child Care Center at 7501 Belinder Avenue

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

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
June 18, 2012**

The City Council of Prairie Village, Kansas, met in regular session on Monday, June 18, 2012, at 7:30 p.m. in the Council Chambers of the Municipal Building.

ROLL CALL

Council President David Morrison 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, Laura Wassmer, Brooke Morehead, Charles Clark and Ted Odell.

Also present were: Captain Wes Lovett; 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.

Council President David Morrison led all those present in the Pledge of Allegiance.

PUBLIC PARTICIPATION

No one was present to address the City Council.

CONSENT AGENDA

Charles Clark moved the approval of the Consent Agenda for June 18, 2012:

1. Approve Regular Council Meeting Minutes - June 4, 2012
2. Approve Claims Ordinance
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4. Approve the following performance contracts for the 2012 Prairie Village Jazz Festival contingent upon review and approval by the City Attorney: Mike Metheny Quartet, Rich Wheeler Quartet, Diverse, Megan Birdsall, Bobby Watson and Karrin Allyson.
5. Authorize the Mayor to execute the Final Plat for "Rutiaga Ranch" for its acceptance of rights-of-way and easements subject to the conditions required by the Planning Commission
6. Authorize the Mayor to execute the Final Plat for "75 Mission Office Condominium" 2nd Plat for its acceptance of rights-of-way and easements subject to the conditions required by the Planning Commission
7. Approve the addition of the following fees to the Prairie Village Fee Schedule: State of Kansas Judicial Branch Education Fee (\$0.50) and State of Kansas Court Costs and Law Enforcement Training Center Fund (\$20.00)
8. Approve the low bid of Bordner Roofing Company in the amount of \$53,327.00 for Project 190918: Public Safety Roof Replacement.

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

MAYOR'S REPORT

There was no Mayor's report in Mayor Shaffer's absence.

COMMITTEE REPORTS

Council Committee of the Whole

COU2012-32 Consider Approval of Street Repairs related to the 2009 Street Paving Program

On behalf of the Council Committee of the Whole, Charles Clark moved the Governing Body authorize Mayor Shaffer to sign the Construction Contract with McAnany Construction for Project 2011 Bond, 2012 Paving and 2012 CARS Project in the amount of \$5,100,000. The motion was seconded by Laura Wassmer and passed unanimously.

COU2012-08 Consider Approval of Security System Upgrades and additions

On behalf of the Council Committee of the Whole, Charles Clark moved the Governing Body to allocate the expenditure of \$50,000 to finance the purchase of security camera equipment and installation. The motion was seconded by Laura Wassmer and passed unanimously.

Planning Commission

PC2012-06 Consider Special Use Permit for the Operation of Child Care Center at 7501 Belinder Avenue

Dennis Enslinger stated that on June 5, 2012, the Planning Commission heard an application for a Special Use Permit (SUP) for a child care center at 7501 Belinder Avenue that will allow for a maximum of 45 students that will range in age from infancy to age 5. The hours of operation will be 7:30 a.m. to 5:30 p.m., Monday through Friday, year round. The facility will employ up to 9 people who will park in the east lot during the day. The parents will park in the east lot and walk to the door to drop off and pick up their children.

The operation will be contained within the existing structure and no changes will occur to the exterior of the building. He noted that in 2005, the property was approved for a child care center for the Kansas City Autism Training Center (KCATC) for a maximum of 10 children and the SUP was renewed in 2008. KCATC has recently moved to a new location. The applicant will use the same facilities that were approved for KCATC.

The applicant held a neighborhood meeting on May 23, 2012 in accordance with the Planning Commission Citizen Participation Policy and two residents attended the meeting. They were concerned about additional on-street parking on 75th Terrace. It was

explained that the entrance to the day care center will be on the north side and parking will be in the east lot. There may be some addition traffic on 75th Terrace entering and leaving the east parking lot. No one from the public was present to address the Commission on this application.

The Planning Commission found the findings of fact to be favorable for the reasons set forth in the minutes of their June 5, 2012 meeting and recommends that the Governing Body approve a Special Use Permit for a child care program at 7501 Belinder Avenue subject to the six conditions.

Mr. Enslinger reviewed the options for action available to the City Council.

Laura Wassmer confirmed that this property was for sale and questioned approving an application for a Special Use Permit under the circumstances. Dennis Enslinger stated that both the present and future owner support the operation of the child care center noting it is a source of income for them and keeps the building occupied.

Ms Wassmer expressed concern that having the child care center operation would limit the ability to sell this property. Mr. Enslinger noted there is also currently a Montessori school operating in the building. Ms Wassmer felt that this would prevent sale and redevelopment of this property.

Ruth Hopkins confirmed the special use permit stays with the land.

Laura Wassmer asked what the impact of the two special use permits would have on this property being rezoned. Mr. Enslinger responded the property owner could apply for rezoning. Laura Wassmer stated she would like to have this referred back to the Planning Commission.

