

# CITY OF PRAIRIE VILLAGE

**December 2, 2013**

**Council Committee Meeting 6:00 p.m.**

**City Council Meeting 7:30 p.m.**



**COUNCIL COMMITTEE OF THE WHOLE**  
**Council Chambers**  
**December 02, 2013**  
**6:00 PM**

**AGENDA**

**DALE WARMAN, COUNCIL PRESIDENT**

**AGENDA ITEMS FOR DISCUSSION**

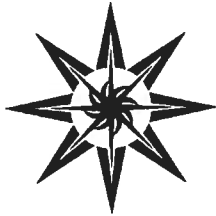
Presentation by LegaC - Annual Corinth Square and Village Shops updates  
Kylie Stock

Report from Consolidated Fire District #2  
Chief Gary Lamons

- \*COU2013-51 Consider Request to Publish the Amendment to the 2014 Budget - Special Alcohol Fund  
Lisa Santa Maria
- \*COU2013-52 Consider Request to Publish the Amendment to the 2013 Budget - CID Funds  
Lisa Santa Maria
- \*COU2013-53 Consider Adopting a Resolution to prohibit the carrying of firearms in Prairie Village Municipal Buildings in accordance with Kansas House Bill 2052  
Katie Logan
- COU2013-54 Consider Amendment to Municipal Code regarding Vacancy in the Office of Mayor  
Quinn Bennion

**EXECUTIVE SESSION**

**\*Council Action Requested the same night**



## ADMINISTRATION

Council Meeting Date: December 2, 2013  
Council Committee Meeting Date: December 2, 2013

### COU2013-51: Request Permission to Publish the Amendment to the 2014 Budget

---

#### SUGGESTED MOTION

Move to authorize staff to publish the amendment to the 2014 Budget as required by State statutes.

#### BACKGROUND

Under KSA 79-41a04 the City receives a distribution from the Local Alcoholic Liquor Fund and is required to deposit 1/3 of the monies to the general fund, 1/3 to a special parks and recreation fund and 1/3 to a special alcohol and drug programs fund. The monies in the special alcohol and drug program have to be used for services or programs whose main purpose is alcoholism and drug abuse prevention and education. The D.A.R.E program is funded from these funds. The estimated fund balance at the end of 2014 is \$101,834. The Police Department has determined it will be able to expend part of this fund balance on the D.A.R.E program in 2014. Since the 2014 budget was set prior to them having this information, we are now amending the budget to allow them to use the funds.

This Amendment to the 2014 Budget increases the total expenditure budget for the Special Alcohol Fund by \$20,000. The attached form is required by the State in order for the City to amend its budget.

Funding for the expenditures in the Special Alcohol Fund comes from the existing Liquor Excise tax. There will not be a change to the tax levy that was originally published for the 2014 budget. The amendment allows for increased expenditures in the D.A.R.E program.

State statutes require that the City hold a public hearing on the budget amendment at least ten days after publication. To comply with these statutory requirements, the public hearing has been scheduled for the City Council's regular meeting on Monday, December 16, 2013.

#### PUBLIC NOTICE

The Notice of Budget Hearing will be published in The Legal Record on Tuesday, December 3, 2013.

#### ATTACHMENTS:

- Summary of changes
- Notice of Budget Hearing for Amending the 2014 State Budget Form

---

Prepared By:  
Lisa Santa Maria  
Finance Director  
Date: 11/20/2013

2014

**Amended  
Certificate  
For Calendar Year 2014**

To the Clerk of Johnson County, State of Kansas  
We, the undersigned, duly elected, qualified, and acting officers of  
City of Prairie Village  
certify that: (1) the hearing mentioned in the attached publication was held;(2) after the Budget Hearing this Budget was duly approved and adopted as the maximum expenditure for the various funds for the year.

			2014 Amended Budget		
Table of Contents:			Amount of 2013 Tax that was Levied	Adopted 2014 Expenditures	Proposed Amended 2014 Expenditures
Fund	K.S.A.	Page No.			
Special Alcohol	79-41a04	2		92,920	112,920
Totals		xxxxxxxxx	0	92,920	112,920
Summary of Amendments		3			

Attested date: \_\_\_\_\_

\_\_\_\_\_  
County Clerk

Assisted by:  
\_\_\_\_\_

Address:  
\_\_\_\_\_  
\_\_\_\_\_

Email:  
\_\_\_\_\_

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Governing Body

City of Prairie Village

2014

Adopted Budget

Special Alcohol	2014 Adopted Budget	2014 Proposed Budget
Unencumbered Cash Balance January 1	74,754	74,754
Receipts:		
Ad Valorem Tax		
Delinquent Tax		
Motor Vehicle Tax		
Recreational Vehicle Tax		
16/20M Vehicle Tax		
Intergovernmental	120,000	120,000
Interest on Idle Funds		
<b>Total Receipts</b>	<b>120,000</b>	<b>120,000</b>
<b>Resources Available:</b>	<b>194,754</b>	<b>194,754</b>
Expenditures:		
Public Safety	77,920	97,920
Alcohol Programs	15,000	15,000
<b>Total Expenditures</b>	<b>92,920</b>	<b>112,920</b>
Unencumbered Cash Balance December 31	101,834	81,834

**Notice of Budget Hearing for Amending the  
2014 Budget**

The governing body of  
**City of Prairie Village**

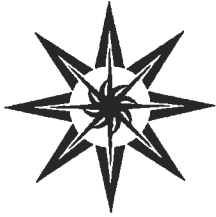
will meet on the day of December 16, 2013 at 7:30pm at 7700 Mission Road for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at Prairie Village Municipal Offices, 7700 Mission Road and will be available at this hearing.

**Summary of Amendments**

Fund	2014 Adopted Budget			2014 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
Special Alcohol			92,920	112,920
			0	0
			0	0
			0	0
			0	0
			0	0

City of Prairie Village  
Official Title: The governing body of



## ADMINISTRATION

Council Meeting Date: December 2, 2013  
Council Committee Meeting Date: December 2, 2013

### COU2013-52: Request Permission to Publish the Amendment to the 2013 Budget

---

#### SUGGESTED MOTION

Move to authorize staff to publish the amendment to the 2013 Budget as required by State statutes.

#### BACKGROUND

This Amendment to the 2013 Budget increases the total expenditure budget for the Corinth Community Improvement District and the PV Shops Community Improvement District. The original 2013 Budgets were adopted based on lower forecasted beginning fund balances. The ending 2012 fund balances were higher than expected due to lower than anticipated 2012 reimbursements.

This Amendment to the 2013 Budget establishes a budget that reflects maximum expenditures for the Corinth CID and the PV Shops CID. The attached form is required by the State in order for the City to amend its budget.

Funding for the expenditures in the CID Funds comes from the existing 1.00% sales tax. There will not be a change to the tax levy that was originally published for the 2013 budget. The amendment does not alter or change the CID agreement or commitments.

State statutes require that the City hold a public hearing on the budget amendment at least ten days after publication. To comply with these statutory requirements, the public hearing has been scheduled for the City Council's regular meeting on Monday, December 16, 2013.

#### PUBLIC NOTICE

The Notice of Budget Hearing will be published in The Legal Record on Tuesday, December 3, 2013.

#### ATTACHMENTS:

- Summary of changes
- Notice of Budget Hearing for Amending the 2013 State Budget Form

---

Prepared By:  
Lisa Santa Maria  
Finance Director  
Date: 11/20/2013

2013

**Amended  
Certificate  
For Calendar Year 2013**

To the Clerk of Johnson County, State of Kansas  
We, the undersigned, duly elected, qualified, and acting officers of  
**City of Prairie Village**  
certify that: (1) the hearing mentioned in the attached publication was  
held;(2) after the Budget Hearing this Budget was duly approved and  
adopted as the maximum expenditure for the various funds for the year.

		2013 Amended Budget			
		Page No.	Amount of 2012 Tax that was Levied	Adopted 2013 Expenditures	Proposed Amended 2013 Expenditures
Table of Contents:					
<b>Fund</b>	<b><u>K.S.A.</u></b>				
Corinth CID	12-6a34	2		450,000	800,000
PV Shops CID	12-6a34	3		470,000	600,000
0					
0					
0					
0					
<b>Totals</b>		xxxxxxxxx	0	920,000	1,400,000
<b>Summary of Amendments</b>		4			

Attested date: \_\_\_\_\_

\_\_\_\_\_  
County Clerk

Assisted by:  
\_\_\_\_\_

Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Email:  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Governing Body



City of Prairie Village

2013

Adopted Budget

Corinth CID	2013 Adopted Budget	2013 Proposed Budget
Unencumbered Cash Balance January 1	49,138	431,872
Receipts:		
Ad Valorem Tax		
Delinquent Tax		
Motor Vehicle Tax		
Recreational Vehicle Tax		
16/20M Vehicle Tax		
Sales Tax	430,000	430,000
Interest on Idle Funds	0	120
<b>Total Receipts</b>	<b>430,000</b>	<b>430,120</b>
<b>Resources Available:</b>	<b>479,138</b>	<b>861,992</b>
Expenditures:		
Urban Planning & Management	450,000	800,000
<b>Total Expenditures</b>	<b>450,000</b>	<b>800,000</b>
Unencumbered Cash Balance December 31	29,138	61,992

City of Prairie Village

2013

Adopted Budget

PV Shops CID	2013 Adopted Budget	2013 Proposed Budget
Unencumbered Cash Balance January 1	65,800	598,891
Receipts:		
Ad Valorem Tax		
Delinquent Tax		
Motor Vehicle Tax		
Recreational Vehicle Tax		
16/20M Vehicle Tax		
Sales Tax	430,000	430,000
Interest on Idle Funds	120	120
<b>Total Receipts</b>	<b>430,120</b>	<b>430,120</b>
<b>Resources Available:</b>	<b>495,920</b>	<b>1,029,011</b>
Expenditures:		
Urban Planning & Management	470,000	600,000
<b>Total Expenditures</b>	<b>470,000</b>	<b>600,000</b>
Unencumbered Cash Balance December 31	25,920	429,011

**Notice of Budget Hearing for Amending the**

**2013 Budget**

The governing body of

**City of Prairie Village**

will meet on the day of December 16, 2013 at 7:30 pm at 7700 Mission Raod for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.

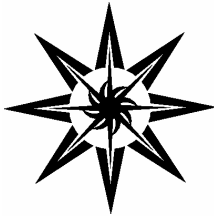
Detailed budget information is available at Prairie Village Municipal Offices, 7700 Mission Road and will be available at this hearing.

**Summary of Amendments**

<b>Fund</b>	<b>2013 Adopted Budget</b>			<b>2013 Proposed Amended Expenditures</b>
	<b>Actual Tax Rate</b>	<b>Amount of Tax that was Levied</b>	<b>Expenditures</b>	
Corinth CID			450,000	800,000
PV Shops CID			470,000	600,000
0			0	0
0			0	0
0			0	0
0			0	0

City of Prairie Village

Official Title: The governing body of



## POLICE DEPARTMENT

Council Committee Meeting Date: December 2, 2013

Council Meeting Date: December 2, 2013

**\*COU2013-53: Consider Adopting a Resolution to prohibit the carrying of firearms in Prairie Village Municipal Buildings in accordance with Kansas House Bill 2052.**

---

### RECOMMENDATION

Staff recommends the City Council adopt a Resolution 2013-06 to prohibit the carrying of firearms in Prairie Village Municipal Buildings in accordance with Kansas House Bill 2052.

**COUNCIL ACTION REQUESTED ON:**

**December 2, 2013**

### SUGGESTED MOTIONS

Move to adopt Resolution 2013-06 as required by Kansas House Bill 2052 to prohibit firearms in designated facilities owned by the City of Prairie Village.

### BACKGROUND

The City Council has provided guidance to Staff to prepare a Security Plan(s) and adopt a Resolution (attached) to meet the 4-year exemption guidelines specified in House Bill 2052. The Security Plan and Resolution are required in order to continue prohibiting firearms in Prairie Village Municipal Buildings. During the exemption period, the City will have time to budget (if necessary) for any additional security measures.

### PREPARED BY

Wes Jordan  
Chief of Police

Date: November 20, 2013

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION EXEMPTING, UNTIL JANUARY 1, 2018, CERTAIN IDENTIFIED CITY OF PRAIRIE VILLAGE MUNICIPAL BUILDINGS FROM THE REQUIREMENTS OF 2013 KAN. SESS. LAWS 551, CHAPTER 105, NEW SECTION 2, WHICH PRECLUDES KANSAS MUNICIPALITIES FROM PROHIBITING THE CARRYING OF CONCEALED HANDGUNS INTO CITY BUILDINGS.**

WHEREAS, the 2013 Kansas Legislature adopted New Section 2 of the 2013 Senate Substitute for House Bill No. 2052, which in part requires Kansas municipalities to allow carrying of concealed handguns in municipal buildings beginning on July 1, 2013 (“Section 2”); and

WHEREAS, Senate Substitute for House Bill No. 2052 is currently found at 2013 Kansas Session Laws 551, Chapter 105 (“the Law”); and

WHEREAS, Section 2(i) of the Law provides that municipalities are authorized to exempt municipal buildings for a period of four years beginning on January 1, 2014, from the requirements that municipalities allow the carrying of concealed handguns into municipal building; and

WHEREAS, pursuant to the authority set forth in Section 2(i) of the Law, the City of Prairie Village, desires to exempt its municipal buildings from the requirements that municipalities allow the carrying of concealed handguns into municipal buildings for a period of four years beginning on January 1, 2014.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CITY OF PRAIRIE VILLAGE, KANSAS:

SECTION ONE. MUNICIPAL BUILDINGS EXEMPT. Pursuant to the authority set forth in Section 2(i) of the Law, the City of Prairie Village, Kansas hereby exempts the municipal buildings listed below from the provisions of Section 2 of the Law relating to municipalities prohibiting the carrying of a concealed handgun in municipal buildings as authorized by the personal and family protections act. It is the intent of the City that the exemption set forth herein shall extend for a period of four years beginning on January 1, 2014. As required by Section 2(i) of the Law, the below list of municipal buildings includes a legal description of the building locations.

Prairie Village City Hall  
7700 Mission Road

Legal Description:  
Tract 1, Prairie Village Municipal Office Complex, a subdivision in the City of Prairie Village, Johnson County, Kansas.

Prairie Village Police Department  
7710 Mission Road

Legal Description:

Tract 1, Prairie Village Municipal Office Complex, a subdivision in the City of Prairie Village, Johnson County, Kansas.

Prairie Village Community Center  
7720 Mission Road

Legal Description:

Tract 1, Prairie Village Municipal Office Complex, a subdivision in the City of Prairie Village, Johnson County, Kansas.

Prairie Village Aquatic Center  
7711 Delmar

Legal Description:

Tract 1, Prairie Village Municipal Office Complex, a subdivision in the City of Prairie Village, Johnson County, Kansas.

Prairie Village Public Works  
3535 Somerset

Legal Description

All that part of the Southwest 1/4 of the Northwest 1/4 of Section 27, Township 12, Range 25, in the City of Prairie Village, in Johnson County, Kansas, more particularly described as follows:

Beginning at a point on the East line of said 1/4 1/4 section, said point being 585.10 feet North of the Southeast corner thereof, measured along the East line of said 1/4 1/4 section; thence North along said East line a distance of 480 feet; thence West along a line at right angles to the last described course, a distance of 144.39 feet; thence Westerly and Northwesterly along a curve to the right from the last described course as a tangent, having a radius of 100 feet, a distance of 97.87 feet; thence continuing Northwesterly along a line tangent to the last described curve, a distance of 142.92 feet to a point on the centerline of Somerset Drive as now established; thence Southwesterly along the centerline of said Somerset Drive a distance of 65.00 feet; thence Southeasterly along a line that deflects to the left 89° 37' 39" from the tangent to the curve along the centerline of said Somerset Drive, at the last described point, a distance of 207.97 feet; thence South along a line that deflects to the right 33° 35' 28" from the last described course, a distance of 527.69 feet; thence Northeasterly along a line that deflects to the left 100° 03' 00" from the last described course, a distance of 51.05 feet; thence continuing Northeasterly along a line that deflects to the right 3° 45' 53" from the last described course, a distance of 135.55 feet; thence North along a line that deflects to the left 83° 42' 53" from the last described course, a distance of 70.00 feet; thence East along a line at right angles to the last described course, a distance of 60.00 feet to the point of beginning, subject to that part thereof in Somerset Drive, and subject also to the covenants, restrictions, reservations and easements now of record thereon.

and

Beginning at a point on the East line of the SW1/4 of the NW1/4 of said Section 27 and 610.10 feet North of the Southeast corner thereof; thence Westerly along a line perpendicular to the East line of the SW1/4 of the NW1/4 of said Section 27, a distance of 63 feet, to the true point of beginning of subject tract; thence Southerly, along a line perpendicular to the last described course, a distance of 20 feet; thence Westerly, along a line perpendicular to the last described course, a distance of 7 feet; thence Northerly, along a line perpendicular to the last described course, a distance of 20 feet; thence Easterly, along a line perpendicular to the last described course, a distance of 7 feet, to the true point of beginning of subject tract.

Except that part of the subject property described as follows:

All that part of the SW1/4 of the NW1/4 of Section 27, Township 12, Range 25, now in the City of Prairie Village, Johnson County, Kansas, more particularly described as follows:

Beginning at a point on the East line of the SW1/4 of the NW1/4 of said Section 27 and 515.10 feet North of the Southeast corner thereof; thence Westerly, along a line perpendicular to the East line of the SW1/4 of the NW1/4 of said Section 27, a distance of 60 feet, to the true point of beginning of subject tract; thence continuing, Westerly, along a line perpendicular to the East line of the SW1/4 of the NW1/4 of said Section 27, a distance of 10 feet; thence Northerly, along a line perpendicular to the last described course, a distance of 60 feet; thence Westerly along a line perpendicular to the last described course, a distance of 40 feet; thence Southerly, along a line perpendicular to the last described course, a distance of 65.51 feet; thence Northeasterly, to the true point of beginning of subject tract. The above described tract contains 2,538 square feet, more or less.

and

Beginning at the SE Corner of the SW 1/4 of the NW 1/4, Section 27-12-25, thence northerly along the East line of said SW 1/4 a distance of 585.1 feet to the True Point of Beginning; thence northerly along the East Line of said SW 1/4 a distance of 25 feet; thence westerly at right angles 70 feet; thence southerly at right angles 95 feet; thence easterly at right angles 10 feet; thence northerly at right angles 70 feet; thence easterly at right angles 60 feet to the True Point of Beginning.

## SECTION TWO. REASONS FOR EXEMPTING MUNICIPAL BUILDINGS.

As required by Section 2(i) of the Law, the reasons for exempting the municipal buildings listed in Section 1 above from the provisions of Section 2 of the Law are as follows:

Section 2(i) of the Law authorizes the City to seek such an exemption.

The Governing Body of the City has determined that exempting its municipal buildings from the requirements of Section 2 of the Law is in the best interest of the community based on public safety issues related to the carrying of concealed firearms in City buildings.

The City has long had a workplace violence and weapons policy that prohibits its employees from introducing firearms and dangerous weapons into the workplace.

The four year exemption will afford the City additional time to review public safety issues related to the carrying of concealed firearms in City buildings.

A security plan has been developed for the buildings being exempted which supplies adequate security to the occupants of the buildings and merits the prohibition of the carrying of a concealed handgun as authorized by the personal and family protection act.

**SECTION THREE. SECURITY PLAN ADEQUACY STATEMENT.**

A security plan has been developed for the buildings being exempted which supplies adequate security to the occupants of the buildings and merits the prohibition of the carrying of a concealed handgun as authorized by the personal and family protection act.

ADOPTED by the City Council of CITY OF PRAIRIE VILLAGE, Kansas, this 18th day of November 2013.

APPROVED AND SIGNED by the Mayor of CITY OF PRAIRIE VILLAGE, Kansas, this 18th day of November 2013.

