

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
December 17, 2012**

The City Council of Prairie Village, Kansas, met in regular session on Monday, December 17, 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, Laura Wassmer, Brooke Morehead, Charles Clark, David Morrison, Ted Odell and David Belz.

Also present were: Wes Jordan, Chief of Police; Captain Wes Lovett; Bruce McNabb, Director of Public Works; Keith Bredehoeft, Project Manager; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Dennis Enslinger, Assistant City Administrator; Chris Engel, Assistant to the City Administrator; Lisa Santa Maria, Finance Director; Joyce Hagen Mundy, City Clerk.

Mayor Shaffer led all those present in the Pledge of Allegiance.

PUBLIC PARTICIPATION

No one was present to address the Council.

CONSENT AGENDA

Charles Clark moved the approval of the Consent Agenda for December 17, 2012:

1. Approve the Regular Council Meeting Minutes - December 3, 2012
2. Approve Claims Ordinance 2902
3. Approve the extension of the lease with Imagequest for three multi-functional copier/scanner/fax/printer units for the administration area and support for all administration printers

4. Approve entering into a lease agreement with the MidAmerica Regional Council (MARC) to place microwave equipment on the City's existing cell tower for use in the Patriot #911 Phone System
5. Adopt Ordinance 2267 amending Section 1-401, entitled "Personnel Policies and Guidelines" of Article 4, entitled "Personnel Policy and Employee Benefits" of Chapter 1, entitled "Administration of the Municipal code of the City of Prairie Village, Kansas
6. Ratify the Mayor's appointment of Julie Flanagan to the Prairie Village Arts Council filling an unexpired term until April, 2015

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

MAYOR'S REPORT

Mayor Shaffer reported he attended the following events on behalf of the City: Lathrop & Gage Legislator Breakfast, UMKC Open House, Wyandotte & Johnson County Mayors' Holiday Party, United Community Services annual meeting; Mission Hills holiday luncheon, Jody Craig Retirement reception at MARC, Mike Scanlon retirement reception from the City of Mission, Shop with a Cop event, Employee Holiday luncheon, DARE graduations at Prairie & Belinder Elementary Schools, Greater Kansas City Chamber meeting and the Mayor's Holiday Volunteer Appreciation event.

Ruth Hopkins commented on the excellent Gingerbread House event sponsored by the Municipal Foundation on December 9th.

COMMITTEE REPORT

Council Committee of the Whole

COU2012-52 Consider City Hall and Public Works Entrance Signs

Keith Bredehoeft reviewed the existing signage and the proposed signs for the two sites. The Planning Commission has recommended that the R. G. Endres Gallery be included on the

City Hall sign as it is currently. Laura Wassmer expressed her support for identifying the gallery on the sign if room was available.

Michael Kelly asked what process was followed in naming the public works facility and the gallery. Laura Wassmer noted the arts council recommended the gallery be designated the Endres Gallery in recognition of the Mr. Endres' leadership and involvement in the development of the gallery and to the Arts Council.

Ruth Hopkins confirmed that the building would be known as City Hall not the "Municipal Building" and that the signage on the building would need to be changed. Ms. Wassmer confirmed the sign would be double sided and the lettering would be white on a grey background similar to the other signs throughout the City. Mayor Shaffer noted this will complete the upgrade of all city property identification signs.

Keith Bredehoeft stated the estimated cost for the City Hall sign is \$12,000 and the Public Works sign is \$5,000 with excess funds to be used for lighting.

On behalf of the Council Committee of the Whole, Charles Clark moved the City Council approve the construction of new entrance signs and City Hall and Public Works and the approval of funding up to \$20,000 from the City General Contingency Fund. The motion was seconded by Laura Wassmer and passed by a vote of 10 to 1 with David Morrison voting in opposition.

COU2012-55 Consider approval of Memorandum of Understanding with Johnson County for the implementation of a joint notification system with Johnson County, WaterOne and other cities and approval of participation agreement

On behalf of the Council Committee of the Whole, Charles Clark moved the City Council approve the Memorandum of Understanding with Johnson County and an Agreement to

Participate in the Memorandum of Understanding for use of the Countywide Mass Notification System. The motion was seconded by Ruth Hopkins and passed unanimously.

COU2012-59 Consider Bids for Project P5003: 2012 Bridge Repairs, Mission Road Bridge Polymer Concrete

On behalf of the Council Committee of the Whole, Charles Clark moved the City Council accept the bid of and award the contract to Wildcat Concrete Overlay for Project P5003 - 2012 Bridge Repairs, Mission Road Bridge Polymer Concrete Overlay in the amount of \$49,400.00 and if needed, the transfer of \$30,000 from the City General Contingency Fund to Project P5003: 2012 Bridge Repairs Program. The motion was seconded by Ruth Hopkins and passed unanimously.