Andrew Wang confirmed the issuance of the special use permits for this property does not require that the property keep these uses. Dennis Enslinger stated that is an issue between the property owner and the individuals leasing space. The City does not become involved with private contracts of property owners.

City Attorney Katie Logan stated the possible future sale and use is not relevant to the Council action on this application for a special use permit. The Council is to determine if this is an appropriate land use for this property as it exists. Dennis Enslinger stated the Bank, which currently owns this property, has encouraged the City to approve this application for a special use permit and is making the required improvements that are a condition of approval for the permit.

Steve Noll stated he does not see any problems with approving the requested special use permit.

Steve Noll moved the City Council adopt Ordinance 2259 approving a Special Use Permit for the operation of a child care program at 7501 Belinder Avenue, Prairie Village, Kansas subject to the six conditions recommended by the Planning Commission. The motion was seconded by Ruth Hopkins.

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

JazzFest Committee

Brooke Morehead encouraged the Council members to save the date of September 8th for the city’s 3rd Annual Jazz Festival. She noted the performance contracts for this self-supporting festival were approved on the Consent Agenda and the

excellent line-up will be formally announced on July 4th. She noted that \$5000 of the proceeds of this event will be given to the Heartland Habitat for Humanity.

A fund-raiser will be held this weekend for the event at BRGR, Urban Table, Gram & Dunn, Johnny's Tavern and possibly The Tavern and O'Neill's with every \$5 donation to the jazz festival will get the individual a \$5 bounce back coupon for the participating restaurant. Council members were encouraged to participate.

STAFF REPORTS

Public Safety

- Nothing to report

Public Works

- Bruce McNabb reported new flower beds have been planted in the Taliaferro Park.

Administration

- Quinn Bennion stated that currently there are only a few items on the July 2nd agenda and noted that there is a possibility this meeting will be cancelled.
- Mr. Bennion recently met with representatives of SureWest who will be making a decision this fall on expanding their service area into Prairie Village in 2013 and asked if the Council wanted him to take any action to encourage them such as a letter of interest. He is not looking at any financial incentives or preferential treatment as it would appear the City is endorsing a provider over another.

Ruth Hopkins was not supportive. Steve Noll stated his neighbors have often spoken to him of their desire for having a choice for an alternative telecommunications provider and feels there is interest among Prairie Village residents. Laura Wassmer agreed noting she also has received several requests from residents wanting the ability to have a choice for providers. Other council members supported sending a letter expressing our residents desire to have another option for telecommunications services. Charles Clark noted the Planning Commission will have to approve any utility boxes/equipment that does not fall within the city's code. They will need to comply with

city regulations. Mr. Bennion noted SureWest prefers to have their equipment located in rear yard easements. He will draft a letter and bring back to the Council for review.

- Dennis Enslinger noted Lane4 continues to receive complaints on the noise from the Ripple Glass container currently located behind the Antique Mall. He has proposed moving the containers temporarily to City Hall until the CVS construction is complete. He stated that Lane4 has stated they would remove them if complaints continue. Mr. Enslinger noted this site collects the highest volume of glass in the metro.

Ruth Hopkins supported moving them to City Hall. Laura Wassmer expressed concerns with the move noting the noise created. Mr. Enslinger stated the location that is being considered is at the far end of the parking lot - far from the pool. Council members agreed with the temporary move, but hoped that Lane4 would move them back to the center after the completion of their construction. Steve Noll stated the Prairie Village has embraced glass recycling and efforts should be taken to retain the program.

- Dennis Enslinger noted the recent audio improvements in the chamber and reviewed how the new microphones and speakers function. Staff will continue to fine tune the system.

OLD BUSINESS

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

NEW BUSINESS

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

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

PV Arts Council

06/20/2012

7:00 p.m.

Environmental/Recycle Committee	06/27/2012	7:00 p.m.
VillageFest Committee	06/28/2012	7:00 p.m.
Council Committee of the Whole	07/02/2012	6:00 p.m.
City Council	07/02/2012	7:30 p.m.

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The Prairie Village Arts Council is pleased to announce a mixed media exhibit by the Senior Arts Council in the R. G. Endres Gallery for the month of June. The artist reception will be held on June 8th from 6:30 to 8:30 p.m.

VillageFest is Wednesday, July 4th.

The City offices will be closed Wednesday, July 4th in observance of the Independence Day Holiday. Deffenbaugh also observes this holiday, so trash services will be delayed one day for those pick-ups after July 4.

David Morrison noted the 2012 Leadership Northeast class would be hosting an open social on Saturday, August 4th at Harmon Park from 7:30 to 10:00. The pool has also been reserved for the event and area cities leadership classes and councils have been invited.

ADJOURNMENT

With no further business to come before the City Council, the meeting was adjourned at 8:12 p.m.

Joyce Hagen Mundy
City Clerk