\_\_\_\_\_  
Ronald L. Shaffer, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Joyce Hagen Mundy, City Clerk

\_\_\_\_\_  
Catherine P. Logan, City Attorney



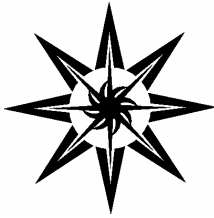
I certify that a copy of this Resolution was served on the following persons by sending a copy by first-class mail, United States postage prepaid, on this \_\_\_\_ day of November 2013:

Derek Schmidt  
Kansas Attorney General  
120 SW 10th Ave., 2nd Floor  
Topeka, Kansas 66612

Wes Jordan  
Chief of Police  
7710 Mission Road  
Prairie Village, Kansas 66208

---

Joyce Hagen Mundy, City Clerk



## CITY CLERK DEPARTMENT

Council Committee Meeting Date: December 2, 2013  
Council Meeting Date (Consent Agenda): December 16, 2013

**COU2013-54: Consider Amendment to Municipal Code regarding Vacancy in the Office of Mayor**

---

### **RECOMMENDATION**

MOVE THE GOVERNING BODY ADOPT AN ORDINANCE AMENDING CHAPTER 1 OF THE PRAIRIE VILLAGE MUNICIPAL CODE, 1973, ENTITLED "ADMINISTRATION" ARTICLE 2 ENTITLED "GOVERNING BODY" BY REPEALING THE EXISTING SECTION 1-208 ENTITLED "VACANCIES IN GOVERNING BODY; HOW FILLED" AND ADOPTING A NEW SECTION 1-208 ENTITLED "VACANCIES IN GOVERNING BODY; HOW FILLED"

### **BACKGROUND**

In June, 2001, the City Council adopted Charter Ordinance No. 20 relating to filling a vacancy in the office of the Mayor. The ordinance was duly published and became effective 61 days after final publication in the Johnson County Sun on Wednesday, July 1, 2001. The attached ordinance amends the City Code to be in agreement with Charter Ordinance 20.

The Charter Ordinance outlines the process to fill a Mayoral vacancy and includes:

- Council President acts as Mayor for a time not to exceed 30 days
- Appointment of Mayor from the members of the Council for a term until the next scheduled City election
- Public vote for Mayor to fill the unexpired term

In reviewing the code recently, it was recognized that the code did not reflect the process in the Charter Ordinance. The City Attorney has reviewed and approved the amendment.

### **ATTACHMENTS**

Existing Code  
Minutes of June 18, 2001 - regarding action of Council  
Charter Ordinance 20  
Proposed Ordinance

### **PREPARED BY**

Joyce Hagen Mundy  
City Clerk  
November 22, 2013

Ordinance No. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 1 OF THE PRAIRIE VILLAGE MUNICIPAL CODE, 1973, ENTITLED "ADMINISTRATION" ARTICLE 2 ENTITLED "GOVERNING BODY" BY REPEALING THE EXISTING SECTION 1-208 ENTITLED "VACANCIES IN GOVERNING BODY; HOW FILLED" AND ADOPTING A NEW SECTION 1-208 ENTITLED "VACANCIES IN GOVERNING BODY; HOW FILLED"

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS:

**Section I.**

The existing Section 1-208 of the Prairie Village Municipal Code, 1973, entitled "Vacancies in Governing Body; How Filled" is hereby repealed.

**Section II.**

Chapter 1 of the Prairie Village Municipal Code, 1973, entitled "Administration" Article 2 entitled "Governing Body" is hereby amended by repealing the existing Section 1-208 and adopting a new Section 1-208 entitled "Vacancies in Governing Body; How Filled" to read as follows:

- 1-208. VACANCIES IN GOVERNING BODY; HOW FILLED. (a) In case of a vacancy occurring by reason of resignation, death, removal from office or when the mayor no longer resides in the City, The President of the Council will fill the vacancy by serving as Mayor until the Council elects a new Mayor. The Council shall elect, by a majority of those Council Members present, a new Mayor from those Council Members serving at the time of the vacancy within thirty (30) days from the vacancy to serve until the next regularly scheduled City election. The vacancy in the Council created by the Council electing a new Mayor will be filled in accordance with Section 1-208(b) of the Prairie Village Municipal Code.
- (b) In case of a vacancy occurring by reason of resignation, death, removal from office or when a councilmember no longer resides in the ward in which the council member has been elected, the mayor, by and with the consent of the remaining councilmembers may appoint some suitable elector residing in such ward to fill the vacancy until the next election for that council position.
- (C.O. No. 20, Sec. 1; C.O. No. 13, Sec. 3; C.O. No. 14, Sec. 2)

**Section III**

This ordinance shall take effect and be in force effective upon publication.

PASSED AND APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2013.

/s/ Ronald L. Shaffer  
Ronald L. Shaffer, Mayor

**ATTEST:**  
/s/ Joyce Hagen Mundy  
Joyce Hagen Mundy, City Clerk

**APPROVED AS TO FORM:**  
/s/ Catherine P. Logan  
Catherine P. Logan, City Attorney

CHARTER ORDINANCE NO. 20

A CHARTER ORDINANCE EXEMPTING THE CITY OF PRAIRIE VILLAGE, KANSAS, FROM THE PROVISIONS OF K.S.A. 13-304 AND K.S.A.13-513, AND PROVIDING SUBSTITUTE PROVISIONS ON THE SAME SUBJECTS; AND REPEALING AND AMENDING SECTION 3 OF CHARTER ORDINANCE 13 RELATING TO A VACANCY IN THE OFFICE OF MAYOR.

Section I:

That Section 3 of Charter Ordinance 13 is hereby repealed and amended to read as follows:

Section III: In every other odd numbered year, a Mayor for the City of Prairie Village shall be elected from the City at large. Once elected, the Mayor shall hold office for four (4) years and until a successor is elected and qualified. The Mayor elected in 1999 shall have a term expiring in 2003.

In case of a vacancy occurring by reason of resignation, death, removal from office or the Mayor no longer residing in the City, the President of the Council will fill the vacancy by serving as Mayor until the Council elects a new Mayor. The Council shall elect, by a majority of those Council Members present, a new Mayor from those Council Members serving at the time of the vacancy within thirty (30) days of the vacancy to serve until the next regularly scheduled City election. The vacancy in the Council created by the Council electing a new Mayor will be filled in accordance with Section 2.08.030 of the Prairie Village Municipal Code.

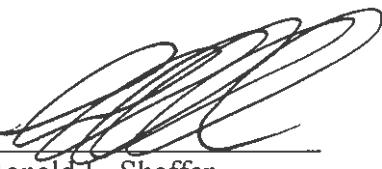
Section II:

This charter ordinance shall be published once each week for two (2) consecutive weeks in the official City newspaper.

Section III:

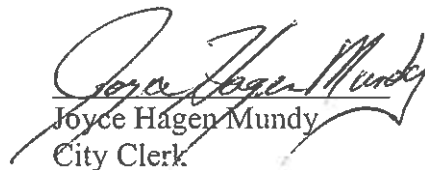
This is a charter ordinance and shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the ordinance as provided in Article 12, Section 5, Subdivision (c) (3) of the Constitution of the State of Kansas, in which case the ordinance shall become effective if approved by a majority of the electors voting thereon.

Passed by the Governing Body, with not less than two-thirds of the members elect voting in favor thereof, the 18th day of June, 2001.



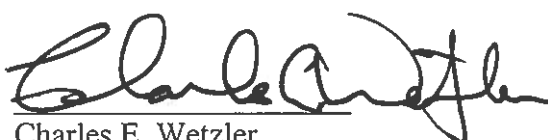
Ronald L. Shaffer  
Mayor

ATTEST:



Joyce Hagen Mundy  
City Clerk

APPROVED AS TO FORM



Charles E. Wetzler  
City Attorney

**COUNCIL  
CITY OF PRAIRIE VILLAGE  
June 18, 2001  
-Excerpt of Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, June 18, 2001, at 7:30 p.m. in the Municipal Building.

**ROLL CALL**

Mayor Ron Shaffer called the meeting to order with the following Council members responding to roll call: Bill Griffith, Ruth Hopkins, Steve Noll, Bob Pierson, Roy True, Laura Wassmer, Jerry Kelso, Nancy Vennard, Kay Wolf, Diana Ewy Lamberson and Patty Markley.

Also present were: Barbara Vernon, City Administrator; Charles Wetzler, City Attorney; Charles Grover, Chief of Police; Robert Pryzby, Director of Public Works; Doug Luther, Assistant City Administrator and Joyce Hagen Mundy, City Clerk.

**Legislative/Finance Committee**

**Consider ordinance to amend Mayor Succession**

Ruth Hopkins stated that under the current City ordinances, the President of the City council becomes Mayor upon the Mayor's resignation and serves as Mayor until the next Mayoral election. The Legislative/Finance Committee discussed this issue and reviewed mayoral succession ordinances from other cities.

The committee recommends the City change its mayoral succession ordinance. The amendment would state that upon the resignation of the Mayor, the President of the Council would assume the office of Mayor. Within 30 days, City Council members would hold an election amongst themselves to select a Mayor. The winner of this election would serve as Mayor until the next scheduled City election.

Ruth Hopkins moved the Council adopt a Charter Ordinance exempting the City of Prairie Village, Kansas, from the provisions of K.S.A. 13-304 and K.S.A. 13-513, and providing substitute provisions on the same subjects; and repealing and amending Section 3 of Charter Ordinance 13 relating to a vacancy in the Office of Mayor. The motion was seconded by Patty Markley.

Steve Noll confirmed that the Mayor would be elected at the next City election – not necessarily the Mayoral election.

Council members discussed how the election by Council would be handled. Concern was expressed with the possibility of multiple nominations and questioned if the individual would be selected by a plurality of the vote or a majority. Nancy Vennard stated that she feels this should be clarified in the ordinance.

Charles Wetzler, city attorney, advised the Council that they can decide on the election procedures to follow and noted that they must follow Roberts Rules of Order. Ruth Hopkins stated that she felt the procedure could be addressed in a policy and was not necessary in the ordinance.

Nancy Vennard moved to amend the proposed ordinance by adding the following language in the second sentence of paragraph 2 of Section I to read as follows: “The Council shall elect, **by a majority of those Council members present**, a new Mayor from those Council Members serving at the time of the vacancy within thirty (30) days of the vacancy to serve until the next regularly scheduled City election.” The motion was seconded by Kay Wolf and passed by a unanimous vote.

Mayor Shaffer called for the vote on the adoption of Charter Ordinance 20 as amended.

A roll call vote was taken with the following members voting “aye”: Griffith, Noll, Hopkins, Pierson, True, Wassmer, Kelso, Vennard, Wolf, Ewy Lamberson and Markley.

**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE  
Council Chambers  
December 02, 2013  
7:30 PM**

- 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 - November 18, 2013
- 2. Approve the Interlocal Agreement between the City of Prairie Village and Johnson County Park & Recreation District for the use of City facilities for 50+ programming
- 3. Approve the agreement between the City of Prairie Village and Blue Valley Public Safety in the amount of \$3,648.00 for maintenance of the City's Outdoor Siren System in 2014
- 4. Approve the continuation of the following multi-year agreements previously approved by the Council for 2014
  - Best Portable Toilets - Portable Toilets - expires 2014
  - City of Leawood - Porchlight agreement - expires 2107
  - DataMax - Public Works Copier - expires 2014
  - Great American Leasing - Postage Meter - expires 2018
  - Icemasters - Ice maker services - expires 2014
  - ImageQuest - Administration copiers - 2018
  - Johnson County Key - Locksmith Services - expires 2014
  - K & G Stripping - Pavement Marking Services - expires 2015
  - Keller Fire & Safety - Fire Extinguisher Services - expires 2015
  - Lawrence Pest Control - Pest Control Services - expires 2014
  - Midwest Office Technology - PD Copiers - expires 2018
  - Northeast Painting - Painting Services - expires 2015
  - O'Dell Services Company - HVAC Services - expires 2014
  - R.F. Fisher Electric - Electrical Services - expires 2015
  - Robin A. Lewis - Public Defender - expires 2014
  - Rosehill Gardens - Tree Planting Services - expires 2015
  - Simplex Grinnell - Fire Alarm Maintenance - expires 2015
  - Simplex Grinnell - Sprinkler System Maintenance - expires 2015

- Windstream - Telecommunications system - expires 2015
5. Ratify the Mayor's appointment of Sarah Kelly to the Animal Control Board with her term expiring in April, 2015
  6. Authorize KC Presort Business Mail Services to provide Mail Processing Services for the City of Prairie Village
  7. Adopt Resolution 2013-05 establishing 2014 compensation ranges for the City of Prairie Village, subject to the review and approval of the City Attorney

**By Committee**

8. Approve Ordinance 2298 amending Chapter 10 of the Prairie Village Municipal Code entitled "Police" by amending Article 1 entitled "Police Department" and Section 10-116 entitled "Same; Disability Insurance" (Council Committee of the Whole - November 18, 2013)

**VI. MAYOR'S REPORT**

**VII. COMMITTEE REPORTS**

**Council Committee of the Whole**

- COU2013-51 Consider Request to Publish the Amendment to the 2014 Budget - Special Alcohol Fund
- COU2013-52 Consider Request to Publish the Amendment to the 2013 Budget - CID Funds
- COU2013-53 Consider Adopting a Resolution to prohibit the carrying of firearms in Prairie Village Municipal Buildings in accordance with Kansas House Bill 2052

**Planning Commission**

- PC2013-08 Consider request for rezoning of 3101 W 75th St from R-1a (Single Family Residential District) to RP-1b (Planned Single Family Residential District) and approval of Preliminary Development Plan

**VIII. STAFF REPORTS**

**IX. OLD BUSINESS**

**X. NEW BUSINESS**

**XI. ANNOUNCEMENTS**

**XII. 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 385-4616, 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)

**CONSENT AGENDA**

**CITY OF PRAIRIE VILLAGE, KS**

**December 2, 2013**

**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
November 18, 2013**

The City Council of Prairie Village, Kansas, met in regular session on Monday, November 18, 2013, 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, Ruth Hopkins, Steve Noll, Laura Wassmer, Brooke Morehead, Charles Clark, Ted Odell and David Belz.

Also present were: Captain Tim Schwartzkopf; Keith Bredehoeft, Director of Public Works; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Lisa Santa Maria, Finance Director; Danielle Dulin, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

Mayor Shaffer led those present in the Pledge of Allegiance.

**PUBLIC PARTICIPATION**

David Morrison, 9021 Delmar, expressed his opposition to paying city council members for their service. He stated that serving on the City Council is about public service and paraphrased John F. Kennedy's challenge to "Ask not what your ~~country~~ City can do, ask what you can do for your ~~country~~ City." He stated that "If and when I return to the Council, I will work to ensure council members do not receive any remuneration".

Mayor Shaffer acknowledged a boy scout from Troop 522 who was attending to earn his final merit badge before receiving his Eagle.

## CONSENT AGENDA

Ted Odell asked that item #9 be removed from the Consent Agenda. Charles Clark moved the approval of the Consent Agenda for Monday, November 4, 2013 without item #9:

1. Approve Regular Council Meeting Minutes - November 4, 2013
2. Approve Claims Ordinance 2911
3. Approve the issuance of Cereal Malt Beverage Licenses for 2014 to the following businesses:  
Four B Corp - Hen House 22 located at 4050 West 83<sup>rd</sup> Street  
Four B Corp - Hen House 28 located at 6950 Mission Road  
Hy-Vee Inc - Store located at 7620 State Line Road  
Walgreen Co - Store #13032 located at 4016 West 95<sup>th</sup> Street
4. Ratify the Mayor's appointment of Lindsay Ridder to the Arts Council to complete an unexpired term expiring in April, 2014
5. Ratify the Mayor's appointment of Benjamin Washburn to the Communications Committee to complete an unexpired term expiring in April, 2016
6. Ratify the Mayor's appointment of Marianne Noll and City Clark as Co-chairs of the 2014 VillageFest Committee
7. Approve the recommendations of the Drug and Alcoholism Council of Johnson County contained in the United Community Services Fund Recommendations Report and approve a contribution to UCS of \$15,000 from the 2014 Parks & Community Programs Budget
8. Approve the recommendations of the United Community Services Grant Review Committee contained in the 2014 Human Services Fund Recommendation Report and approve a contribution to UCS of \$6,825 from the 2014 Parks & Community Programs Budget.
9. Removed
10. Approve the 2014 Recreation Fee Schedule
11. Approve the amendments to Council Policy 055 - Investment Policy for City Retirement Funds
12. Approve the restatement of the City's Police Pension Plan
13. Authorize the Mayor to execute a proclamation commemorating the 100<sup>th</sup> Birthday of Prairie Village resident Maxine Renz

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

Mr. Odell asked for additional information on the scope of the project and other bid results. Captain Schwartzkopf responded the project includes painting the entire

Public Safety area with the special consideration to the chair rails and trim around all the doors on both sides.

Laura Wassmer asked if the bids were close. There were three bids and the lowest two were very close.

Ted Odell moved the City Council approve the bid from Platinum Painting in the amount of \$37,260 for painting the interior of the Police Department facility. The motion was seconded by Ruth Hopkins and passed unanimously.

### **MAYOR'S REPORT**

Mayor Shaffer reported on activities representing the City during the past two weeks including the following: Johnson/Wyandotte County Mayors' meeting on November 6<sup>th</sup> hosted by Prairie Village with area legislative representatives; Prairie Fields Homes Association Dinner; KCADC Annual Dinner; Medal Ceremony at Prairie Village resident Bob Lindeblad' home where his 95 year old father received his WW2 medals from Congressman Yoder; Northeast Johnson County Mayors' meeting; Jackson County State of the County address and a Board of Directors meeting of the Greater Kansas City Chamber of Commerce board.

### **Consider confirmation of appointment of Assistant City Administrator**

Quinn Bennion summarized the search process for the selection of an Assistant City Administrator. Over 150 applications were received for the position, eleven candidates were interviewed via telephone with three finalist interviewed by a selection committee of three council members (Weaver, Hopkins, Noll, Chris Engel and himself. This is a Mayor appointed position with ratification by the City Council.

Mayor Shaffer announced the selection of the committee and his appointment of Katherine Gunja for the position of Assistant City Administrator. Ms. Gunja thanked the Mayor and the selection committee. She is excited about the opportunity to work for the City of Prairie Village.

Laura Wassmer moved the City Council ratify the Mayor's appointment of Katherine Gunja to serve as Assistant City Administrator for the City of Prairie Village. The motion was seconded by Steve Noll and passed unanimously.

## **COMMITTEE REPORTS**

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

COU2013-43 Consider Ordinance amending the licensing requirements for Security Licenses and agent licenses

On behalf of the Council Committee of the Whole, Charles Clark moved the Governing Body adopt Ordinance 2297 amending Chapter V of the Prairie Village Municipal Code entitled "Business Regulations" by amending Article 4 entitled "Security Police Licenses and License Agents" by amending Sections 5-401 entitled "Definitions" and Section 5-407 entitled "Certification of Agent Qualifications". The motion was seconded by Steve Noll and passed unanimously.

### **Planning Commission**

PC2013-08 Consider request for rezoning of 3101 West 75<sup>th</sup> Street from R-1a (Single Family Residential District) to RP-1b (Planned Single Family Residential District) and approval of Preliminary Development Plans

Ron Williamson stated the Governing Body considered the recommendation of the Planning Commission on this application on October 7<sup>th</sup> and sent the application back to the Commission for further consideration of two of the deviations from code requested by the application.

On November 5<sup>th</sup> the Planning Commission reconsidered the revised preliminary development plan increasing the size of Lots 1 and 4 from 7,821 square feet to 8,811 square feet; increasing the size of Lots 2 and 5 from 7,821 square feet to 8,119 square feet; and decreasing the size of Lots 3 and 6 from 9,753 square feet to 9,405 square feet. The primary reason for adjusting the lot sizes is to be able to provide three-car garages on Lots 1, 3, 4, and 6. The modification of the lot lines increases the area of Lots 1, 2, 4, and 5 which is positive regardless of whether the Governing Body approves the 35% lot coverage and the 20-foot rear yard setback.

