

**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE  
August 6, 2012  
7:30 p.m.**

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE OF ALLEGIANCE
- IV. PUBLIC HEARINGS
  - 2012 Amended Budget Hearing
  - 2013 Budget Hearing
- V. PRESENTATIONS
- VI. PUBLIC PARTICIPATION
- VII. 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 - July 16, 2012
- 2. Approve Claims Ordinance #2898
- 3. Approve Amendment to the Agreement with the Kansas Corporation Commission to reflect additional funding made available as part of the geothermal grant award
- 4. Approve the purchase of equipment for 2012 International Dump Truck
- 5. Approve a waiver to allow the serving of alcoholic beverages at Harmon Park on Saturday, September 8, 2012 in conjunction with the Prairie Village Jazz Festival.

- VIII. MAYOR'S REPORT
- IX. COMMITTEE REPORTS

**Council Committee of the Whole**

COU2012-33 Consider Interlocal Agreement with the City of Overland Park to Micro-Surface Nall Avenue from 83<sup>rd</sup> Street to 95<sup>th</sup> Street and Approve Use of General Fund Contingency

**VillageFest Committee**

- IX. STAFF REPORTS
- X. OLD BUSINESS
- XI. NEW BUSINESS

Consider request from Lane4 to Operate Work Machinery outside of approved hours of operation allowed by Section 11-202 of the Prairie Village Municipal Code

XII. EXECUTIVE SESSION

XIV. ANNOUNCEMENTS

XV. 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  
August 6, 2012**

The City Council of Prairie Village, Kansas, met in regular session on Monday, August 6, 2012, at 7:35 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, Laura Wassmer, Brooke Morehead, Charles Clark, David Morrison and Ted Odell.

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 HEARINGS**

Mayor Shaffer reviewed the procedure to be followed in the public hearings.

**Adoption of the 2012 Budget Amendment**

Finance Director Lisa Santa Maria noted that effective January 1, 2012 an additional 1.00% sales tax was applied to purchases made at the Corinth & Prairie Village Shops due to the Community Improvement Districts (CIDs). Under Kansas Statutes, the City is required to create a specific fund for each district with the proceeds

of which going to finance the project as either “pay as you go” or for payment of bond principal and interest.

The requested amendment to the 2012 budget establishes a budget for the Corinth CID and the PV Shops CID with funding for the expenditures coming from the existing 1% sales tax. This does not change the tax levy that was originally published in the 2012 budget nor does the amendment alter or change the CID agreement or commitments.

Mayor Shaffer opened the public hearing for comment. No one was present to address the Council and the public hearing was closed at 7:40 p.m.

Ruth Hopkins moved the Governing Body adopt the 2012 Budget Amendment as published. The motion was seconded by Dale Warman and passed unanimously.

#### **Adoption of the 2013 Budget for the City of Prairie Village**

The 2013 Budget of \$23,631,031 reflects the following goals: 1) maintain high quality services and programs, 2) maintain quality streets, parks and infrastructure, 3) continue strong financial condition, 4) maintain AAA bond rating, 5) emphasis on reserves and equipment reserve fund and 5) increase actual budget ratio by reducing the budget and placing more reliance on contingency.

The 2013 budget is balanced with the existing mill levy rate of 19.491 and maintains the same level of services with enhancements to the tree trimming program and school crossing guard program. The full time equivalent (FTE) employee count remains at its existing level. Overall the 2013 operating budget is less than the 2012 operating budget. The stormwater utility fee rate remains at the current rate of \$0.040/square foot of impervious area. The Solid Waste Management fee has been

decreased from \$200.74 to \$158.52 due to a rate rollback by Deffenbaugh. The projected ending fund balance is 25%.

The 2013 budget includes a transfer of \$2.5 million from the general fund to the Capital Improvement Program (CIP). The total CIP budget for 2013 is \$6,522,355.

Mayor Shaffer opened the public hearing for comments. No one was present to address the Council on the proposed 2013 budget. Mayor Shaffer closed the public hearing at 7:45 p.m.

On behalf of the Council Committee of the Whole, David Morrison moved the City Council accept the offer by Deffenbaugh to reduce the monthly rate for 2013 solid waste services to \$13.47 with a three year contract extension through the end of 2016. The motion was seconded by Ruth Hopkins.

Mr. Morrison stated he was opposed to the motion and felt that the Deffenbaugh rate was higher than it needed to be. He noted the city has not gone out for bid on solid waste services since 2001 and he does not feel it is in the best interest of the residents to not explore other options by going out to bid, noting a lower bid received recently by neighboring cities. Mr. Morrison also noted Deffenbaugh's political campaign contributions to members of the governing body. He feels it is inappropriate for the city to not go out to bid for these services and close the door on that option for another three years. Michael Kelly stated he agreed with Mr. Morrison's comments.