COU2012-60 Consider Project CONC2012: 2012 Concrete Repair Program - Construction Change Order #1 (Final)

On behalf of the Council Committee of the Whole, Charles Clark moved the City Council approve Construction Change Order #1 (Final) with White and Son's Construction for Project CONC2012 - 2012 Concrete Repair Program for an increase of \$63,005.17 bringing the final contract amount to \$758,005.17. The motion was seconded by Ruth Hopkins and passed unanimously.

COU2012-56 Consider Resolution No. 2012-03 providing for the Reallocation of Proceeds of the Series 2011-A Bond Issue

On behalf of the Council Committee of the Whole, Charles Clark moved the City Council adopt Resolution No. 2012-03 providing for the reallocation of project costs to be financed with the proceeds of the City of Prairie Village, Kansas' General Obligation Refunding and Improvement Bonds, Series 2011-A. The motion was seconded by Ruth Hopkins and passed unanimously.

Community Center Committee

David Belz reported the Community Center Committee had their final meeting last week viewing the final report and presentation of the recommendation from 360 Architecture. Since the study came out from the Parks Master Plan, the report will first be presented to the Park & Recreation Committee at their next meeting on January 9th for their recommendation coming forward to the City Council at the Tuesday, January 22nd meeting. No action will be taken on the plan until February.

Michael Kelly questioned the presentation before the Parks & Recreation Committee. Mr. Belz reviewed the history of the appointment of the ad hoc committee. It is not a subcommittee of the Park & Recreation Committee, but was generated by the recommendation in the Parks Master Plan. Charles Clark noted the responsibility of the ad hoc committee was to gather and coordinate the information and study. It is the responsibility of the Park & Recreation Committee to advocate for the recommendation if they so choose.

Planning Commission

PC2012-09 Consider Proposed Revisions to Zoning Regulations adding Chapter 19.25

Dennis Enslinger reported the City has been looking at ways to assist homes associations with potential issues that arise with the construction of additions and new homes within existing residential. The City has already implemented a process for notifying homes associations of projects which will significantly alter the exterior of a structure or add additional square footage.

Council members Michael Kelly, Laura Wassmer and Dale Warman have also been working with the City's Homes Association Committee to develop other methods to assist homes associations with these issues. An outgrowth of this work has been the idea of a

conservation overlay district which would address design issues within a specific neighborhood.

On December 4, 2012, the Planning Commission held a public hearing on the proposed text amendment that sets forth the criteria for the establishment of neighborhood conservation overlay districts, use of development/design standards and the appeal process. Mr. Enslinger noted the process allows for the Planning Commission, Governing Body or at least 51% of the property owners within a proposed area to initiate the establishment of a district. He then reviewed the process, criteria and appeal. The Countryside East Homes Association has been working with staff over the past three years and is ready to initiate this process.

Mr. Enslinger noted the proposed language establishes the process and does not represent a particular or proposed conservation overlay district. He does not see this process being used throughout the City, but in a few neighborhoods. Staff sees the district identifying major components with smaller issues such as pools and fences, etc. already being addressed in most homes association deed restrictions.

Laura Wassmer asked if this sets specific neighborhood design standards within an identified area. Mr. Enslinger responded the level of regulation depends on what the homes association wants. The City's zoning regulations establish basic guidelines throughout the City; the overlay district could further address design issues such as number of stories, etc.

Ruth Hopkins asked if the City has adequate staff to assist with and regulate this process. Mr. Enslinger noted for Countryside East the board developed the majority of the guidelines with staff serving in an advisory capacity. He noted the Planning Commission raised the same question and asked if there would be a fee for these staff services, which would be a decision of the City Council. Regarding time taken for enforcement it will depend

on the level of restrictions set out by the overlay district. The review of the proposed Countryside East guidelines will only add one additional item for review by the Building Official.

Laura Wassmer stated she is generally supportive of such action; however, she felt the Council must also consider what is best in the long term for the City. Do we want the City to look the same 50 years from now? Mr. Enslinger replied this process does not affect redevelopment. He sees most districts being initiated by Homes Association. Mr. Odell felt the proposed process is good and will assist with keeping the integrity of neighborhoods.

Dale Warman provided history on the process they have undertaken in the development of their proposed conservation overlay district. He views this as the City working with the Homes Association toward the same goal of improving Prairie Village neighborhoods.

Dale Warman moved the Governing Body adopt Ordinance 2266 adding Chapter 19.25 entitled "Overlay Zoning District". The motion was seconded by Michael Kelly,

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

Consider Initiation of the Countryside East Neighborhood Overlay District and Direct the Planning Commission to Set the Public Hearing for consideration

Dennis Enslinger stated the proposed Countryside East Neighborhood Conservation Overlay District meets the minimum criteria for establishment. Therefore, it is staff recommendation that the Council initiates consideration of the District and direct the Planning Commission to set a public hearing for consideration of the District.