The Commission questioned the need for 3-car garages in a development that was being marketed to “empty nesters” especially considering the lot size limitations. They also expressed concern with the location of the proposed fence and its impact on the already reduced rear yard. The Commission approved the changes in the lot sizes and the requested increase in lot coverage to 35% but denied the requested rear yard setback reduction from 25 feet to 20 feet.

The Governing Body shall make its findings of fact based on the “Golden Factors” and either:

- A. Adopt the recommendation of the Planning Commission and approve the rezoning and Revised Preliminary Development Plan or revise the conditions of approval which requires a simple majority of the Governing Body (seven votes), or
- B. Override the recommendation of the Planning Commission by a simple majority vote of the Governing Body, and deny the rezoning and Preliminary Development Plan, or
- C. Continue the item to a designated meeting by a simple majority of the members present

Laura Wassmer asked why the Commission was opposed to the reduction in the rear yard setback. Mr. Williamson responded that the houses will be built to the setback

and then a courtyard added. There is a hedgerow at the rear of the property which further reduces the available back yard. The Commission felt there was not enough creativity and imagination in the design.

Charles Clark noted that seven votes are needed to take action on this item and there are only eight Council members present. He asked the applicant if he would like to table consideration to the next City Council meeting when more members of the Governing Body were present. Mr. Royer asked if more members would be at the next meeting. Mr. Bennion responded that he felt at least two more members would be present.

Charles Clark moved the City Council table action on PC2013-08 to the December 2<sup>nd</sup> City Council meeting. The motion was seconded by Brooke Morehead and passed unanimously.

## **STAFF REPORTS**

### **Administration**

- Danielle Dulin reported the results of the MARC LED Street Light Energy Savings Program.
- The new retail building at the Prairie Village Shops has a projected finish date of mid January and work will begin on Mission Lane in April, 2014.
- The annual report on the CID projects will be presented at the next Council meeting.
- Quinn Bennion announced that there are still seats available for the Northeast Johnson County Chamber of Commerce Annual Gala on November 23<sup>rd</sup>.

## **OLD BUSINESS**

Steve Noll asked what the next phase or step was on the MARC LEED Streetlight Project and confirmed the LEED street lights will remain in place. Quinn Bennion responded less energy was used for the LEED lights and they will be encouraging KCP&L to lower the tariff charged in response to the reduction in the energy used. Mr.



Bennion noted that approximately 10% of the city's street lights have been converted and only one complaint was received.

**NEW BUSINESS**

Ted Odell reported on the recent National League of Cities Conference he, Ashley Weaver and Ruth Hopkins attended. He found the conference to be valuable and noted an increase in attendance at the conference. Mr. Odell also mentioned the KCADC magazine which contained an article on Prairie Village.

**ANNOUNCEMENTS**

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

Prairie Village Arts Council	11/20/2013	7:00 p.m.
Council Committee of the Whole	12/02/2013	6:00 p.m.
City Council	12/02/2013	7:30 p.m.

=====

The Prairie Village Arts Council is pleased to present a pastel exhibit by the MidAmerica Pastel Society as the November exhibit in the R. G. Endres Gallery.

The Northeast Johnson County Chamber of Commerce 2013 Annual Gala is on Saturday, November 23 at the Overland Park Marriott.

Due to the winter holidays, the Environment/Recycle Committee will combine their November and December meetings into a single meeting on Wednesday, December 4 at 7:00 p.m. in the MPR.

The Johnson and Wyandotte Counties Council of Mayors Holiday Social is Wednesday, December 4 at 5:30 p.m. at the OP Convention Center. RSVP to Jeanne Koontz by November 20<sup>th</sup> if you would like to attend.

The Mayor's Holiday Tree Lighting will be Thursday, December 5 from 6:00 - 7:00 p.m. at Corinth Square.

The Employee Holiday Luncheon will be Wednesday, December 11 from 11:30 a.m. - 1:00 p.m. in the Council Chambers.

The Mayor's Holiday Gala for Volunteers will be Friday, December 13 at Homestead Country Club. The Social Hours begins at 6:30 p.m., seating for dinner begins at 7:30 p.m.

**ADJOURNMENT**

With no further business to come before the City Council, the meeting was adjourned at 8:00 p.m.

Joyce Hagen Mundy  
City Clerk



## CITY CLERK DEPARTMENT

Council Meeting Date: December 2, 2013  
CONSENT AGENDA

### Consider Approval of 50 Plus Facility Use Agreement

---

#### **RECOMMENDATION**

Recommend the Governing Body approve the Interlocal Agreement between the City of Prairie Village and Johnson County Park & Recreation District for the use of City facilities for 50+ programming.

#### **BACKGROUND**

For the past several years Johnson County Park & Recreation District and the City of Prairie Village have entered into an interlocal agreement making it possible for the District to provide 50+ programming in city facilities. The terms of the agreement, which renews annually, have not changed.

#### **RELATION TO VILLAGE VISION**

*LG2A Build on intermunicipal cooperative activities, agreements and planning initiatives*

#### **ATTACHMENTS**

1. Interlocal Agreement.

#### **PREPARED BY**

Joyce Hagen Mundy  
City Clerk

Date: November 20, 2013

## 2014 CITY OF PRAIRIE VILLAGE 50 PLUS FACILITY USE AGREEMENT

THIS AGREEMENT, made and entered into this \_\_\_\_ day of December, 2013 by and between the City of Prairie Village, Kansas, hereinafter referred to as the "City", and the Johnson County Park and Recreation District, hereinafter referred to as the "JCPRD", each party having been organized and now existing under the laws of the State of Kansas.

WHEREAS, K.S.A. 19-2862 authorizes JCPRD to enter into contracts; and the City is authorized to enter into contracts by virtue of Article 12, Section 5, of the Kansas Constitution and K.S.A. 12-101; and

WHEREAS, JCPRD has established and conducts a program to provide for the recreational, cultural, educational, and social needs of senior citizens; and

WHEREAS, the City has facilities available for such programs; and

WHEREAS, a coordinated approach to the provision of recreational and cultural services to the population is most effective and efficient; and

WHEREAS, the Governing Body of the City did approve and authorize its Mayor to execute this agreement by official vote of said body on the \_\_\_\_ day of \_\_\_\_\_, 2013; and

WHEREAS, the Governing Body of JCPRD did authorize its chairperson to execute this agreement by official vote of said body on the \_\_\_\_ day of November, 2013.

NOW, THEREFORE, in consideration of the above recitals, the mutual covenants and agreements herein contained, and for other good and valuable consideration, the parties agree as follows:

1. The JCPRD shall have access to and the use of city facilities for the term, times and use as hereinafter mutually agreed upon.
2. Duration of Agreement and Termination - This agreement shall be in effect from **January 1, 2014** through the period ending **January 1, 2015**, provided that this agreement may be terminated by either party, giving at least 30 days' prior written notice to the other party of its intention to terminate this agreement; further provided that if the City or JCPRD shall fail or refuse to comply with any of the obligations or provisions herein agreed, the affected party shall have the right to notify the other party in writing of such default; and if the party so notified shall remain in default for 30 days thereafter, the affected party may elect to cancel this agreement immediately thereafter.

3. No Legal Entity Created - There will be no separate legal entity created under this agreement.
4. Purpose of the Agreement - The purpose of this agreement is to facilitate cooperation in the establishment and operation of recreational and cultural programs and to define responsibilities for the operation, finances, publicity, facility maintenance, and other matters pertaining to the programs.
5. Financing - Except as may be otherwise provided herein, JCPRD shall provide all funding and personnel necessary to manage the 50 Plus programming.
6. Acquisition Holding, and Disposal of Property - The city facilities shall remain the property of the City. JCPRD may not install any fixtures or make any physical changes to the premises and facilities of the City. Any equipment used in the city facilities will either be owned by the City or JCPRD as listed in Appendix A. No equipment is to be jointly owned. In the event that this agreement is terminated, all property shall be returned to the owner agency. The maintenance, repair, replacement, and general upkeep of equipment shall be the responsibility of the owner except as otherwise provided in this agreement. The JCPRD will be responsible for the set up of the facility.
7. Administration of Agreement - The 50 Plus program at the Prairie Village City facilities shall be administered by JCPRD.
8. Responsibilities

JCPRD

- a. Shall provide all support supplies needed to maintain the programs to include office supplies, printing, etc., the cost to be the responsibility of JCPRD.
- b. Shall provide all necessary personnel to establish and maintain quality programs.
- c. Shall permit only persons qualified to conduct programs, to instruct, lead or supervise the classes. It is the responsibility of JCPRD to ensure that the instructors are qualified.
- d. Shall provide an annual report to the City Administrator which will include the number of programs, the number of people served, residency of persons served, an inventory of equipment, the class fee structure.
- e. Shall be responsible for moving tables and chairs to accommodate the programs conducted by JCPRD. JCPRD shall also be responsible for replacing the tables and chairs in the positions required, if such placement does not occur a \$25 maintenance fee will be charged.

The City:

- a. Shall provide access to the Community Center and Municipal Building facilities during days and times agreed upon by the City and JCPRD for programs. The City may choose to provide access at other dates and times provided that such approval is in writing and agreeable to both parties.
  - b. Shall furnish tables and chairs.
  - c. May provide access to kitchen facilities as required for special events, said access to be during non-lunch hours.
9. Indemnification - In case any action in court is brought against the City or City's representative, or any officer or agent, for the failure, omission, or neglect of JCPRD or its officers, agents or employees to perform any of the covenants, acts, matters, or things by this Agreement undertaken, or for injury or damage caused, in whole or in part, by the alleged negligence or other actionable fault of JCPRD, its officers, agents and employees, the JCPRD shall indemnify and save harmless the City and City's representative and its officers and agents, from all losses, damages, costs, expenses, judgments, or decrees, or portions thereof, arising out of such action and which arise from and are proximately caused by the negligent or other actionable fault of JCPRD, its officers, agents or employees, provided, however, nothing in this Agreement shall constitute a waiver by JCPRD of any defense JCPRD may have against a third party under the Kansas Tort Claims Act, K.S.A. 75-6101, et seq. and amendments thereto.
10. Disclaimer of Liability - The City shall not be liable or obligated to JCPRD or any participants in the program for any injuries or damages sustained while participating in any of the programs or for any damage incurred to JCPRD or participants in its programs upon the premises by fire, theft, casualty, acts of God, civil disaster, and other occurrences and events beyond the control of the City.
11. Insurance - JCPRD shall secure and maintain, or have maintained throughout the duration of this contract, insurance of such types and in such amounts as may be necessary to protect JCPRD and the City against all hazards or risks generated by JCPRD and the City against all hazards or risks generated by JCPRD or any of its agents. JCPRD shall offer to the City other evidence of such insurance coverage, and any and all renewals thereof, in the form of a Certificate of Insurance. This certificate of insurance shall list the City of Prairie Village as an additional insured.

The Certificate shall list the following insurances:

General Aggregate	\$2,000,000
Products and Completed Operations	\$2,000,000
Personal/Advertisement Injury	\$ 500,000
Fire Damage	\$ 300,000
Each Occurrence	\$ 500,000

Workers Compensation and Employers Liability as determined by Kansas Statutes.

12. Miscellaneous Provisions By the terms of this agreement, the 50 Plus program is a program of JCPRD; provided, however, since the City is providing the facilities for the programs, every effort shall be made by both agencies to inform the participants and the public that the programs are made possible through the joint efforts of JCPRD and the City.
13. Verbal Statements Not Binding - It is understood and agreed that the written terms and provisions of this agreement shall supersede all prior verbal statements of any and every official and/or other representative of the City and JCPRD, and such statements shall not be effective or be construed as entering into, forming a part of, or altering in any way whatsoever the written agreement.
14. Inspection of Premises by City - The City shall have the right to inspect the premises and facilities occupied by JCPRD at all reasonable times.
15. Provisions Separable - It is the intent of the parties hereto in the preparation and execution of the agreement to avoid a conflict with the applicable laws or regulations of the State of Kansas; and if any provision herein is found to be in conflict with the regulation, it is the intent of the parties hereto that such provision shall have no force and effect, and the remainder of the agreement shall be valid as though such conflicting provision had not been written or made a part hereof.
16. Nonassignability of Agreement - This agreement shall not be assigned, transferred, or sold, nor the premises and facilities corporation, in whole or part, except with the express written consent of the City.
17. Placing Agreement in Force - The City shall cause three copies of this agreement to be executed and each party hereto shall receive a duly executed copy of this agreement for its official records.

IN WITNESS WHEREOF, **three** copies of the above and foregoing agreement have been executed by each of the parties on the day and year first above written.

DATE: \_\_\_\_\_

CITY OF PRAIRIE VILLAGE, KANSAS

\_\_\_\_\_  
Ronald L. Shaffer, Mayor

ATTEST:

\_\_\_\_\_  
Joyce Hagen Mundy, City Clerk

\_\_\_\_\_  
Catherine P. Logan, City Attorney

DATE: \_\_\_\_\_

BOARD OF PARK AND RECREATION  
COMMISSIONERS  
JOHNSON COUNTY PARK AND  
RECREATION DISTRICT

\_\_\_\_\_  
Steven Baru, Chair

ATTEST:

\_\_\_\_\_  
John P. Miller, Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest C. Ballweg, JCPRD Legal Counsel



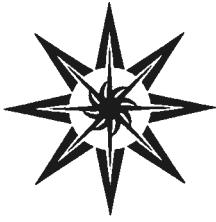
## APPENDIX

This appendix lists the equipment referenced on page 2 paragraph 6 of the Facility Use Agreement between the City of Prairie Village and Johnson County, Kansas for the use of the Prairie Village Community Center:

The following equipment is solely the property of the City of Prairie Village

### Description

Garbage Disposal - in-sink Erator (Pro-Series)  
Tile Wall Mural  
Television/VCR Unit – installed on ceiling  
RCAVG4240 (donated to the City)  
Piano (donated to City by Unitarian-Universalist Fellowship)  
Dover Grey Folding Tables  
5 - 30 x 96  
Blue Padded Chairs - 45



## CITY CLERK DEPARTMENT

Council Meeting Date: December 2, 2013  
CONSENT AGENDA

### Consider Renewal of Blue Valley Public Safety Contract for the City's Outdoor Warning Siren System Maintenance in 2014

---

#### RECOMMENDATION

Recommend the City Council approve the agreement between the City of Prairie Village and Blue Valley Public Safety in the amount of \$3,648.00.

#### BACKGROUND

Blue Valley Public Safety has maintained the siren system for the City's outdoor warning each year since 1984. The maintenance cost is the same as 2013 and there have been no changes in the terms and conditions from previous years. The City has a good working relationship with Blue Valley Public Safety and the agreement has been approved by the City Attorney.

#### ATTACHMENTS

Maintenance Agreement

#### PREPARED BY

Joyce Hagen Mundy  
City Clerk

November 22, 2013,

# BVPS

Complete Solutions  
Blue Valley Public Safety Inc.

509 JAMES ROLLO DRIVE ♦ PO BOX 363  
GRAIN VALLEY, MO 64029  
(816) 847-7502

## MAINTENANCE AGREEMENT

PO # \_\_\_\_\_

Maintenance Period: 01-01-14 thru 12-31-14

Payment Period: Annual

Customer Address		Billing Address		
Prairie Village Police Department ATTN: Jennifer Wright, Ex. Asst. 7710 Mission Road Prairie Village, KS 66208  Phone          Attention of				
Qty.	Model and Description	Unit per Month	Month Total	Annual
4	M/N 2001 Sirens	16.00	64.00	
6	M/N FCTD/DCFCTB Radio Controls	18.00	108.00	
24	Batteries	5.50	132.00	
	Monthly Total:		304.00	
	ANNUAL TOTAL:			\$ 3,648.00
2	UNDER WARRANTY: M/N Eclipse-8 Sirens thru 6/16			

### BLUE VALLEY PUBLIC SAFETY

Dee A. Wieduwilt

Dee A. Wieduwilt, Office Manager

Date: 11/13/2013 3:49:00 PM

### CUSTOMER

City of Prairie Village, KS

By: \_\_\_\_\_

Date: \_\_\_\_\_

#### TERMS AND CONDITIONS

This Maintenance Agreement (this Agreement) is between Blue Valley Public Safety ("BLUE VALLEY") and the ("CUSTOMER") as indicated on the reverse side of this Agreement.

In consideration of the mutual agreements herein contained, BLUE VALLEY and the CUSTOMER agree as follows:

1. Subject to the terms and provisions of the Agreement, BLUE VALLEY hereby agrees to maintain and service for equipment (the "EQUIPMENT") described on the reverse side of this Agreement beginning and ending on the dates indicated.

2. CUSTOMER hereby agrees to pay BLUE VALLEY the total of monthly charge(s) set forth on the reverse side for the one-year term of this Agreement. In addition, CUSTOMER shall pay for any sales, use, excise or other taxes, if any, which may be imposed upon the furnishing of parts, components or service pursuant to this Agreement.

3. The services to be performed by BLUE VALLEY hereunder shall consist of repair or replacement of the EQUIPMENT and parts and components thereof which have malfunctioned or become inoperative in normal wear and usage. This Agreement does not extend to repair or replacement of the EQUIPMENT or parts or components thereof which have malfunctioned or become inoperative for any other reason, including, but not limited to, misuse, abuse, vehicular accident, fire, natural disaster, explosion or other casualty, or modification or alteration by any party other than BLUE VALLEY.

4. BLUE VALLEY'S obligation to service the EQUIPMENT pursuant to this Agreement shall consist of its obligation of repair or replacement hereinabove set forth. In the event of any breach of such obligation by BLUE VALLEY, CUSTOMER'S sole remedy shall be to terminate this Agreement and receive from BLUE VALLEY the lesser of: (i) the actual and reasonable cost of such repair or replacement by another party; or (ii) the monthly charges theretofore paid by CUSTOMER in respect of such of the EQUIPMENT for which breach is claimed by CUSTOMER. In no event shall BLUE VALLEY be responsible for consequential damages or other damages, such as, but not limited to, loss of profits, cost of purchasing or renting replacement equipment, or loss of use of the EQUIPMENT or vehicles in which the EQUIPMENT shall be installed. This limitation on the liability of BLUE VALLEY shall not extend to any claim for damages arising out of injury to person or property directly and proximately caused by the EQUIPMENT.

5. BLUE VALLEY shall be under no obligation to provide services at any site other than the site, designated pursuant to this Agreement. In the event that BLUE VALLEY should nonetheless perform service at any other site at the request of CUSTOMER, then CUSTOMER shall be responsible for providing a safe and suitable working site, and shall be responsible for all additional costs and expenses incurred by BLUE VALLEY in performing services at such site, including, but not limited to, transportation costs, temporary equipment rentals, employee overtime, and additional labor costs resulting from utilization of local union workmen to conform with any agreements or other requirements affecting such work site.

6. Any item of the EQUIPMENT which is not new or which has not been subject to a Maintenance service agreement with BLUE VALLEY immediately prior to this Agreement shall be inspected by BLUE VALLEY at CUSTOMER'S request and restored to operative condition at the expense of CUSTOMER. In the event BLUE VALLEY is unable to restore the EQUIPMENT to operative condition, then effective upon the date of notice of such fact to CUSTOMER, this Agreement shall be terminated as to such EQUIPMENT and the charges hereunder equitably reduced. Such termination shall have no effect as to any other EQUIPMENT hereinabove specified, and in addition, CUSTOMER shall pay its reasonable charges for parts and labor expended in its attempt to restore such EQUIPMENT to operative condition.

7. BLUE VALLEY warrants that parts, components and services furnished pursuant to this Agreement shall be commercially free from defects of material and workmanship at the time EQUIPMENT is returned to CUSTOMER. Any claim for breach of this warranty shall be ineffective unless written notice thereof shall be given to BLUE VALLEY within the period of one year from the date hereof. THIS WARRANTY IS EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES OF MERCHANTABILITY, FITNESS FOR PURPOSE AND OF ANY OTHER TYPE, WHETHER EXPRESS OR IMPLIED.