The motion was voted on and passed by a vote of 6 to 5.

Dale Warman moved the Governing Body adopt the 2013 budget as certified in the amount of \$27,506,822 with ad valorem tax in the amount of \$5,499,769. The motion was seconded by Ruth Hopkins and passed unanimously.

## **PUBLIC PARTICIPATION**

Jerald Hopkins, 7740 Fontana, addressed the Council on behalf of his neighbors in the area of 75<sup>th</sup> Street to 79<sup>th</sup> Street and Delmar to Roe. This small area of primarily elderly residents have experience a number of different crimes recently, including a repeat burglary of the same residence. Some of the residents are feeling victimized. He noted an individual had called the city offices after hours and gotten a voice mail message; so he called the police for her and an officer was dispatched. He would like to know if there was a way to help these residents.

Chief Jordan responded that he often speaks to homes associations to clarify what the department does and the process it follows. Also when there is a significant rate of crime in an area, the department will meet with the residents. He suggested the crime prevention office would be willing to meet with the residents. Chief noted the hesitancy of some people to call 9-1-1; however, he stressed that residents should call whenever they feel unsafe.

Laura Wassmer asked if there could be more patrol presence in this area. Chief Jordan stated he would discuss this with Captain Schwartzkopf.

## **PRESENTATIONS**

Owen Buckley, with Lane4, was present along with Jeff Berg and Chris Heinz to present the annual update on the Community Improvement Districts (CID) at the Corinth Shopping Center and the Prairie Village Shopping Center. He noted the success of these centers come from their uniqueness and a combination of long-term tenants and new tenants who are strongly supported by the Prairie Village Community.

Mr. Buckley stated they have become actively involved with the tenants attending their tenant meetings and working to improve communication with tenants. He thanked the City and its staff for their efforts over the past 18 months to bring about the improvements that are being made today.

Mr. Buckley reviewed slides showing the improvements that have been made at the Corinth Shopping Center and renderings of those yet to be completed. A significant change has been the construction of CVS which will open on October 1<sup>st</sup>. He noted the efforts of the City, the Planning Commission and staff to ensure a quality design for this building that is appropriate for the center noting how different this facility was in comparison to other area CVS sites.

One of the major changes still underway is the construction of new parking lots. He noted later in the meeting the City will be asked to approve a waiver to allow work on the parking lot to be done in the evening hours to minimize the impact on the tenants and their customers. They want to have the east parking lot completed by the KU event next weekend. Mr. Buckley noted current parking issues and stated they would be addressed with the new paving and striping of the parking lot. He also stated they are looking into the ingress and egress at the main entrance off Mission Road. Traffic patterns at the center are going to be different and it will take time for residents to adjust to them.

Exterior façade improvements have been approved by the Planning Commission for the Hen House at Corinth Center. These are part of the CID improvements. Extensive interior improvements to the store being done simultaneously paid for by Hen House. The exterior work is expected to begin in November.

Laura Wassmer asked what the status was of the old Bank of America building. Mr. Buckley replied it has been purchased by a banking family and will be used as a bank with additional tenants. The bank will use the existing drive-thru. They are currently working with an architect on plans for exterior upgrades to the site.

Owen Buckley stated they would be submitting plans on Friday for September Planning Commission agenda for revisions to the Prairie Village Shopping Center. He stressed the information presented this evening is very conceptual at this stage. Three primary changes are being proposed. First the expansion of the Hen House by approximately 14,000 square feet to the north. This will result in the loss of about 50 parking spaces; however, they have had two studies done by traffic engineers of the parking in the center that indicated current parking is being underutilized.

Second is the addition of a 5000 square foot retail center replacing the Waid's facility. This will simulate the existing retail strip that includes Starbucks, TCBY & Village Flower. It will be a multi-tenant facility with a patio with two to three tenants or a maximum of four.

Third are improvements to Mission Lane and the parking area. Landscaping will be added, Mission Lane will be narrowed. It will take on the appearance of a "Norman Rockwell old town" street not a parking lot with such possible features as a fountain, hanging baskets, brick pavers, park benches and pedestrian areas.

Brooke Morehead noted the difficulty with parking at Corinth Shopping Center. Mr. Buckley responded that would be addressed by the paving and restriping. She confirmed the parking spaces would be the same size as the existing spaces. Mrs. Morehead raised questions about the planters by Jewelry Arts and Mely's. Mr. Buckley replied he is working with those tenants on possible alternatives.



Ruth Hopkins confirmed the plans include a spot for the Ripple Glass containers.

Ashley Weaver noted the difficulties with the main entrance off Mission. Mr. Buckley replied they will be striping that entrance and are looking at the turning radius onto Mission Road.