Brooke Morehead moved the Governing Body initiate the Countryside East Neighborhood Overlay District pursuant to Chapter 19.25 of the Prairie Village Municipal Code and direct the Planning Commission to set a public hearing for its consideration. The motion was seconded by Dale Warman and passed unanimously.

STAFF REPORTS

Public Safety

- Captain Wes Lovett advised the Council that the City's existing contract for professional animal care services with Animal Medical Center will expire on December 31, 2012. He has been investigating other providers for these services. Staff feels based on the current services provided and costs, these services can be provided at a lower cost by Great Plains (formerly Animal Haven) at 67th & I-35 which is open on Saturdays and Sundays and is a no kill facility. Captain Lovett noted they have a 96% adoption rate and if an animal is picked up by its owner, there is no fee charged to the City.
- Chief Jordan provided an update on school security efforts in Johnson County. Laura Wassmer asked how the cuts in mental health services and the changes in gun control impact this. Chief Jordan reviewed the services currently available.
- The "Shop with a Cop" event went very well with 14 children participating. He thanked the Municipal Foundation for its support of the event.

Administration

- Quinn Bennion noted that among the legislative items staff is following is the trade fixtures bill that will impact city revenue received.

OLD BUSINESS

Report on Use of Outside Consultants in the Development Review Process

Dennis Enslinger reviewed the use of outside consultants in the City's development review process. The City has always utilized outside consultants to assist in the development review process due to the limited expertise and time constraints of City staff. Prior to 2009, the City used a Planning Consultant to assist in the review of planning and zoning regulations for all applications. In 2009, staff began conducting the planning and zoning analysis for projects which involved residential property and Prairie Village residents.

In addition to the general review by the Planning Consultant, outside consultants are often also used, particularly on commercial and/or larger scale projects, to conduct or analyze drainage and traffic studies. Mr. Enslinger reviewed a summary of the use of outside consultants on the most recent development projects.

Ruth Hopkins asked why no traffic study was done for the recent improvements at Indian Hills Middle School. Mr. Enslinger replied the primary changes in traffic resulting from the proposed improvements impacted only internal traffic circulation. The ingress and regress traffic was no greater than that previously accommodated on this site. He also noted that due to recent studies of the area there was already significant traffic data available on which to review the new internal circulation and parking questions.

Mayor Shaffer thanked staff for providing the additional information requested by the Council.

Consider request from Highlawn Montessori

Mayor Shaffer noted this item was continued from the previous meeting in order to provide additional information to the City Council. Highlawn Montessori requested the City Council to waive the fees charged for the traffic study analysis presented in conjunction with their application before the Planning Commission.

Mayor Shaffer asked for a motion on the request and hearing none, declared the request for waiver denied.

Consider Final Plat for Prairie Village shopping Center

Dennis Enslinger noted there are four property owners reflected on this plat. The applicant is still working out details with the multiple property owners involved on the final plat for the "Prairie Village Shopping Center" and has requested this item be continued.

Charles Clark moved at the applicant's request to table this item to the January 7, 2013 City Council meeting. The motion was seconded by Laura Wassmer and passed unanimously.

NEW BUSINESS

Council member Ruth Hopkins updated the Council on her recent participation in a conference call with Vice President Biden to get input from cities on issues they are facing and particularly on current federally funded programs and how cities and city budgets would be impacted by potentially cuts or elimination of programs. Mrs. Hopkins reported the top three programs mentioned were #1 - Transportation, #2 Community Development Block Grant (CDBG) Program and #3 COPS Grant. Mrs. Hopkins commended the Internal Government Affairs Office on their efforts to seek out input from cities.

ANNOUNCEMENTS

Prairie Village Arts Council	12/19/2012	7:00 p.m.
Environment/Recycle Committee	12/26/2012	7:00 p.m.
Council Committee of the Whole	01/07/2013	6:00 p.m.
City Council	01/07/2013	7:30 p.m.

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The Prairie Village Arts Council is pleased to announce an oil painting exhibit by Eileen McCoy in the R. G. Endres Gallery for the month of December.

The City offices will be closed December 25th in observance of Christmas and January 1st in observance of the New Year’s Holiday. Deffenbaugh observes both holidays so pick-up will be delayed one day.

The City will be offering holiday tree drop sites from December 17 through January 21 at Porter, Franklin and Taliaferro parks. Harmon Park **will not** be a drop off site this year.

ADJOURNMENT

With no further business to come before the City Council, the meeting was adjourned at 8:40 p.m.

Joyce Hagen Mundy
City Clerk