8. BLUE VALLEY shall use reasonable diligence to perform its obligations hereunder on a commercially timely basis but subject to delays or failures resulting from fire, war, labor disputes, acts of God, governmental regulations, commercial shortages, component or material unavailability, and other causes beyond its reasonable control. Performance by BLUE VALLEY is further conditioned upon complete information or instructions being furnished by CUSTOMER regarding inoperative or malfunctioning conditions of the EQUIPMENT and possible causes thereof.

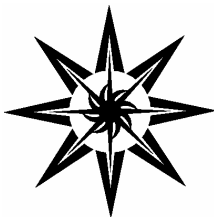
9. CUSTOMER represents and warrants that: (i) CUSTOMER owns the EQUIPMENT or has full right of possession and use thereof throughout the term of this Agreement; (ii) CUSTOMER has full power and authority to enter into this Agreement; and (iii) the performance of this Agreement by BLUE VALLEY as hereinabove set forth will not violate any contracts or arrangements to which CUSTOMER is a party or which may be binding upon CUSTOMER.

10. This Agreement may terminate by either party hereto in whole or in part as to less than all items of the EQUIPMENT upon giving to other party sixty (60) days advance written notice of its intent to terminate; except that (i) BLUE VALLEY shall complete all services herein required of it with respect to EQUIPMENT therefore delivered to BLUE VALLEY and shall return same to CUSTOMER; (ii) CUSTOMER shall pay for all charges or other costs accruing prior to the effective date of termination or with respect to EQUIPMENT thereafter returned to CUSTOMER by BLUE VALLEY; and (iii) BLUE VALLEY shall return to CUSTOMER all payments made by CUSTOMER applicable to terminated maintenance service to have been rendered by BLUE VALLEY subsequent to the effective date of termination.

11. This Agreement constitutes the only agreement between BLUE VALLEY and CUSTOMER respecting the subject matter hereof and supersedes all prior agreements or understandings, whether written or oral. This Agreement may not be amended or modified except in writing signed by BLUE VALLEY and CUSTOMER. Neither party may assign any rights hereunder without the prior written consent of the other. This Agreement shall be solely for the benefit of BLUE VALLEY and CUSTOMER and no other party shall have any rights hereunder.

12. \*SPECIAL PROVISIONS

\_\_\_\_\_ 96 \_\_\_\_\_ Hours response time.



## CITY CLERK DEPARTMENT

Council Meeting Date: December 2, 2013  
Consent Agenda

### Consider authorization to continue multi-year agreements in 2014

#### **SUGGESTED MOTION:**

Move the City Council approve the continuation of the multi-year agreements previously approved by the Council for 2014

#### **BACKGROUND**

The City has agreements that have been previously approved by the City Council for multiple years. Since the City can only make commitments for one year, the City Attorney has advised that although, by contract, the agreements are current; they should have Council action each year accepting the continuation of these agreements for 2014. Funds have been budgeted, when needed, in the appropriate departments operating budgets for 2014.

#### **RECOMMENDATION**

City Council approve the continuation of the following multi-year agreements for 2014:

- Best Portable Toilets - Portable Toilets - expires 2014
- City of Leawood - Porchlight agreement - expires 2107
- DataMax - Public Works Copier - expires 2014
- Great American Leasing - Postage Meter - expires 2018
- Icemasters - Ice maker services - expires 2014
- ImageQuest - Administration copiers - 2018
- Johnson County Key - Locksmith Services - expires 2014
- K & G Stripping - Pavement Marking Services - expires 2015
- Keller Fire & Safety - Fire Extinguisher Services - expires 2015
- Lawrence Pest Control - Pest Control Services - expires 2014
- Midwest Office Technology - PD Copiers - expires 2018
- Northeast Painting - Painting Services - expires 2015
- O'Dell Services Company - HVAC Services - expires 2014
- R.F. Fisher Electric - Electrical Services - expires 2015
- Robin A. Lewis - Public Defender - expires 2014
- Rosehill Gardens - Tree Planting Services - expires 2015
- Simplex Grinnell - Fire Alarm Maintenance - expires 2015
- Simplex Grinnell - Sprinkler System Maintenance - expires 2015
- Windstream - Telecommunications system - expires 2015

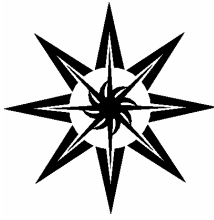
#### **ATTACHMENTS**

Copies of the agreements are available upon request.

#### **PREPARED BY**

Joyce Hagen Mundy  
City Clerk

Date: November 20, 2013



**MAYOR**

**Council Meeting Date: December 2, 2013**

**CONSENT AGENDA:      CONSIDER APPOINTMENT TO THE ANIMAL  
CONTROL BOARD**

---

**RECOMMENDATION**

Ratify the Mayor's appointment of Sarah Kelly to the Animal Control Board with her term expiring in April 2015.

**BACKGROUND**

Mayor Shaffer is pleased to place before you the appointment of Sarah Kelly to the Animal Control Board. Her volunteer application is attached.

**ATTACHMENTS**

1. Volunteer Application

**PREPARED BY**

Jeanne Koontz, Deputy City Clerk  
November 25, 2013



**City of Prairie Village  
APPLICATION TO VOLUNTEER**

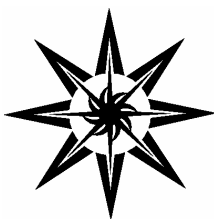
Please complete this form and return it to the City Clerk's Office, 7700 Mission Road, Prairie Village, Kansas 66208. If you have any questions, please contact the City Clerk's Office at 913-381-6464 or send an e-mail to [cityclerk@pvkansas.com](mailto:cityclerk@pvkansas.com).

Name Sarah Kelly Spouse's Name Nate  
Address 7416 Springfield St PV, KS Zip 66208 Ward 3  
Telephone: Home [REDACTED] Work [REDACTED] Fax —  
E-mail [REDACTED] Other Number(s): —  
Business Affiliation General Electric  
Business Address 7101 College Boulevard, Overland Park, KS 66210  
What Committee(s) interests you? Animal Control Board

Please tell us about yourself, listing any special skills or experiences you have which would qualify you for a volunteer with the City of Prairie Village.

I have been a resident of Prairie Village for almost 10 years and love living in the area. I currently work as an Investment Analyst at General Electric and have been there 7 years. I have served the community as a member of the Johnson County Investment Review Board for 10 years. Although my career is in finance, I love animals and have volunteered my time at the Pet Connection and Great Plains SPCA. I have utilized the Animal Control services in the past and would like to serve on the board. Thanks for your consideration.

Thank you for your interest in serving our community.



## CITY CLERK DEPARTMENT

Council Meeting Date: December 2, 2013  
CONSENT AGENDA

### Consider Mailing Services

---

#### RECOMMENDATION

RECOMMEND THE CITY COUNCIL AUTHORIZE KC PRESORT BUSINESS MAIL SERVICES TO PROVIDE MAIL PROCESSING SERVICES FOR THE CITY OF PRAIRIE VILLAGE.

#### BACKGROUND

KC Presort is a US Postal Service authorized Presort Bureau with the authority to pick up and process mail each day. They offer the following First Class PreSorted rates:

PreSorted rates:		<u>First Class Retail Letter Rates</u>	
1 oz.	0.433	1 oz.	0.460
2 oz.	0.433	2 oz.	0.660
3 oz.	0.683	3 oz.	0.860

The USPS provides this work share agreement to save on their labor costs. There is no fee for the services of KC Presort if the mail is metered by the City.

KC Presort will pick up metered mail at the end of each day and apply the required barcoding, sorting and delivery to the post office. All mail will be processed the day that it is picked up. Mail will continue to be delivered to City Hall by the post office each day. Johnson County and many area cities and businesses use the services of authorized presort bureaus to reduce their mailing costs.

#### FINANCIAL IMPACT

None

#### ATTACHMENTS

#### PREPARED BY

Joyce Hagen Mundy  
City Clerk

Date: November 25, 2013





## ADMINISTRATION

Council Meeting Date: December 2, 2013

**CONSENT AGENDA:** Consider adoption of 2014 Salary Ranges by resolution.

---

### SUGGESTED MOTION

Move that the Governing Body adopt a resolution establishing 2014 compensation ranges for the City of Prairie Village, subject to the review and approval of the City Attorney.

### BACKGROUND

The City annually adopts a resolution establishing salary ranges for all employment positions within the City. The proposed ranges continue the process of salary administration begun in 2006 with a comprehensive compensation study. The study resulted in the establishment of market-based ranges for all employment classifications. Each employment classification is assigned a market reference point and minimum and maximum ranges are established as a percentage of the market reference point.

Staff recommends a range adjustment of 2.00% for 2014. This adjustment would apply to all employment classifications, with the exception of part-time and seasonal positions. As a result, minimum and maximum for each classification would be adjusted accordingly.

As with the 2013 salary ranges, Staff used the following metrics in determining a recommended salary range adjustment for 2014:

Social Security Cost of Living Adjustment	1.50%
Employment Cost Index - State and Local Government	1.60%
Consumer Price Index - Kansas City All Consumers	2.30%
Consumer Price Index - Kansas City Wage Earners	2.10%

Adoption of the 2014 salary resolution will not automatically increase an employee's salary unless that employee's pay would fall below the new minimum established for the range.

There are five classifications that have both an A and B range. The "A" range applies to employees who were employed with the City at the time the 2006 ranges were put into place. These employees are in "grandfathered" ranges, which will be adjusted annually in the same manner as other ranges. New

employees hired into these positions will be administered against the “B” salary range.

Staff recommends an adjustment to the title and range spread of one position: Project Manager in Public Works. The position is currently vacant and recruitment will begin soon. As part of the recruitment process, the Department Manager and Human Resources have reviewed the job description and current compensation. Based on this review, the request is being made to change the position title to Senior Project Manager to reflect the level of responsibility and supervisory duties; in addition, the request is being made to adjust the range spread from 80% of the Market Reference Point (MRP) as a minimum and 120% of the MRP as the maximum, to 85% as the minimum and 125% as the maximum.

Seasonal positions will remain the same as they were in 2013.

#### **FUNDING SOURCE**

Not applicable.

#### **PUBLIC NOTICE**

Not applicable.

#### **ATTACHMENTS**

Proposed Resolution.

---

Prepared By:  
Nicholas Sanders, PHR, IPMA-CP  
Human Resources Manager  
Date: November 22, 2013

## RESOLUTION 2013-05

**WHEREAS**, the Governing Body of the City of Prairie Village is authorized to establish salary ranges for city positions; and

**WHEREAS**, it is the desire of the Governing Body that these salary ranges be reviewed annually to ensure appropriate funds are budgeted and the salary ranges remain competitive;

**NOW, THEREFORE**, be it resolved the Governing Body of the City of Prairie Village, Kansas, hereby adopts the following compensation ranges for 2014:

Compensation generally.

The elected officers, appointive officers and employees of the city shall be compensated within the salary ranges provided in this section. The amount of compensation shall be fixed by the Governing Body in accordance with personnel procedures as adopted by the Governing Body from time to time, provided, however, that the salaries and compensation during calendar year 2014 shall be within and determined by the following ranges:

	<b>2014</b>	
	<u>Minimum</u>	<u>Maximum</u>
<b>ADMINISTRATIVE SUPPORT</b>		
Receptionist A	32,349	48,523
Receptionist B	24,198	36,297
Administrative Support Specialist	30,226	45,339
Management Intern	40,839	61,259
Management Assistant	56,377	84,565
Codes Support Specialist	40,839	61,259
Executive Assistant	40,839	61,259
Court Clerk A	32,349	48,523
Court Clerk B	29,207	43,811
Accounting Clerk A	32,349	48,523
Accounting Clerk B	28,019	42,028
Office Manager	42,452	63,679
Code Enforcement Officer	39,226	58,839
Building Inspector	42,537	63,806
Human Resources Manager	43,981	65,971
Court Administrator	47,717	71,575
Building Official	60,877	91,315
City Clerk	56,462	84,693
Finance Director	83,122	124,683
Assistant City Administrator	75,141	112,711
City Administrator	111,905	167,857
<b>PUBLIC WORKS</b>		
Laborer	25,620	36,170
Maintenance Worker	32,837	46,358
Senior Maintenance Worker	39,603	55,910

Crew Leader	45,376	64,061
Mechanic	34,811	52,217
Construction Inspector	42,537	63,806
Field Superintendent	54,934	82,400
Senior Project Manager	64,682	95,120
Public Works Director	87,962	131,942

**PUBLIC SAFETY**

Records Clerk A	32,349	48,523
Records Clerk B	31,585	47,377
Property Clerk	33,537	50,306
Community Service Officer A	33,368	50,051
Community Service Officer B	31,670	47,504
Dispatcher	35,904	54,912
Communications Supervisor	48,735	73,103
Police Officer	40,839	63,811
Police Corporal	54,827	73,103
Police Sergeant	64,857	86,476
Police Captain	75,650	113,475
Police Chief	86,858	130,287

Seasonal/Part-time Employees

Seasonal/Part-time employees shall be compensated as follows:

	<u>Minimum</u>	<u>Maximum</u>
Seasonal Worker (hourly)	8.61	12.84
Lifeguard (hourly)	8.46	12.62
Tennis Assistant (hourly)	8.61	18.27
Concession Stand Worker (hourly)	7.25	9.06
Clerical Assistant (hourly)	9.35	13.72
Assistant Pool Manager (hourly)	9.71	16.16
Bailiff (hourly)	10.95	13.14
Swim/Dive Coaches (season)	2,157	5,930
Synchronized Coaches (season)	1,081	1,942
Assistant Synchro Coaches (season)	701	1,186
Assistant Coaches (season)	1,260	1,574
Pool Manager (season)	9,709	19,942

Employee/Consultant

A person may be compensated in a category defined as "independent contractor consultant". The rate of pay and other terms of employment for an individual in this category will be established and approved by the City Council.

Part-time Appointed Officials

Part-time appointed officials shall be compensated as follows in 2014:

	<u>Minimum</u>	<u>Maximum</u>
Municipal Judge (monthly)	1,219	1,672
Treasurer (monthly)	361	453

Adopted this \_\_\_\_ Day of \_\_\_\_\_.

\_\_\_\_\_  
Ronald L. Shaffer, Mayor

ATTEST:

\_\_\_\_\_  
Joyce Hagen Mundy  
City Clerk

**COUNCIL COMMITTEE OF THE WHOLE  
November 18, 2013**

The Council Committee of the Whole met on Monday, November 18, 2013 at 6:00 p.m. in the Council Chambers. The meeting was called to order by Acting Council President Charles Clark with the following members present: Mayor Shaffer, Ashley Weaver, Ruth Hopkins, Steve Noll, Laura Wassmer, Brooke Morehead, Ted Odell and David Belz. Staff Members present: Captain Tim Schwartzkopf; Keith Bredehoeft, Public Works Director; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Lisa Santa Maria, Finance Director; Danielle Dulin, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

**COU2013-43 Consider Ordinance amending the licensing requirements for Security Licenses and License Agents**

Captain Tim Schwartzkopf presented two changes updating the city's regulations for the licensing of security companies and their agents working within the city. The proposed ordinance amendments make two changes to the licensing requirements for security agents. First, the ordinance now specifies qualification training requirements for security agents carrying firearms. Second, the certification of agent qualifications has been revised to reflect language adopted from Kansas Statutes for police officers. The proposed amendments have been reviewed by the City Attorney, Police Department and current security service providers.

Ruth Hopkins made the following motion, which was seconded by Laura Wassmer and passed unanimously:

**ADOPT ORDINANCE 2297 AMENDING CHAPTER V OF THE  
PRAIRIE VILLAGE MUNICIPAL CODE ENTITLED "BUSINESS  
REGULATIONS" BY AMENDING ARTICLE 4 ENTITLED "SECURITY  
POLICE LICENSES AND LICENSE AGENTS" BY AMENDING SECTION  
5-401 ENTITLED "DEFINITIONS" AND SECTION 5-407 ENTITLED  
"CERTIFICATION OF AGENT QUALIFICATIONS"**

**COUNCIL ACTION TAKEN  
11/18/2013**

**COU2013-50 Consider approving change to the City's Municipal Code Chapter X, Section 10-116 Police Pension Plan; Disability Insurance**

Quinn Bennion noted that in reviewing the Plan, staff discovered that there was a section of Municipal Code, Chapter X, Section 10-116 *Police Pension Plan; Disability Insurance* that limits the amount of disability benefits a participant of the Police Pension Plan ("Plan") may earn. The current language states, "The policy shall provide for the payment of long-term disability benefits of 60 percent of earnings to a maximum of \$3,000 per month but not beyond the age of 65 years..." This section of the Municipal Code was developed in 1973 when the average compensation for those in the Plan did

not approach where it is today. Due to this, the current language limits the benefit of those employees on the Plan whose compensation exceeds \$60,000 annually.

Staff recommends updating the language of this section of Municipal Code to state, "The policy shall provide for the payment of long-term disability benefits, but not beyond the age of 65 years..." removing the salary current salary cap.

The City's current long-term disability plan will govern payout limits and other provisions of the coverage.

Steve Noll made the following motion, which was seconded by Ruth Hopkins and passed unanimously:

**RECOMMEND THE GOVERNING BODY ADOPT AN ORDINANCE  
AMENDING CHAPTER 10 OF THE PRAIRIE VILLAGE MUNICIPAL  
ENTITLED "POLICE" BY AMENDING ARTICLE 1 ENTITLED  
"POLICE DEPARTMENT" AND SECTION 10-116 ENTITLED "SAME;  
DISABILITY INSURANCE"**

**COUNCIL ACTION REQUIRED  
CONSENT AGENDA**

## **EXECUTIVE SESSION**

David Belz moved pursuant to KSA 75-4319 (b) (1) that the Governing Body recess into Executive Session in the Multi-Purpose Room for a period not to exceed 10 minutes for the purpose of consulting with the City Attorney on matters of pending litigation. Present will be the Mayor, City Council, City Administrator, City Attorney and Captain Tim Schwartzkopf. The motion was seconded by Laura Wassmer and passed unanimously.

The Council Committee of the Whole was reconvened by Acting Council President Charles Clark at 6:18 p.m.

David Belz moved pursuant to KSA 75-4319 (b) (6) that the Governing Body, recess into Executive Session in the Multi-Purpose Room for a period not to exceed 60 minutes for the purpose of discussion of possible acquisition of property. Present will be the Mayor, City Council, City Administrator, Assistant to the City Administrator and City Attorney. The motion was seconded by Ruth Hopkins and passed unanimously.

Charles Clark reconvened the Council Committee of the Whole at 7:20 p.m.

## **STAFF REPORTS**

### **Public Safety**

- Captain Schwartzkopf reported that "Shop with a Cop" will take place on December 12<sup>th</sup> in conjunction with the Prairie Village Municipal Foundation.
- This Friday officers will be handing out medals at the Special Olympics Bowling Tournament.

- The Department participated in a joint operation with the Kansas City, Missouri Police on a liquor store that has been selling alcohol to minors
- The department will participate in a specially funded DUI patrol operations over the Thanksgiving holidays.
- Channel 41 news will have a feature on a CERT team house entry to serve a warrant with a resulting arrest

#### **Public Works**

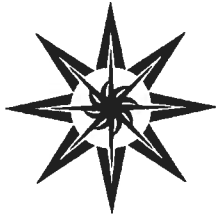
- Keith Bredehoeft provided an update on recent activities including the sodding of the Porter Park soccer field; crack/sealing of the trail in Franklin Park, noting more extensive repairs will be made in the Spring.
- The Request for Proposals for Engineering Services for the next three years has been sent out and will come before the Council in December.
- The 9 mile point marker has been placed in Weltner Park. There will be a dedication ceremony on Monday, November 25<sup>th</sup> at 11 a.m. Charles Clark provided background on the significance of the marker.

#### **ADJOURNMENT**

With no further information to come before the Council Committee of the Whole, Acting Chairman Charles Clark adjourned the meeting at 7:20 p.m.