Ted O'Dell questioned where Macy's fit into the plans for the Prairie Village Shops. Mr. Buckley responded they have committed to stay in Prairie Village with a ten year lease for the building and they are talking with them regarding possible exterior improvements to the building.

David Morrison asked how art elements were being incorporated into the centers as agreed upon in the CID agreement. Jeff Berg responded they will be included and will not be items already planned such as the fountains. They are looking at possible sculpture pieces in the northwest corner and southeast corner of the Corinth Shopping Center.

Wes Jordan confirmed that Mission Lane will become a private street and will be replatted.

Laura Wassmer stated she excited to see the number of people coming to the Corinth Shopping Center and thanked Lane4 for their reinvestment in the community. The community has responded positively. Charles Clark thanked Mr. Buckley for his prompt responses to e-mails answering residents comments and concerns.

Mayor Shaffer thanked the representatives for the annual update and stated the City is looking forward to the grand openings to be held.

## **CONSENT AGENDA**

David Morrison moved the approval of the Consent Agenda for August 6, 2012:

1. Approve Regular Council Meeting Minutes - July 16, 2012
2. Approve Claims Ordinance #2898
3. Approve Amendment to the Agreement with the Kansas Corporation Commission to reflect additional funding made available as part of the geothermal grant award.
4. Approve purchase of equipment for 2012 International Dump Truck from Viking-Cives Midwest in the amount of \$61,105
5. Approve a waiver to allow the serving of alcoholic beverages at Harmon Park on Saturday, September 8, 2012 in conjunction with the Prairie Village Jazz Festival

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**

Mayor Shaffer reported he represented the City at the following events during the past weeks: KCP&L rate increase meeting, Northeast Johnson County Mayors' meeting, renaming of Taliaferro Park, KC Fringe Festival, Celebration of life for Dick Bills, PVPD Special Olympics golf tourney and reception for the new Johnson County Librarian.

Mayor Shaffer noting the attendance of Lane4 representatives changed the agenda moving New Business consideration of extended construction hours by Lane4 forward.

### **NEW BUSINESS**

#### **Consider request for extended construction hours at the Corinth Shopping Center**

Dennis Enslinger noted Lane4 is currently making extensive modifications to the Corinth Shopping Center. Construction work has been limited to the hours allowed under City ordinance provisions. The City has received a request from Lane4 for a waiver from the normal construction hours for milling and overlaying a number of parking areas within the existing center to conduct this work during non-business hours.

They are requesting that the contractor(s) be allowed to work 10 p.m. to 6 a.m. seven to ten nights from August 7<sup>th</sup> through September 20<sup>th</sup>. The contractor(s) will typically mill a parking area one night and overlay the following evening. With this accommodation, they are hoping to significantly reduce the impact on business owners and patrons.

City ordinance allows for the operation of construction projects between the hours of 7 a.m. and 10 p.m. Monday through Thursday, 7 a.m. to midnight on Friday, 8 a.m. to midnight on Saturday, and 8 a.m. to 10 p.m. on Sunday. The ordinance provisions allow the City Council to approve a waiver from the hours listed above if it is determined that the public good would be better served by allowing a contractor to work before or beyond the hours listed, to reduce the impact on residents surrounding or visiting the construction project area.

Laura Wassmer moved the City Council approve a waiver from Section 11-202 of the Prairie Village Municipal Code to allow construction from 10:00 p.m. to 6 a.m. Monday through Sunday at the Corinth Shopping Center subject to the following conditions: 1) If complaints are received regarding the hours of operation, the contractor may be required to modify the approved work schedule; and 2) Work shall be limited to mill, overlay and striping of parking lots; and 3) This waiver is valid from the date of approval until September 30, 2012 or until the work is completed with the understanding the work will not exceed ten actual working days. The motion was seconded by Ashley Weaver and passed unanimously.

## **STAFF REPORTS**

### **Public Safety**

- Chief Jordan reported the PVPD Golf Tournament to benefit Special Olympics organized by Officer Adam Taylor was very successful raising over \$5000

## **Public Works**

- Bruce McNabb reported the 87<sup>th</sup> & Mission Road drainage project with the City of Leawood has been delayed.
- Public Works crews have begun street sweeping to address the early falling of leaves.
- Mr. McNabb noted the department has several employees out with long-term injuries and with summer work crews leaving they will be shorthanded, but noted recently were able to fill some vacant positions.

## **COMMITTEE REPORTS**

### **VillageFest Committee**

Dale Warman recapped the 2012 VillageFest Celebration noting one of largest crowds for the event even with the high temperatures. He was also pleased to announce that VillageFest Chair Marianne Noll has agreed to serve another year.