Dale Warman  
Council President





## ADMINISTRATION

Council Meeting Date: December 2, 2013  
Council Committee Meeting Date: December 2, 2013

### COU2013-51: Request Permission to Publish the Amendment to the 2014 Budget

---

#### SUGGESTED MOTION

Move to authorize staff to publish the amendment to the 2014 Budget as required by State statutes.

#### BACKGROUND

Under KSA 79-41a04 the City receives a distribution from the Local Alcoholic Liquor Fund and is required to deposit 1/3 of the monies to the general fund, 1/3 to a special parks and recreation fund and 1/3 to a special alcohol and drug programs fund. The monies in the special alcohol and drug program have to be used for services or programs whose main purpose is alcoholism and drug abuse prevention and education. The D.A.R.E program is funded from these funds. The estimated fund balance at the end of 2014 is \$101,834. The Police Department has determined it will be able to expend part of this fund balance on the D.A.R.E program in 2014. Since the 2014 budget was set prior to them having this information, we are now amending the budget to allow them to use the funds.

This Amendment to the 2014 Budget increases the total expenditure budget for the Special Alcohol Fund by \$20,000. The attached form is required by the State in order for the City to amend its budget.

Funding for the expenditures in the Special Alcohol Fund comes from the existing Liquor Excise tax. There will not be a change to the tax levy that was originally published for the 2014 budget. The amendment allows for increased expenditures in the D.A.R.E program.

State statutes require that the City hold a public hearing on the budget amendment at least ten days after publication. To comply with these statutory requirements, the public hearing has been scheduled for the City Council's regular meeting on Monday, December 16, 2013.

#### PUBLIC NOTICE

The Notice of Budget Hearing will be published in The Legal Record on Tuesday, December 3, 2013.

#### ATTACHMENTS:

- Summary of changes
- Notice of Budget Hearing for Amending the 2014 State Budget Form

---

Prepared By:  
Lisa Santa Maria  
Finance Director  
Date: 11/20/2013



City of Prairie Village

2014

Adopted Budget

Special Alcohol	2014 Adopted Budget	2014 Proposed Budget
Unencumbered Cash Balance January 1	74,754	74,754
Receipts:		
Ad Valorem Tax		
Delinquent Tax		
Motor Vehicle Tax		
Recreational Vehicle Tax		
16/20M Vehicle Tax		
Intergovernmental	120,000	120,000
Interest on Idle Funds		
<b>Total Receipts</b>	<b>120,000</b>	<b>120,000</b>
<b>Resources Available:</b>	<b>194,754</b>	<b>194,754</b>
Expenditures:		
Public Safety	77,920	97,920
Alcohol Programs	15,000	15,000
<b>Total Expenditures</b>	<b>92,920</b>	<b>112,920</b>
Unencumbered Cash Balance December 31	101,834	81,834

**Notice of Budget Hearing for Amending the  
2014 Budget**

The governing body of  
**City of Prairie Village**

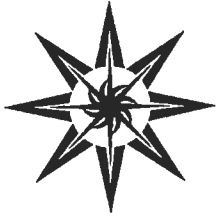
will meet on the day of December 16, 2013 at 7:30pm at 7700 Mission Road for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at Prairie Village Municipal Offices, 7700 Mission Road and will be available at this hearing.

**Summary of Amendments**

Fund	2014 Adopted Budget			2014 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
Special Alcohol			92,920	112,920
			0	0
			0	0
			0	0
			0	0
			0	0

City of Prairie Village  
Official Title: The governing body of



## ADMINISTRATION

Council Meeting Date: December 2, 2013  
Council Committee Meeting Date: December 2, 2013

### COU2013-52: Request Permission to Publish the Amendment to the 2013 Budget

---

#### SUGGESTED MOTION

Move to authorize staff to publish the amendment to the 2013 Budget as required by State statutes.

#### BACKGROUND

This Amendment to the 2013 Budget increases the total expenditure budget for the Corinth Community Improvement District and the PV Shops Community Improvement District. The original 2013 Budgets were adopted based on lower forecasted beginning fund balances. The ending 2012 fund balances were higher than expected due to lower than anticipated 2012 reimbursements.

This Amendment to the 2013 Budget establishes a budget that reflects maximum expenditures for the Corinth CID and the PV Shops CID. The attached form is required by the State in order for the City to amend its budget.

Funding for the expenditures in the CID Funds comes from the existing 1.00% sales tax. There will not be a change to the tax levy that was originally published for the 2013 budget. The amendment does not alter or change the CID agreement or commitments.

State statutes require that the City hold a public hearing on the budget amendment at least ten days after publication. To comply with these statutory requirements, the public hearing has been scheduled for the City Council's regular meeting on Monday, December 16, 2013.

#### PUBLIC NOTICE

The Notice of Budget Hearing will be published in The Legal Record on Tuesday, December 3, 2013.

#### ATTACHMENTS:

- Summary of changes
- Notice of Budget Hearing for Amending the 2013 State Budget Form

---

Prepared By:  
Lisa Santa Maria  
Finance Director  
Date: 11/20/2013

2013

**Amended  
Certificate  
For Calendar Year 2013**

To the Clerk of Johnson County, State of Kansas  
We, the undersigned, duly elected, qualified, and acting officers of  
**City of Prairie Village**  
certify that: (1) the hearing mentioned in the attached publication was held;(2) after the Budget Hearing this Budget was duly approved and adopted as the maximum expenditure for the various funds for the year.

		Page No.	2013 Amended Budget		
Table of Contents:			Amount of 2012 Tax that was Levied	Adopted 2013 Expenditures	Proposed Amended 2013 Expenditures
Fund	<u>K.S.A.</u>				
Corinth CID	12-6a34	2		450,000	800,000
PV Shops CID	12-6a34	3		470,000	600,000
0					
0					
0					
0					
<b>Totals</b>		XXXXXXXXXX	0	920,000	1,400,000
<b>Summary of Amendments</b>		4			

Attested date: \_\_\_\_\_

\_\_\_\_\_  
County Clerk

Assisted by:  
\_\_\_\_\_

Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Email:  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Governing Body

City of Prairie Village

2013

Adopted Budget

Corinth CID	2013 Adopted Budget	2013 Proposed Budget
Unencumbered Cash Balance January 1	49,138	431,872
Receipts:		
Ad Valorem Tax		
Delinquent Tax		
Motor Vehicle Tax		
Recreational Vehicle Tax		
16/20M Vehicle Tax		
Sales Tax	430,000	430,000
Interest on Idle Funds	0	120
<b>Total Receipts</b>	<b>430,000</b>	<b>430,120</b>
<b>Resources Available:</b>	<b>479,138</b>	<b>861,992</b>
Expenditures:		
Urban Planning & Management	450,000	800,000
<b>Total Expenditures</b>	<b>450,000</b>	<b>800,000</b>
Unencumbered Cash Balance December 31	29,138	61,992

Adopted Budget

PV Shops CID	2013 Adopted Budget	2013 Proposed Budget
Unencumbered Cash Balance January 1	65,800	598,891
Receipts:		
Ad Valorem Tax		
Delinquent Tax		
Motor Vehicle Tax		
Recreational Vehicle Tax		
16/20M Vehicle Tax		
Sales Tax	430,000	430,000
Interest on Idle Funds	120	120
<b>Total Receipts</b>	<b>430,120</b>	<b>430,120</b>
<b>Resources Available:</b>	<b>495,920</b>	<b>1,029,011</b>
Expenditures:		
Urban Planning & Management	470,000	600,000
<b>Total Expenditures</b>	<b>470,000</b>	<b>600,000</b>
Unencumbered Cash Balance December 31	25,920	429,011



**Notice of Budget Hearing for Amending the**

**2013 Budget**

The governing body of

**City of Prairie Village**

will meet on the day of December 16, 2013 at 7:30 pm at 7700 Mission Raod for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.

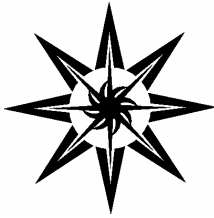
Detailed budget information is available at Prairie Village Municipal Offices, 7700 Mission Road and will be available at this hearing.

**Summary of Amendments**

Fund	2013 Adopted Budget			2013 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
Corinth CID			450,000	800,000
PV Shops CID			470,000	600,000
0			0	0
0			0	0
0			0	0
0			0	0

City of Prairie Village

Official Title: The governing body of



## POLICE DEPARTMENT

Council Committee Meeting Date: December 2, 2013

Council Meeting Date: December 2, 2013

**\*COU2013-53: Consider Adopting a Resolution to prohibit the carrying of firearms in Prairie Village Municipal Buildings in accordance with Kansas House Bill 2052.**

---

### RECOMMENDATION

Staff recommends the City Council adopt a Resolution 2013-06 to prohibit the carrying of firearms in Prairie Village Municipal Buildings in accordance with Kansas House Bill 2052.

**COUNCIL ACTION REQUESTED ON:**

**December 2, 2013**

### SUGGESTED MOTIONS

Move to adopt Resolution 2013-06 as required by Kansas House Bill 2052 to prohibit firearms in designated facilities owned by the City of Prairie Village.

### BACKGROUND

The City Council has provided guidance to Staff to prepare a Security Plan(s) and adopt a Resolution (attached) to meet the 4-year exemption guidelines specified in House Bill 2052. The Security Plan and Resolution are required in order to continue prohibiting firearms in Prairie Village Municipal Buildings. During the exemption period, the City will have time to budget (if necessary) for any additional security measures.

### PREPARED BY

Wes Jordan

Chief of Police

Date: November 20, 2013

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION EXEMPTING, UNTIL JANUARY 1, 2018, CERTAIN IDENTIFIED CITY OF PRAIRIE VILLAGE MUNICIPAL BUILDINGS FROM THE REQUIREMENTS OF 2013 KAN. SESS. LAWS 551, CHAPTER 105, NEW SECTION 2, WHICH PRECLUDES KANSAS MUNICIPALITIES FROM PROHIBITING THE CARRYING OF CONCEALED HANDGUNS INTO CITY BUILDINGS.**

WHEREAS, the 2013 Kansas Legislature adopted New Section 2 of the 2013 Senate Substitute for House Bill No. 2052, which in part requires Kansas municipalities to allow carrying of concealed handguns in municipal buildings beginning on July 1, 2013 (“Section 2”); and

WHEREAS, Senate Substitute for House Bill No. 2052 is currently found at 2013 Kansas Session Laws 551, Chapter 105 (“the Law”); and

WHEREAS, Section 2(i) of the Law provides that municipalities are authorized to exempt municipal buildings for a period of four years beginning on January 1, 2014, from the requirements that municipalities allow the carrying of concealed handguns into municipal building; and

WHEREAS, pursuant to the authority set forth in Section 2(i) of the Law, the City of Prairie Village, desires to exempt its municipal buildings from the requirements that municipalities allow the carrying of concealed handguns into municipal buildings for a period of four years beginning on January 1, 2014.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CITY OF PRAIRIE VILLAGE, KANSAS:

SECTION ONE. MUNICIPAL BUILDINGS EXEMPT. Pursuant to the authority set forth in Section 2(i) of the Law, the City of Prairie Village, Kansas hereby exempts the municipal buildings listed below from the provisions of Section 2 of the Law relating to municipalities prohibiting the carrying of a concealed handgun in municipal buildings as authorized by the personal and family protections act. It is the intent of the City that the exemption set forth herein shall extend for a period of four years beginning on January 1, 2014. As required by Section 2(i) of the Law, the below list of municipal buildings includes a legal description of the building locations.

Prairie Village City Hall  
7700 Mission Road

Legal Description:

Tract 1, Prairie Village Municipal Office Complex, a subdivision in the City of Prairie Village, Johnson County, Kansas.

Prairie Village Police Department  
7710 Mission Road

Legal Description:

Tract 1, Prairie Village Municipal Office Complex, a subdivision in the City of Prairie Village, Johnson County, Kansas.

Prairie Village Community Center  
7720 Mission Road

Legal Description:

Tract 1, Prairie Village Municipal Office Complex, a subdivision in the City of Prairie Village, Johnson County, Kansas.

Prairie Village Aquatic Center  
7711 Delmar

Legal Description:

Tract 1, Prairie Village Municipal Office Complex, a subdivision in the City of Prairie Village, Johnson County, Kansas.

Prairie Village Public Works  
3535 Somerset

Legal Description

All that part of the Southwest 1/4 of the Northwest 1/4 of Section 27, Township 12, Range 25, in the City of Prairie Village, in Johnson County, Kansas, more particularly described as follows:

Beginning at a point on the East line of said 1/4 1/4 section, said point being 585.10 feet North of the Southeast corner thereof, measured along the East line of said 1/4 1/4 section; thence North along said East line a distance of 480 feet; thence West along a line at right angles to the last described course, a distance of 144.39 feet; thence Westerly and Northwesterly along a curve to the right from the last described course as a tangent, having a radius of 100 feet, a distance of 97.87 feet; thence continuing Northwesterly along a line tangent to the last described curve, a distance of 142.92 feet to a point on the centerline of Somerset Drive as now established; thence Southwesterly along the centerline of said Somerset Drive a distance of 65.00 feet; thence Southeasterly along a line that deflects to the left 89° 37' 39" from the tangent to the curve along the centerline of said Somerset Drive, at the last described point, a distance of 207.97 feet; thence South along a line that deflects to the right 33° 35' 28" from the last described course, a distance of 527.69 feet; thence Northeasterly along a line that deflects to the left 100° 03' 00" from the last described course, a distance of 51.05 feet; thence continuing Northeasterly along a line that deflects to the right 3° 45' 53" from the last described course, a distance of 135.55 feet; thence North along a line that deflects to the left 83° 42' 53" from the last described course, a distance of 70.00 feet; thence East along a line at right angles to the last described course, a distance of 60.00 feet to the point of beginning, subject to that part thereof in Somerset Drive, and subject also to the covenants, restrictions, reservations and easements now of record thereon.

and

Beginning at a point on the East line of the SW1/4 of the NW1/4 of said Section 27 and 610.10 feet North of the Southeast corner thereof; thence Westerly along a line perpendicular to the East line of the SW1/4 of the NW1/4 of said Section 27, a distance of 63 feet, to the true point of beginning of subject tract; thence Southerly, along a line perpendicular to the last described course, a distance of 20 feet; thence Westerly, along a line perpendicular to the last described course, a distance of 7 feet; thence Northerly, along a line perpendicular to the last described course, a distance of 20 feet; thence Easterly, along a line perpendicular to the last described course, a distance of 7 feet, to the true point of beginning of subject tract.

Except that part of the subject property described as follows:

All that part of the SW1/4 of the NW1/4 of Section 27, Township 12, Range 25, now in the City of Prairie Village, Johnson County, Kansas, more particularly described as follows:

Beginning at a point on the East line of the SW1/4 of the NW1/4 of said Section 27 and 515.10 feet North of the Southeast corner thereof; thence Westerly, along a line perpendicular to the East line of the SW1/4 of the NW1/4 of said Section 27, a distance of 60 feet, to the true point of beginning of subject tract; thence continuing, Westerly, along a line perpendicular to the East line of the SW1/4 of the NW1/4 of said Section 27, a distance of 10 feet; thence Northerly, along a line perpendicular to the last described course, a distance of 60 feet; thence Westerly along a line perpendicular to the last described course, a distance of 40 feet; thence Southerly, along a line perpendicular to the last described course, a distance of 65.51 feet; thence Northeasterly, to the true point of beginning of subject tract. The above described tract contains 2,538 square feet, more or less.

and

Beginning at the SE Corner of the SW 1/4 of the NW 1/4, Section 27-12-25, thence northerly along the East line of said SW 1/4 a distance of 585.1 feet to the True Point of Beginning; thence northerly along the East Line of said SW 1/4 a distance of 25 feet; thence westerly at right angles 70 feet; thence southerly at right angles 95 feet; thence easterly at right angles 10 feet; thence northerly at right angles 70 feet; thence easterly at right angles 60 feet to the True Point of Beginning.

## SECTION TWO. REASONS FOR EXEMPTING MUNICIPAL BUILDINGS.

As required by Section 2(i) of the Law, the reasons for exempting the municipal buildings listed in Section 1 above from the provisions of Section 2 of the Law are as follows:

Section 2(i) of the Law authorizes the City to seek such an exemption.

The Governing Body of the City has determined that exempting its municipal buildings from the requirements of Section 2 of the Law is in the best interest of the community based on public safety issues related to the carrying of concealed firearms in City buildings.

The City has long had a workplace violence and weapons policy that prohibits its employees from introducing firearms and dangerous weapons into the workplace.

The four year exemption will afford the City additional time to review public safety issues related to the carrying of concealed firearms in City buildings.

A security plan has been developed for the buildings being exempted which supplies adequate security to the occupants of the buildings and merits the prohibition of the carrying of a concealed handgun as authorized by the personal and family protection act.

**SECTION THREE. SECURITY PLAN ADEQUACY STATEMENT.**

A security plan has been developed for the buildings being exempted which supplies adequate security to the occupants of the buildings and merits the prohibition of the carrying of a concealed handgun as authorized by the personal and family protection act.

ADOPTED by the City Council of CITY OF PRAIRIE VILLAGE, Kansas, this 18th day of November 2013.

APPROVED AND SIGNED by the Mayor of CITY OF PRAIRIE VILLAGE, Kansas, this 18th day of November 2013.

\_\_\_\_\_  
Ronald L. Shaffer, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Joyce Hagen Mundy, City Clerk

\_\_\_\_\_  
Catherine P. Logan, City Attorney

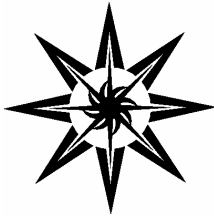
I certify that a copy of this Resolution was served on the following persons by sending a copy by first-class mail, United States postage prepaid, on this \_\_\_\_ day of November 2013:

Derek Schmidt  
Kansas Attorney General  
120 SW 10th Ave., 2nd Floor  
Topeka, Kansas 66612

Wes Jordan  
Chief of Police  
7710 Mission Road  
Prairie Village, Kansas 66208

---

Joyce Hagen Mundy, City Clerk



## PLANNING COMMISSION

Council Meeting Date: December 2, 2013

**PC2013-08 Consider a Request for Rezoning 3101 West 75<sup>th</sup> Street from R-1a (Single Family Residential) to RP-1b (Planned Single Family Residential) and Approving a Preliminary Development Plan.**

---

### RECOMMENDATION

Recommend the Governing Body approve the requested rezoning and the revised Preliminary Development Plan subject to 16 conditions with the following three deviations from ordinance requirements granted:

- 1) Reduce the front yard setback from 30 feet to 15 feet.
- 2) Increase the lot coverage from 30% to 35%.
- 3) Reduce the lot depth from 100 feet to 99 feet and that the required rear yard setback of 25 feet be retained.

### BACKGROUND

The applicant is proposing a planned single family residential in-fill project at 3101 West 75<sup>th</sup> Street requiring rezoning from R-1a to RP-1b for a proposed development named Chadwick Court. Upon approval of the preliminary development plan by the Governing Body, the applicant is then authorized to prepare a final development plan which is then submitted to the Planning Commission for final approval.

The Governing Body considered the recommendation of the Planning Commission at its regular meeting on October 7, 2013. After hearing a presentation from the applicant, they voted to return the item to the Planning Commission for reconsideration of two of the requested deviations which are to reduce the rear yard setback from 25 feet to 20 feet and to increase the lot coverage from 30% to 35%.

The applicant has revised the preliminary development plan increasing the size of Lots 1 and 4 from 7,821 square feet to 8,811 square feet; increasing the size of Lots 2 and 5 from 7,821 square feet to 8,119 square feet; and decreasing the size of Lots 3 and 6 from 9,753 square feet to 9,405 square feet. The primary reason for adjusting the lot sizes is to be able to provide three-car garages on Lots 1, 3, 4, and 6. The modification of the lot lines increases the area of Lots 1, 2, 4, and 5 which is positive regardless of whether the Governing Body approves the 35% lot coverage and the 20-foot rear yard setback.



The Planning Commission reconsidered the application at their November 5<sup>th</sup> meeting. They questioned the need for 3-car garages in a development that was being marketed to “empty nesters” especially considering the lot size limitations.