Marianne Noll reported that over 1,000 pancake breakfasts were served and over 1200 children had their face painted or hair colored. The event, which has focused primarily on children, this year added craft booths. Although not many sales were made, the crafters have expressed an interest in returning next year. Mrs. Noll also reported the new stage area was a huge improvement. The committee is looking to add a food contest component to the festival and is open to any suggestions of features to add. In closing she acknowledged the strong support of the City and its staff both prior to the event and at the event.

### **Administration**

- Chris Engel reported the pool will begin shortened weekday hours next Monday with the start of school operating from 4:30 p.m. to 8:30 p.m. Weekend hours will remain the same.
- The Synchronized Swim Show held on August 29<sup>th</sup> featured a "Beatles" theme and was well attended.
- The Sister City Committee will celebrate Independence Day on August 24<sup>th</sup> at the Community Center.
- The September Art Exhibit will feature photography from Dolyna students.

- Dennis Enslinger announced that CVS has been given a certificate of occupancy and will begin moving merchandise from the old store to the new facility.
- Construction at Indian Hills Middle School is moving along but much remains to be done before the opening of school. They will probably need to be on “fire watch” the first week of school
- There will be a ribbon cutting on August 18<sup>th</sup> for Tide Cleaners.
- The artist reception for this month’s exhibit at the gallery will be held this Friday from 6:30 to 7:30 p.m.
- Quinn Bennion stated staff will have representatives of CCS, the sound system provider, at the August 20<sup>th</sup> meeting.
- Mr. Bennion reported that he had received a response from the city’s letter of interest to SureWest
- The Employee event at KC Sporting is this Saturday, August 11<sup>th</sup>.
- Staff is following the proposed KCP&L rate increase noting the significant impact it will have on the city for the cost of streetlights alone. The city will not be taking formal action.
- Mayor Shaffer and Mr. Bennion will continue to monitor and follow-up on possible Goggle implementation, including a meeting with residents.

## **OLD BUSINESS**

Charles Clark stated the discussion of possible policy revisions to the sidewalk policy would be greatly facilitated if someone would prepare a draft proposal for consideration. David Morrison volunteered to prepare a draft policy. Quinn Bennion stated that staff would work with Mr. Morrison to prepare a draft policy based on the earlier discussion at the Council Committee of the Whole.

Ted Odell asked if there was a city map available showing the locations of all the sidewalks in the City. Bruce McNabb stated there is a data base of the sidewalks, but not a map.

Steve Noll asked for a map delineating arterial, collector and local streets. He suggested that perhaps the best way to address the policy is to consider separate policies for each street designation.

Laura Wassmer moved the City Council not construct sidewalks as proposed on Reeds Street - 79<sup>th</sup> to 81<sup>st</sup> Street and on Outlook Drive - 81<sup>st</sup> Street to Reeds. The motion was seconded by Brooke Morehead and passed by a vote of 8 to 3.

### EXECUTIVE SESSION

David Morrison moved pursuant to KSA 74-4319 (b) (2) that the Governing Body, recess into Executive Session for forty-five (45) minutes for the purpose of consulting with the City Attorney on a matters which are privileged in the attorney-client relationship.

Present will be the Mayor, City Council, City Administrator, Assistant City Administrator; Chief of Police and City Attorney. The motion was seconded by Laura Wassmer and passed unanimously.

The Council Committee meeting will reconvene at 10:15 p.m.

Mayor Shaffer reconvened the Council meeting at 10:15 p.m.

### ANNOUNCEMENTS

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

Planning Commission	08/07/2012	7:00 p.m.
JazzFest Committee	08/09/2012	7:00 p.m.
Sister City Committee	08/13/2012	7:00 p.m.
PV Arts Council	08/15/2012	7:00 p.m.
Council Committee of the Whole	08/20/2012	6:00 p.m.
City Council	08/20/2012	7:30 p.m.

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

Reduced hours at the pool begin August 13<sup>th</sup>. The pool will open at 4:30 p.m. on weekdays. The pool closes for the season on Monday, September 3<sup>rd</sup> at 6:00 p.m.

The city offices will be closed Monday, September 3<sup>rd</sup> in observance of the Labor Day holiday. Deffenbaugh also observes this holiday so trash and recycling will be delayed one day.

Flu shots will be offered for Council Members on September 28<sup>th</sup> from 7:30 a.m. to 9:00 a.m. at Public Works or October 5<sup>th</sup> from 3:00 p.m. to 4:30 p.m. in the Multi-Purpose Room. The fee for the shot will be \$25. Please notify Nic Sanders at 913-385-4664 if you plan to receive a shot. He will need to know which day you are coming.

### **ADJOURNMENT**

With no further business to come before the City Council, the meeting was adjourned at 10:17 p.m.

Joyce Hagen Mundy  
City Clerk