They also expressed concern with the location of the proposed fence and its impact on the already reduced rear yard. The Commission approved the changes in the lot sizes and the requested increase in lot coverage to 35% but denied the requested rear yard setback reduction from 25 feet to 20 feet.

In addition to the above, the following conditions need to be included in a favorable action to approve the Preliminary Development Plan for Chadwick Court:

1. That a revised storm drainage plan be submitted to Public Works for their review and approval prior to the submission of the final plan. This will determine the size of the detention facility and how it will connect to the existing storm sewer system.
2. That the internal streets be private, and be built to City standards in terms of pavement depth and materials. The plans and specifications shall be reviewed and approved by Public Works.
3. That the applicant dedicate 10 feet of additional right-of-way for 75<sup>th</sup> Street and move the lots further south 10 feet.
4. That the plan as submitted be revised based on the requirements of the Planning Commission, be approved as the preliminary plan and be the basis for the preparation of the final plan.
5. That the property be platted prior to obtaining any building permits.
6. That the Homes Association agreement be submitted with the final plan guaranteeing the maintenance of the private street and stormwater detention area designated as Tract A.
7. That the existing trees and vegetation along the east and west property lines be preserved and protected during construction.
8. That a landscape plan be submitted with the Final Plan.
9. That any subdivision identification sign be submitted to the Planning Commission for approval.
10. That the applicant add the area on the east and west ends of the hammerhead cul-de-sac to Lots 3 and 6 to increase their area.

11. That the Preliminary Development Plan be revised based upon the action of the Planning Commission prior to it being submitted to the Governing Body for its consideration.
12. The building elevation and floor plan be approved as the concept plan for the development.

The Planning Commission deferred taking action on the plat until such time as the Governing Body approves the RP-1B zoning change. If changes occur to the Preliminary Development Plan then the plat will need to change also and be resubmitted.

No protest petition has been submitted; therefore, a simple majority vote of the Governing Body (seven votes) is required for approval.

The Governing Body shall make its findings of fact based on the "Golden Factors" and either:

- A. Adopt the recommendation of the Planning Commission and approve the rezoning and Revised Preliminary Development Plan or revise the conditions of approval which requires a simple majority of the Governing Body (seven votes), or
- B. Override the recommendation of the Planning Commission by a simple majority vote of the Governing Body, and deny the rezoning and Preliminary Development Plan, or
- C. Continue the item to a designated meeting by a simple majority of the members present

#### **ATTACHMENTS**

Planning Commission Minutes - September 10, 2013 & November 5, 2013  
Staff Report on PC2013-08 - Dated 11/5/2013  
Preliminary Plans  
Proposed Ordinance

#### **PREPARED BY**

Joyce Hagen Mundy  
City Clerk

Date: November 11, 2013

## ORDINANCE 2299

AN ORDINANCE REZONING PROPERTY LOCATED AT 3101 WEST 75<sup>TH</sup> STREET, PRAIRIE VILLAGE, KANSAS FROM R-1A (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RP-1B (PLANNED SINGLE FAMILY RESIDENTIAL DISTRICT) AND DIRECTING THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF PRAIRIE VILLAGE, KANSAS; AND REINCORPORATING SAID ZONING MAP BY REFERENCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS:

### **Section I. Planning Commission Recommendation.**

That having received a recommendation from the Planning Commission; having found favorably on the findings of fact, proper notice having been given and hearing held as provided by law and under the authority of and subject to the provisions of the Zoning Regulations of the City of Prairie Village, Kansas, the zoning classification or districts of the lands hereinafter legally described are changed from R-1a (Single Family Residential District) to RP-1b (Planned Single Family Residential District) and a Preliminary Development Plan is adopted as set forth in Sections II and III.

### **Section II. Rezoning of Property.**

That the real estate located at 3101 West 75<sup>th</sup> Street, Prairie Village, Kansas, and hereinafter described, to Wit: SOMERSET HILLS LT A & PT 22-12-25 W .72' E 225' NE1/4 SW1/4 LYING W LT A LYING WITHIN SEW DIST PVC 592 138 commonly referred to as

3101 West 75<sup>th</sup> Street, Prairie Village, Kansas

is hereby rezoned in its entirety from R-1a, Single Family Residential District to RP-1b Planned Single Family Residential District.

### **Section III. Preliminary Development Plan.**

That a revised Preliminary Development Plan as presented to the Planning Commission on November 5, 2013 is hereby approved subject to the following conditions:

1. That the front yard setback be 15 feet.
2. That the rear yard setback be 25 feet.
3. That the lot coverage be 35%.
4. That the lot depth be 99 feet.
5. That a revised storm drainage plan be submitted to Public Works for their review and approval prior to the submission of the final plan. This will determine the size of the detention facility and how it will connect to the existing storm sewer system.
6. That the internal streets be private, and be built to City standards in terms of pavement depth and materials. The plans and specifications shall be reviewed and approved by Public Works.

7. That the applicant dedicate 10 feet of additional right-of-way for 75<sup>th</sup> Street and move the lots further south 10 feet.
8. That the plan as submitted be revised based on the requirements of the Planning Commission, be approved as the preliminary plan and be the basis for the preparation of the final plan.
9. That the property be platted prior to obtaining any building permits.
10. That the Homes Association agreement be submitted with the final plan guaranteeing the maintenance of the private street and stormwater detention area designated as Tract A.
11. That the existing trees and vegetation along the east and west property lines be preserved and protected during construction.
12. That a landscape plan be submitted with the Final Plan.
13. That any subdivision identification sign be submitted to the Planning Commission for approval.
14. That the applicant add the area on the east and west ends of the ends of the hammerhead cul-de-sac to Lots 3 and 6 to increase their area.
15. That the Preliminary Development Plan be revised based upon the action of the Planning Commission prior to it being submitted to the Governing Body for its consideration.
16. That the building elevation and floor plan be approved as the concept plan for the development.

**Section IV. Reincorporation By Reference of Prairie Village, Kansas, Zoning District Map as Amended.**

That the Official Zoning District Map of the City is hereby amended in accordance with Section II, of this ordinance and is hereby reincorporated by reference and declared to be the Official Zoning District Map of the City as provided for and adopted pursuant to the provisions of Section 19.04.010 of Title 19 Zoning of the Prairie Village Zoning Regulations.

**Section V. Take Effect.**

That this ordinance shall take effect and be in force from and after its publication in the official City newspaper as provided by law.

**PASSED AND APPROVED THIS 2ND DAY OF DECEMBER, 2013.**

---

Mayor Ronald L. Shaffer

**ATTEST:**

**APPROVED AS TO FORM**

---

Joyce Hagen Mundy, City Clerk

---

Catherine P. Logan, City Attorney

**EXCERPT  
PLANNING COMMISSION MINUTES  
November 5, 2013  
on PC2013-08**

**ROLL CALL**

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, November 5, 2013, in the fellowship hall of Village Presbyterian Church at 6641 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Bob Lindeblad, Randy Kronblad, Nancy Wallerstein, Gregory Wolf and Nancy Vennard.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, City Planning Consultant; Danielle Dulin, Assistant to the City Administrator; Keith Bredehoeft, Public Works Director, Jim Brown, Building Official and Joyce Hagen Mundy, City Clerk/Planning Commission Secretary. Also present was Andrew Wang Council liaison.

**APPROVAL OF MINUTES**

The following corrections were made to the September 10, 2013 minutes:

- Page 2 - Bob Royer's address should be **7805** not 7005 Mission Road
- Page 4 - 3<sup>rd</sup> paragraph RP-1 Districts should be "**RP-1b Districts**"
- Page 20 - 2<sup>nd</sup> paragraph Paul Warbe should be "**Paul Wrablica**"

Randy Kronblad moved the approval of the Planning Commission minutes of September 10, 2013 with the corrections noted above. The motion was seconded by Nancy Vennard and passed 5 to 0 with Greg Wolf abstaining due to his absence at that meeting.

**PUBLIC HEARING**

Ron Williamson stated that the Governing Body has returned PC2013-08 - Request for Rezoning of the property at 3101 West 75<sup>th</sup> Street from R-1a to RP-1b for reconsideration specifically of the two requested deviations that were denied by the Planning Commission. The two deviations that were denied by the Planning Commission were a reduction in the rear yard setback from 25 feet to 20 feet and an increase in the lot coverage from 30% to 35%. Mr. Royer made a presentation to the Governing Body stating that in order to market the lots to builders they have been negotiating with, a larger footprint is needed. A motion was made by the Governing Body to approve the rezoning with all of the requested deviations; however, it failed to meet the two-thirds vote requirement to override the Planning Commission recommendation. The Governing Body then moved to return the item for reconsideration to the Planning Commission on the basis that there was no neighborhood opposition and Village Vision encourages higher density and intensity infill development.

Mr. Williamson noted the applicant has revised the preliminary development plan increasing the size of Lots 1 and 4 from 7,821square feet to 8,811 square feet;

increasing the size of Lots 2 and 5 from 7,821 square feet to 8,119 square feet; and decreasing the size of Lots 3 and 6 from 9,753 square feet to 9,405 square feet. The primary reason for adjusting the lot sizes is to be able to provide three-car garages on Lots 1, 3, 4, and 6. The modification of the lot lines increases the area of Lots 1, 2, 4, and 5 which is positive regardless of whether the Commission approves the 35% lot coverage and the 20-foot rear yard setback.

Mr. Williamson stated after reconsidering the application, the Commission may resubmit its original application or submit a new or amended recommendation.

Robert Royer, 7805 Mission Road, stated the revised plans submitted to the Commission have incorporated the additional 10' right-of-way and show the proposed size and floor plan of houses on those lots. All six lots have the same floor plan with the four corner lots having three-car garages, instead of two-car garages. He has contacted two builders who are interested in building the homes if they are allowed to have the increased lot coverage of 35%. The builders do not feel the homes would be marketable under the required 30% maximum lot coverage.

Mr. Royer referenced Chapter 19.24 of the Prairie Village Code entitled "Planned Zoning Districts" which states the intention of planned zoning procedures is to encourage efficient development and redevelopment of small tracts, innovative and imaginative site planning, and conservation of natural resources and minimum waste of land." The code (Section 19.24.010C) goes on to say "Deviations in yard requirements, setbacks and relationship between buildings . . . may be approved by the Planning Commission and City Council . . ." It further states (Section 19.24.010F), "The developer will be given latitude in using innovative techniques in the development of land not feasible under the application of standard zoning requirements. . ." Mr. Royer stated the width of the Mogren property is 224 feet making it unfeasible to incorporate the standard zoning requirements.

Chadwick Court meets the spirit and intent of the Code and of Village Vision which encourages neighborhoods with unique character, strong property values and quality housing options for families and individuals of a variety of ages and incomes". Village Vision goes on to provide the following direction - "Improve the Development/Redevelopment Process"

- Encourage Appropriate Redevelopment
- Permit higher residential densities

Mr. Royer noted that once completed Chadwick Court would bring in approximately \$65,000 per year in tax revenue to the City with no additional cost to the city for road construction or maintenance.

Nancy Wallerstein questioned if the existing out building would be remaining and how many trees would be lost. Mr. Royer responded the plan was to remove the brush and small trees and retain, but trim back the larger trees.

Bob Mogren, owner of the property, noted he uses the shed/out building is used to store his lawn mower equipment and could be removed if that is the desire of the Commission.

Bob Lindeblad noted on the site plan lots 3 and 6 have the curb from the street clipping the corners of the garage. It doesn't work. Mr. Royer stated the intent of the site plan was to show the layout. This is a preliminary plan. They will make the necessary changes for the garages on the final plans. Mr. Lindeblad responded that he was more comfortable with the open space on the plan, but still feels the units are too big. Mr. Williamson stated it could be approved subject to having the necessary setback from the street or continue the item and require revised plans to be submitted..

Nancy Vennard stated that the previous plan only had two three-car garages. She doesn't see a need for three-car garages, especially when he has been asked to reduce the footprint. Smaller homes at a lower cost would have a much larger sales market. Mr. Royer responded their builders state that even empty nesters want three-car garages. He noted the need to have all the primary amenities on the first floor to accommodate the desires of empty nesters. He stated he would like to be able to offer homes at a lower cost; however, the cost to create the necessary infrastructure for the development alone is over \$100,000. Mrs. Vennard responded the people wanting three-car garages are moving south, they recognize for the convenience of the location and amenities Prairie Village offers, they will need to give up three-car garages. Very well designed homes with two car garages could be constructed within the guidelines of the Commission.

Nancy Wallerstein asked if they would be trimming the trees on the fence line and if the fence would be set back 20 feet as she felt this would interfere with the existing hedgerow which covers approximately 10 feet in width. She asked if the hedgerow was the property line and how far from the hedgerow would the fence be located. Mr. Royer responded - three feet.

Bob Lindeblad confirmed that the property had been surveyed and the trees are on their property. Bob Mogren responded that approximately 20% of the hedgerow will be removed as it consists of brush and dead trees.

Nancy Vennard asked if there was currently a fence on the property. Mr. Royer responded there is a four foot chain link fence on the property line that will be replaced with a six foot cedar fence.

Nancy Wallerstein asked if the trees on 75<sup>th</sup> Street would be preserved. Mr. Mogren responded those that are not dead will be preserved.

Bob Lindeblad asked if there would be any outdoor patio area that would extend into the 20 foot rear yard setback. Mr. Royer responded that it would be more of a courtyard space than a rear yard.

Bob Lindeblad asked if the neighbors were told there would be a five-foot reduction in the rear yard setback. Mr. Royer responded they were shown plans reflecting the 20 foot rear yard setback.

Chairman Ken Vaughn asked if there was anyone present to speak on this application. Being none, he closed the public hearing at 7:35 p.m.

Bob Lindeblad stated he is satisfied with the lot coverage being increased from 30% to 35%, but feels a better effort should have been made to look at plans that would accommodate the 25 foot rear yard setback. He would have liked to see more creativity and imagination in the development than the straight-line layout of six identical homes. Mr. Royer responded with the limitations of this site including a lot depth of 99 feet. The floor plans are to simply show what can be done. He, too, would like to see six unique customized homes.

Ron Williamson noted the final plans will need to be approved by the Planning Commission and more detailed drawings and facades can be addressed at that time.

Nancy Vennard stated she has a problem with the 20 foot rear yard setback especially on the east side. She does not feel 20 feet is sufficient for a rear yard. Mr. Royer stated these are not rear yards; they are courtyards of a low maintenance development. Ken Vaughn noted the development has the advantage of having the hedgerow screening the properties from the adjacent properties.

Nancy Wallerstein asked if the recommendation was changed if it would still require a two-thirds vote to override the Planning Commission recommendation. Mr. Williamson when an item is returned to the Governing Body only a simple majority is required to override the Planning Commission recommendation.

Randy Kronblad does not feel the proposed fence will be able to be located on the hedgerow and thus the 20 foot rear yard setback is not sufficient.

Randy Kronblad moved the Planning Commission return application PC2013-08 to the Governing Body recommending that the rezoning be granted subject to the revised replatting and with the following three deviations from ordinance requirements granted:

- 1) Reduce the front yard setback from 30 feet to 15 feet.
- 2) Increase the lot coverage from 30% to 35%.
- 3) Reduce the lot depth from 100 feet to 99 feet and that the required rear yard setback of 25 feet be retained.

The motion was seconded by Nancy Wallerstein and passed unanimously.



**EXCERPT on PC2013-08  
PLANNING COMMISSION MINUTES  
September 10, 2013**

**ROLL CALL**

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, September 10, 2013, in the Multi-Purpose Room in City Hall at 7700 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Bob Lindeblad, Randy Kronblad, Nancy Wallerstein and Nancy Vennard.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, City Planning Consultant; Danielle Dulin, Assistant to the City Administrator; Keith Bredehoeft, Interim Public Works Director, Jim Brown, Building Official and Joyce Hagen Mundy, City Clerk/Planning Commission Secretary.

**PUBLIC HEARING**

Chairman Ken Vaughn reviewed the procedures for the scheduled public hearing and confirmed that the notice of hearing of duly published and mailed to all property owners within 200' as required.

**PC2013-08 Request for Rezoning of Property at 3101 West 75<sup>th</sup> Street from R-1a to RP-1b  
3101 West 75<sup>th</sup> Street  
Current Zoning: R-1a  
Proposed Zoning: R-1b**

Bob Royer, 7805 Mission Road, addressed the Commission on the proposed rezoning of 3101 West 75<sup>th</sup> Street and noted that also in attendance was the property owner Bob Mogren. He is requesting a zoning change from R-1A to RP-1B for a proposed development named Chadwick Court. This would be an infill development on approximately 2.70 acres. They are proposing six new dwelling units for the site in addition to the existing single-family dwelling for a total of seven lots.

Mr. Royer reviewed his proposed plan showing how the proposed dwellings will be located on each lot. The proposed development will be served with a private street 26 feet in width back of curb to back of curb. The building setbacks will be 15 feet from the front, 20 feet from the rear and 6 feet on each side. Lots 1, 2, 4 and 5 are 80 feet wide by 99 feet deep. Lots 3 and 6 are 92 feet wide by 99 feet deep.

The building setbacks in the R-1B district are 30 feet for the front yard; 4 feet on the side yard with 12 feet between dwellings; and 25 feet for the rear yard. The minimum lot width is 60 feet and the minimum lot area is 6,000 sq. ft. The proposed development meets the minimum side yard, lot width and lot area requirements of the traditional district. Modifications are requested for the front yard and rear yard setbacks.

Mr. Royer noted he just learned of the additional 10 feet of right-of-way is requested by the City. This was also requested when the plat was filed in 2007. The current plan does not show the 10 foot right-of-way so the lots will need to be moved further south. Village Vision recommends street trees on 75<sup>th</sup> Street and the additional right-of-way will help provide area for tree planting. He felt he could work with this, but they are trying to preserve a specimen Linden Tree. He is also working with Public Works Staff on the best handling of stormwater.

A neighborhood meeting was held on August 26<sup>th</sup> and three neighbors attended. Concerns expressed were verification of the east property line and maintaining the trees along the east property line. It is his goal to preserve the existing trees on the east and the west.

Utilities will be placed on each side of the private street. Mr. Royer stated he does not want to construct sidewalks on each side of the street noting the sidewalk would not connect to anything. He does not feel they are necessary. He also wants to avoid curb and gutter as he is looking at a more rural look without a conventional street. He is investigating surfaces other than asphalt for the street.

Ron Williamson noted that lots 3 and 6 are larger with the proposed homes having a three car garage.

Bob Mogren, 3101 West 75<sup>th</sup> Street, stated that they have had a surveyor confirm the property lines which were questioned at the neighborhood meeting.

Bob Lindeblad expressed concern with losing the open space requirement. There appears to be too much house on each lot. He felt the intent of planned zoning was to allow bigger houses on smaller lots when there is flexibility in the footprint and footprint size. He feels the proposed footprint is too large and would like to stay within the existing rear yard setback and lot coverage requirements. He is not convinced this is the best design and would like to see the 25' rear yard setback and 30% lot coverage maintained.

Mr. Royer responded that planned zoning allows for a waiver of the 30% lot coverage and rear yard setback.

Mr. Lindeblad stated he is not comfortable that the overall design merits the decreased rear yard setback. A 20 foot setback for a rear yard is too small; he wants to see 25 feet.

Ron Williamson noted this is a planned district and has to come back to the Planning Commission for final development plan approval.

Bob Lindeblad noted he would accept the 35% lot coverage if the proposed plan provided more compensating open space. He noted there could be larger open spaces between the first and second house and 75<sup>th</sup> Street.

Mr. Royer stated that he has two builders lined up for the first two lots.

Ken Vaughn reminded the Commission that they are considering only the rezoning requests that would go the Governing Body and then the application would come back to the Planning Commission for final development plan approval.

Nancy Wallerstein felt it was important to provide direction to Mr. Royer. She expressed concern with the 20-foot rear yards and the impact on the homes on Aberdeen. She would like to see more buffer.

Nancy Vennard noted there are stated percentages of lot coverage using different scenarios.

Bob Lindeblad believes they should remain at a maximum 30% lot coverage with a 25-foot rear yard setback.

Bob Royer noted it was impossible to do infill development without concessions. He noted there would be privacy fences in the rear yard providing a privacy court.

Nancy Vennard asked what the rear yard setbacks were for Mission Pines. Mr. Williamson stated he did not know, but felt they were less than 25 feet.

Randy Kronblad stated he would prefer a 25 foot rear yard setback if the plan is workable with a 25-foot setback.

Bob Mogren asked if it had to be a full 25 feet, would 22 or 24 feet be acceptable. He stated the biggest concern mentioned in the neighborhood meeting was the preservation of existing trees and the question on the property line. Mr. Royer asked if there was any latitude with the 25 feet.

Bob Lindeblad stated trade-offs have already been allowed with the private street and smaller roadway and shallower lots. An architect should be able to design a residence that complies with the 25 foot rear yard setback and 30% lot coverage.

Mr. Royer stated the RP-1b Districts allows for higher density.

Chairman Ken Vaughn asked for public comment. Being no additional public comment, the public hearing was closed at 7:45 p.m.

Ron Williamson noted he suggested extending lots further south to widen them and increase the area. Bob Lindeblad stated the footprint is too big. Using a 26 foot private street with no right-of-way is a huge concession.

Ron Williamson noted that because there is no right-of-way on the private street, the 15 foot front yard setback would be measured from the front property line. He advised that under the Planned District, modifications may be made to the setbacks, lot area

coverage and other requirements provided the proposed development produces a better development than under the standard zoning regulations.

The Commission informally reviewed the requested deviations from code. They approved the front yard setback of 15 feet. They denied the requested 20 foot rear yard setback, requiring 25. They denied the increased lot coverage to 35% requiring 30% and approved the lot depth of 99 feet.

Mr. Williamson stated the objective of the planned district is to permit the applicant to deviate from established and customary development techniques. It is intended to encourage efficient development and redevelopment of small tracts, innovative and imaginative site planning, conservation of natural resources, and a minimum waste of land. In return for approving a plan that is unique, the applicant is required to submit more detailed information on his proposal and the plan becomes an approved part of the rezoning.

The applicant has requested the RP-1B district because it allows one dwelling unit per 6,000 sq. ft. rather one unit per 10,000 sq. ft. as permitted in the R-1A district. The applicant has proposed six new dwelling units for the site in addition to the existing single-family dwelling for a total of seven lots. It should be pointed out that this is the same district (RP-1B) that Mission Pines is zoned; which is located on the northeast corner of 79<sup>th</sup> and Mission Road. Mission Pines was originally approved for more units than have actually been built and the current plan is for 25 units on 4.3 acres of land, which is a density of 7,549 sq. ft. per unit. This compares with a density of 16,788 sq. ft. per unit for the proposed plan. The existing dwelling is large and is located on the south portion of the tract. It will have a lot area of 50,555 sq. ft. The water detention area adjacent to 75<sup>th</sup> Street is 7,308 sq. ft. so the net area left for the six dwellings is 49,605 sq. ft. or 8,268 sq. ft. per dwelling unit. If the detention area is included in the calculation the area would be 9,489 sq. ft. per dwelling unit for the six units.

Chairman Ken Vaughn led the Planning Commission in the following review of the Golden Factors:

**1. The character of the neighborhood;**

This is a single-family residential neighborhood that is quite diverse in the size and age of the housing. The existing dwelling sets on 2.7 acres and was built in 1928 well before the City of Prairie Village was incorporated. The lots on the west are large (approximately one-half acre) and the dwellings are large. The lots and dwellings north, south and east are more modest at one-quarter to one-third acres in size. The houses to the north, south and east were built in the fifties. The houses to the west were an infill development and built in the seventies. Although there is a great variety in the homes in this area, they are all single-family dwellings.

**2. The zoning and uses of property nearby**

North: R-1B Single-family District - Single Family Dwellings

East: R-1A Single-family District - Single Family Dwellings

South: R-1A Single-family District - Single Family Dwellings

West: R-1A Single-family District - Single Family Dwellings

**3. The suitability of the property for the uses to which it has been restricted under its existing zoning;**

The property is zoned R-1A which requires a minimum lot width of 80 feet and a minimum area lot of 10,000 sq. ft. The lot is 524 feet deep by 224 feet in width. Because of its size and the fact that there is an existing dwelling on the south end some form of redevelopment is desirable. The tract is not wide enough to provide a double loaded public street and a planned residential district would allow the developer to make adjustments in standard requirements in order to provide a development that better fits the site.

**4. The extent that a change will detrimentally affect neighboring property;**

Although the development is going to be single-family detached units, it is going to be a higher density than other developments in the area. There will be an increase in stormwater runoff because of an increase in the amount of hard surface on the site, but that will be handled by the construction of an underground detention facility adjacent to 75<sup>th</sup> Street. There will be only one entrance and exit to 75<sup>th</sup> Street for the seven units which will limit the number of potential traffic conflict points on Mission Road. Most of the large trees located in the interior of the site will be lost because of the development.

**5. The length of time of any vacancy of the property;**

The existing residence was built in 1928 so the property has not been vacant but the tract is 2.7 acres which is very large for one dwelling unit.

**6. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners;**

The approval of this project will permit redevelopment for a use that will be of higher value and will be more of an asset to the neighborhood. The site is undeveloped at this time except for the one dwelling at the south end and is under-utilized. The redevelopment of this site should increase the values of the adjacent properties because it is new development rather than create a hardship.

**7. City staff recommendations:**

It is the opinion of the staff that this is a logical request for the RP-1B single-family dwelling district because the area is residential and the area on the north side of 75<sup>th</sup> Street is zoned R-1B. The development will provide another housing choice for the area for those who do not wish to maintain large lots. 75<sup>th</sup> Street is a heavily traveled arterial street and the RP-1B allows a design solution that is more compatible. The proposed development is single-family detached and through proper design can be compatible with the other adjacent single-family dwellings. The density of the development, six new units, seems reasonable but the new units might be a little large for the size of the lots.

**8. Conformance with the Comprehensive Plan;**

This proposal is in conformance with the two primary principles of the future land use plan which are:

- Existing residential and commercial areas must be stabilized which will occur through reinvestment from both public and private sources.
- Redevelopment of higher density or intensity residential retail commercial and office uses will be encouraged and supported provided that the proposed redevelopment project is designed in a manner that is compatible with adjacent areas.

Also Chapter 6 of Village Vision addresses the 75<sup>th</sup> Street Corridor. The plan is very general but recommends higher intensity of development and sidewalks and street trees.

**9. Consideration of preliminary development plan;**

The purpose of the development plan is to encourage and require the orderly development and redevelopment at a higher quality level while permitting deviations from established and customary development techniques. The submittal by the developer and the approval by the City of a preliminary development plan represents a firm commitment by the developers that the development will, indeed, follow the approved plans in such areas as concept, intensity of use, aesthetic levels, and quantities of open space. Deviations in yard requirements, setbacks, and relationships between buildings may be approved by the Planning Commission and Governing Body if it deems that other amenities or conditions will be gained to the extent that an equal or higher quality of development will be produced. Residential areas are to be planned and developed in a manner that will produce more usable open space, better recreation opportunities, safer and more attractive neighborhoods than under standard zoning and development techniques. The planned zoning shall not be used as a refuge from the standard requirements of the zoning district as to intensity of land use, amount of open space, or other established development criteria. The applicant has submitted a typical floor plan and building elevation that depicts the concept of the development.

**The zoning ordinance sets out standards for development in the planned zoning district which are as follows:**

- A. The maximum height of buildings and structures shall be as set out in the standard requirements of the equivalent district.**

The zoning ordinance permits a 35 foot maximum height in the R-1B district and the proposed buildings will not exceed that height.

- B The intensity of land use, bulk of buildings, the concentration of populations, the amount of open space, light and air shall be generally equal to that required in the equivalent district.**

The dwellings that have been proposed are larger than typical dwellings in this district and therefore the lot coverage for lots 1, 2, 4 and 5 is approximately 35% and the lot coverage for lot 3 and 6 is also 35% where the ordinance allows only 30%. Part of the reason that the lot coverage is higher than the standards in the ordinance is the applicant has divided the three- car garages into one single-car garage and one double-car garage for the larger lots. This breaks up the large garage door and driveway areas, but two garages require more square footage than one three-car garage. A second point is that the dwelling units have a larger floor area than typical homes in the R-1B district.

The dwellings on lots 1, 2, 4 and 5 have a footprint of 2,772 sq. ft. and the dwellings on lots 3 and 6 have a footprint of 3,188 sq. ft. Lots 3 and 6 could be increased by 1,040 sq. ft. each by adding the land on the east and west ends of the hammerhead cul-de-sac. This would reduce the lot coverage to 31.4%. The area along 75<sup>th</sup> Street that is designated as underground stormwater detention will be open space as well. The area on both sides of the private drive is approximately 7,308 sq. ft. which is 14.7% of the area of the six lots. The Planning Commission will need to make a determination on the lot coverage before it sends its recommendation to the Governing Body.

It may also be possible to move the hammerhead cul-de-sac further south to increase the size of the lots and thereby reduce the lot coverage by the dwellings.

**C. The density of residential dwelling units, the parking requirements, and performance standards shall be the same as in the equivalent district.**

The existing R-1B district permits one dwelling unit per 6,000 sq. ft. and this project has one dwelling unit per 8,268 sq. ft. for the six new lots so it does meet the requirements of density. The project is providing three garaged parking spaces for lots 3 and 6. Each lot should be able to provide three to four visitor parking spaces on the driveways. The proposed project does adequately meet the requirements of the zoning ordinance. The R-1B district requires a lot depth of 100 ft. and the proposed lots will be 99 feet.

**D. The permitted uses shall be the same as those permitted in the equivalent district provided that limitations may be placed on the occupancy of certain premises if such limitation is deemed essential to the health, safety or general welfare of the community.**

The R-1B zoning district permits single-family detached dwelling units and the applicant has proposed single-family detached dwelling units.

**E. The Planning Commission may require assurance of the financial and administrative ability of any agency created by a developer for the purpose of maintaining common open space and facilities of non-public nature.**

There will be common open space (the detention facility area) and the private drive with this project which will have to be maintained by a homes association and the developer will need to prepare a document creating the homes association. The final document will need to be reviewed and approved by the Planning Commission with the submittal of the final development plan and final plat.

**F. The Planning Commission and Governing Body may, in the process of approving preliminary and final plans, approve deviations from the standard requirements as follows, provided any deviations approved shall be in keeping with accepted land planning principles and must be clearly set out in the minutes as well as on exhibits in the record:**

- 1. Setbacks of buildings and paved areas from a public street may be reduced to 50% of the standard requirement.**

The dwellings side to 75<sup>th</sup> Street and maintain a 15 foot front setback adjacent to the private drive. Since the dwellings will face onto a private drive a deviation is not necessary.

2. **The setbacks of buildings from a property line other than a public street may be reduced to 60% of the standard requirement and setbacks at paved areas adjacent to property lines, other than street lines, to zero if existing or proposed development on said adjacent land justifies the same.**

The rear yard requirement in the R-1B zoning district is 25 feet and the applicant is proposing to reduce the rear yard to 20 feet. 60% of the standard requirement would be 15 feet.

3. **Side yards between buildings may be reduced to zero.**

The applicant has not proposed any zero lot line buildings and is maintaining the 12 foot setback between buildings which is the requirement of the R-1B district.

4. **The above deviations may be granted by the Planning Commission and Governing Body only when compensating open space is provided elsewhere in the project, whether there is ample evidence that said deviation will not adversely affect the neighboring property nor will it constitute a mere granting of a privilege.**

It should be pointed out that there will be no public streets in this project and that the access will be limited to one point on 75<sup>th</sup> Street. The narrow width of the property causes a need to move the buildings closer to the property lines and thus results in a need to reduce the required front and rear setback lines. This housing complex is designed with a face to face internal orientation as in a conventional type of development rather than a single loaded street.

The concept of this development is to provide dwellings that are well designed on smaller lots to minimize lot maintenance and upkeep. This proposed development will appeal to empty-nesters and families with older children. The concept provides a single-family dwelling on a lot as compared to a patio home or townhouse development. This proposal provides a concept that is similar to Mission Pines which has been very successful; however, the uniqueness of this proposal is that it is only six dwellings. Small enclaves like this mixed with other types of single-family development will provide a variety of housing choices which should strengthen the value of surrounding properties.

The deviation of the setbacks will not adversely affect the neighboring property nor will they constitute a mere granting of a privilege. It is based on a design concept which provides housing options for residents of the City.

- G. **The design of all planned projects, whether residential, commercial or other, shall be such that access and circulation by firefighting equipment is assured to not be hindered by steep grades, heavy landscaping or building space.**

The internal circulation for this project will be a private drive and the applicant has met with the Fire Department who has approved the hammerhead cul-de-sac design.



Bob Lindeblad stated the character of the neighborhood has R-1a on one side and R-lb allows for smaller lots. Infill is workable with the right building setbacks. He feels this project can be a good fit within this neighborhood and complies with the city's comprehensive plan. There is not any negative impact on the neighborhood. He is supportive with maintaining the required setbacks.

Nancy Vennard noted in response to Mr. Royer's comments on the use of alternative materials for the street surface that there are new sustainable ideas for surfacing. Mr. Williamson stated Mr. Royer would need to work with Public Works on the street surface. Mrs. Vennard asked if curb and gutters are part of the standard and if the surface material was a separate standard.

Keith Bredehoeft reviewed his concerns with the Commission and stated that he would continue to work with the applicant.

Bob Lindeblad moved the Planning Commission find favorably on the ordinance factors and the Golden Factors and forward PC2013-08 to the Governing Body with a recommendation for approval of the requested rezoning from R-1a to RP-lb for the property at 3101 West 75<sup>th</sup> Street subject to the following conditions:

1. Approve the front yard setback of 15 feet.
2. Approve the rear yard setback for 25 feet.
3. Approve the lot coverage for 30%.
4. Approve the lot depth of 99 feet.

In addition to the above, the following conditions need to be included in a favorable recommendation to approve the Preliminary Development Plan for Chadwick Court:

1. That a revised storm drainage plan be submitted to Public Works for their review and approval prior to the submission of the final plan. This will determine the size of the detention facility and how it will connect to the existing storm sewer system.
2. That the internal streets be private, and be built to City standards in terms of pavement depth and materials. The plans and specifications shall be reviewed and approved by Public Works.
3. That the applicant dedicate 10 feet of additional right-of-way for 75<sup>th</sup> Street and move the lots further south 10 feet.
4. That the plan as submitted be revised based on the requirements of the Planning Commission, be approved as the preliminary plan and be the basis for the preparation of the final plan.
5. That the property be platted prior to obtaining any building permits.

6. That the Homes Association agreement be submitted with the final plan guaranteeing the maintenance of the private street and stormwater detention area designated as Tract A.
  7. That the existing trees and vegetation along the east and west property lines be preserved and protected during construction.
  8. That a landscape plan be submitted with the Final Plan.
  9. That any subdivision identification sign be submitted to the Planning Commission for approval.
  10. That the applicant add the area on the east and west ends of the hammerhead cul-de-sac to Lots 3 and 6 to increase their area.
  11. That the Preliminary Development Plan be revised based upon the action of the Planning Commission prior to it being submitted to the Governing Body for its consideration.
  12. The building elevation and floor plan be approved as the concept plan for the development.
- The motion was seconded by Randy Kronblad.

Nancy Wallerstein clarified the maximum lot coverage would be 30%.

Bob Lindeblad stated he wants to promote infill but wants it to be done right and the Commission needs to pay attention to details.

Nancy Wallerstein expressed concern with the lack of response from the neighbors on Aberdeen. The Planning Commission Secretary confirmed that notices were sent out to all property owners within 200' of the property, including the residents on Aberdeen.

The motion was voted on and passed unanimously.

## MEMORANDUM

**TO:** Prairie Village Planning Commission  
**FROM:** Ron Williamson, FAICP, Lochner, Planning Consultant  
**SUBJECT:** PC 2013-08 Rezoning 3101 West 75<sup>th</sup> from R-1A to RP-1B  
**DATE:** November 5, 2013

Project # 000005977

---

### COMMENTS:

The Governing Body considered the recommendation of the Planning Commission at its regular meeting on October 7, 2013.

The applicant requested the Planning Commission grant the following four deviations from the ordinance requirements:

1. Reduce the front yard setback from 30 feet to 15 feet.
2. Reduce the rear yard setback from 25 feet to 20 feet.
3. Increase the lot coverage from 30% to 35%
4. Reduce the lot depth from 100 feet to 99 feet.

The Planning Commission granted deviation 1 and 4, but did not approve 2 and 3.

The applicant made a presentation to the Governing Body stating that in order to market the lots to builders they have been negotiating with, a larger footprint is needed. This is infill development and they feel the deviations requested are necessary to make the project feasible. A motion was made to grant the two additional deviations which are: 2. the reduction in the rear yard from 25 feet to 20 feet; and 3. to increase the lot coverage from 30% to 35% in addition to the other conditions recommended by the Planning Commission. Since the motion was to override the Planning Commission recommendation nine (9) favorable votes were required. The vote failed 7 to 3. The applicant was asked if he would rather have the Governing Body approve the Planning Commission recommendation or send it back for reconsideration. The applicant requested it be sent back to the Planning Commission for reconsideration. A motion was then made to send the matter back to the Planning Commission for reconsideration. The reconsideration from the Governing Body includes just the two items; reducing the rear yard setback from 25 feet to 20 feet and increasing the lot coverage from 30% to 35%. The motion carried unanimously 10 to 0. The basis for the reconsideration is that there was no neighborhood opposition and Village Vision encourages higher density and intensity infill development.

The applicant has revised the preliminary development plan increasing the size of Lots 1 and 4 from 7,821 sq. ft. to 8,811 sq. ft.; increasing the size of Lots 2 and 5 from 7,821 sq. ft. to 8,118 sq. ft.; and decreasing the size of Lots 3 and 6 from 9,752 sq. ft. to 9,405 sq. ft. The primary reason for adjusting the lot sizes is to be able to provide three-car garages on Lots 1, 3, 4, and 6. The modification of the lot lines increases the area of Lots 1, 2, 4, and 5 which is positive regardless of whether the Commission approves the 35% lot coverage and the 20-foot rear yard setback.

### ACTION:

After reconsidering the two items and the revised plan, the Planning Commission can resubmit its original recommendation or submit a new or amended recommendation.

### Attachments:

- Letter from applicant
- Site plans
- Floor plans

## Joyce Hagen Mundy

---

**From:** Ron Williamson  
**Sent:** Tuesday, October 29, 2013 2:15 PM  
**To:** Joyce Hagen Mundy  
**Subject:** FW: Chadwick Court  
**Attachments:** Chadwick Court - Revised Preliminary Plan 10-21-13.tif

Joyce,

Attach this memo and drawing to the memo on PC 2013-08.

Ron

**Ronald A. Williamson, FAICP**  
Lochner  
903 E. 104<sup>th</sup> Street, Suite 800  
Kansas City, MO 64131-3451  
P 816.363.2696 F 816.363.0027  
C 816.916.6323  
[rwilliamson@hwlochner.com](mailto:rwilliamson@hwlochner.com)

**From:** Robert Royer [<mailto:royerrw@gmail.com>]  
**Sent:** Monday, October 21, 2013 5:09 PM  
**To:** Williamson, Ronald  
**Subject:** Chadwick Court

Ron,  
Attached is the revised development plan that we discussed this afternoon. As you will note, I adjusted the lot widths in order to accommodate three car garages on the four corner lots. The building footprint is the same as previously submitted; however it only works with the 35% house to lot ratio and a 20' rear setback. I also added a provision for fences or walls enclosing the backyards. Please take a look at this and let me know if I can substitute this revised plan for presentation purposes at the November 5th Planning Commission hearing.  
As always, thank you for your assistance.  
Bob Royer

--

Robert W. Royer  
913-231-8900

# MEMORANDUM

**TO:** Mayor Shaffer and  
Prairie Village City Council Members

**FROM:** Robert Royer and Robert Mogren

**SUBJECT:** Chadwick Court  
3101 West 75<sup>th</sup> Street

**DATE:** October 1, 2013

Ladies and Gentlemen,

In advance of the next Monday's City Council hearing, we thought it would be beneficial to briefly summarize the Chadwick Court development concept and the specific issues that we would like to address with the Council.

As you will see on the attached Preliminary Development Plan, we intend to develop 6 lots for custom homes on the undeveloped portion of the Mogren property located on 75<sup>th</sup> Street. We firmly believe there exists a very strong market for new maintenance provided communities for empty nesters and retirees who wish to downsize and remain in Prairie Village. We anticipate the houses will be valued between \$650,000 to \$750,000.

The development plan includes a 26' wide private street with a "hammerhead" turn-around (per Fire Department specifications) that is located approximately 48' from the existing Mogren house. The overall width of the property is 224' and the length of area to be developed is approximately 302'. Deducting the 26' street width, the individual lots are 99' in depth.

We will require that the architectural design of the 6 new homes be consistent with the character - and compliment the French style of the existing Mogren house. We have identified two - and possibly three quality builders who are willing to commit to purchase lots and build the initial houses on a speculative basis as soon as the infrastructure is completed.

As illustrated on the development plan, the concept is to build 1½ store homes that are designed with front courtyards that are framed with garages on each side of the house, allowing for front and side entry single garage doors. This design offers a more efficient layout and avoids double car garage doors as the principal design element on the front facade of the homes.

Chadwick Court was presented to the Planning Commission for preliminary plan approval and rezoning during the September 10, 2013 hearing. The principle issues that were addressed during that hearing were:

- 1) The current Right of Way width on 75<sup>th</sup> Street is 30' - which was the basis of our original layout. As a part of the approval, the City now requires a 40' ROW.
- 2) 15' setback allowance from private street to the front facade of the houses.
- 3) 25' rear yard setback requirement.
- 4) 70% per lot open space requirement.

Subsequent to the Commission hearing, we have incorporated the 40' ROW, which resulted in slightly narrower lots, and proportionately smaller houses. The additional 10' also required that the development move southward, closer to the existing Mogren house. One of the critical planning/design issues has been preserving the specimen Linden Tree that is located in front of the house. Although very close, it appears that even with the wider ROW, the tree can remain with very little disturbance to the surrounding grade/elevation.

Regarding the permissibility of a private street and the 15' front building setback, the Planning Commission indicated that they are willing to accept those deviations from the standard subdivision regulations. However, they also indicated that by accepting those deviations, they are unwilling to allow a rear setback of less than 25' or open space per lot of less than 70%.

Imposing these restrictions makes the four smaller lots (1, 2, 4 and 5) virtually unmarketable to our prospective buyers. The attached house design represents the spaces and square footages that we believe will be necessary for our buyer group – specifically individuals who desire the primary spaces (hearth room, kitchen, office and master suite) to be on one level. In order to accommodate the 70% ratio, the house footprint would have to be reduced by 463 square feet. Furthermore, reducing the depth of the house by 4 feet in order to accommodate the 25' rear setback would further result in the floorplan being unsuitable for our market.

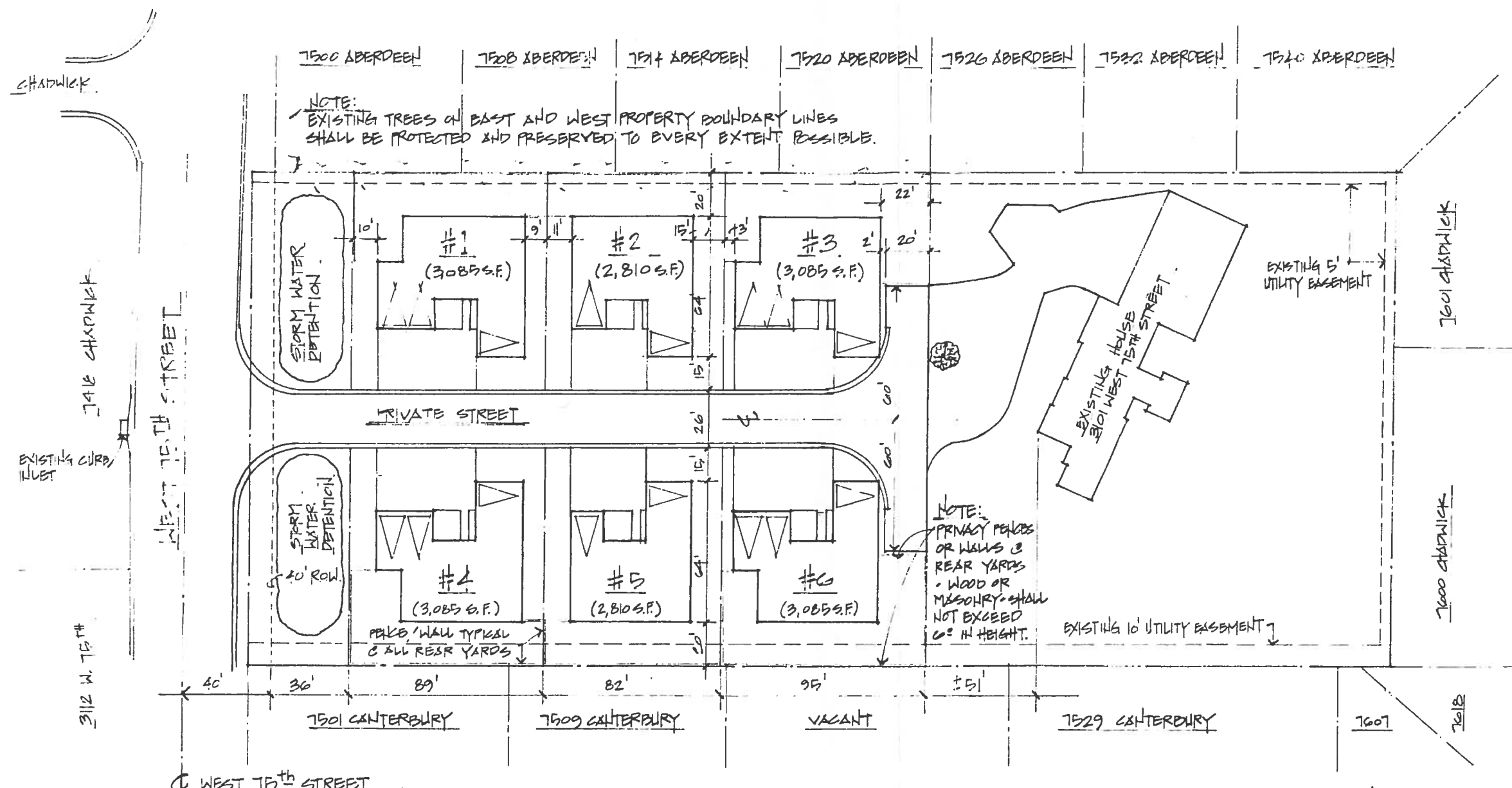
Accordingly, we are requesting that the City Council reconsider the decision of the Planning Commission, and allow for a minimum of 65% open space and a 20' rear setback. These requested changes are, incidentally, consistent with the (9-10-13) Staff recommendations to the Planning Commission.

Also noteworthy, we have conducted two meetings (one formal and one informal) with the adjoining neighbors, as well as the Planning Commission public hearing. Over the course of three opportunities to express opposition, not one individual has objected to Chadwick Court.

We sincerely appreciate your consideration of these two issues, and look forward to discussing the development in greater detail next Monday.

Respectfully submitted,

Robert Royer and Robert Mogren



**SUMMARY:**

LOTS	SIZE	BUILDING ENVELOPE / LOT COVERAGE	
		35%	30%
1 & 4	8,811 S.F.	3,084	2,643
2 & 5	8,118 S.F.	2,841	2,435
3 & 6	9,405 S.F.	3,292	2,822

**SETBACK DISTANCES:**

	FRONT	NORTH SIDE	SOUTH SIDE	REAR
#1	15'	10'	9'	20'
#2	15'	11'	15'	20'
#3	15'	3'	22'	20'
#4	15'	10'	9'	20'
#5	15'	11'	15'	20'
#6	15'	3'	22'	20'

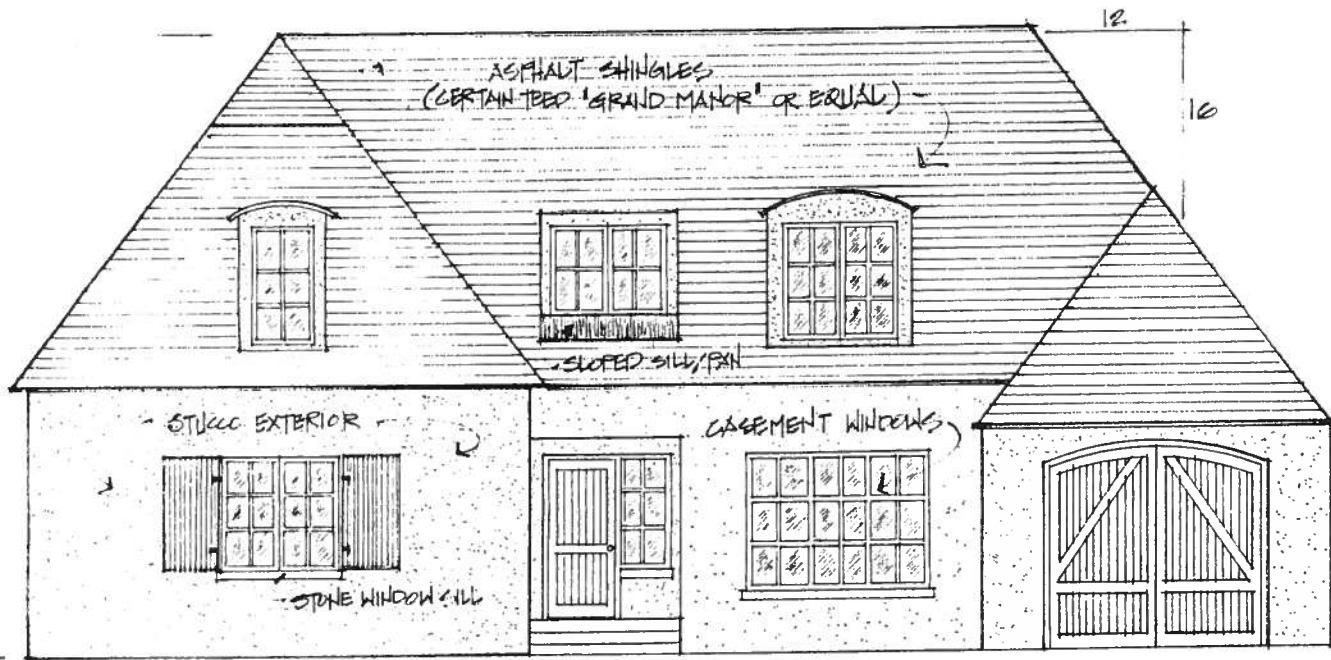
MINIMUM DISTANCE BETWEEN HOUSES = 18'-0"

PRELIMINARY DEVELOPMENT PLAN

1" = 30'-0"

NORTH

SHADWICK COURT  
 3101 WEST 75TH STREET  
 PRAIRIE VILLAGE, KANSAS  
 10-18-13 RWR



TYPICAL FRONT ELEVATION (LOTS 1, 2, 4 & 5)

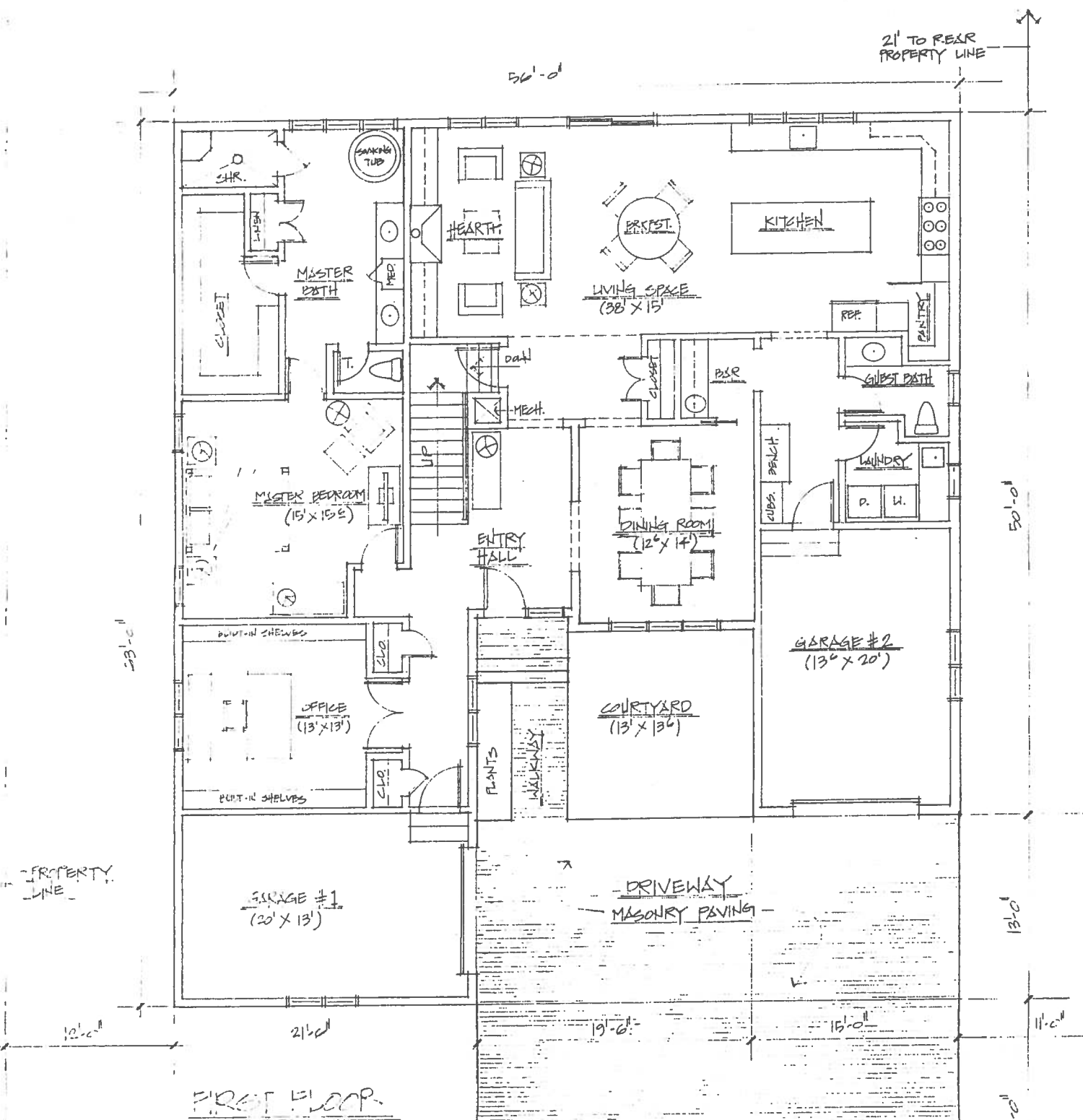


CHADWICK COURT  
3101 WEST 75<sup>TH</sup> STREET  
PRAIRIE VILLAGE, KANSAS

9-20-13

RWR





FIRST FLOOR FINISHED = 2,262 S.F.  
 SECOND FLOOR FINISHED = 1,156 S.F.  
 TOTAL FINISHED = 3,418 S.F.

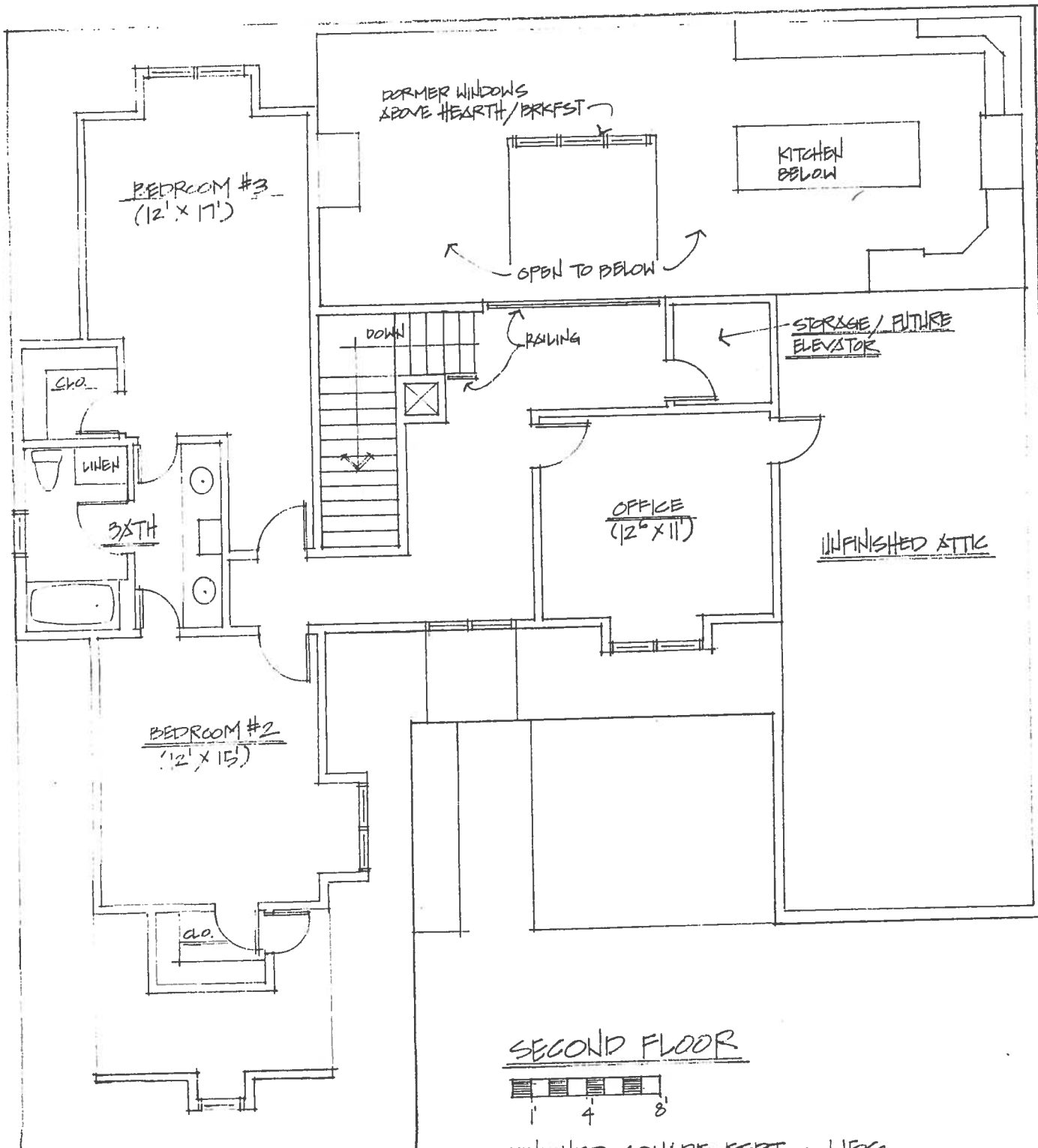
HEATED SQ. FT. = 2,262  
 GARAGE SQ. FT. = 548  
 TOTAL 1ST FLOOR = 2,810 SQ. FT.

LOT SIZE = 7,821 SQ. FT. (79' x 99')  
 FOOTPRINT = 2,810 SQ. FT.  
 RATIO OF HOUSE TO LOT = 35%  
 OPEN SPACE = 65%

- PROPERTY LINE

SHADWICK COURT  
 3101 WEST 75<sup>TH</sup> STREET  
 PRAIRIE VILLAGE, KANSAS  
 9-20-13 RWR

FIRST FLOOR

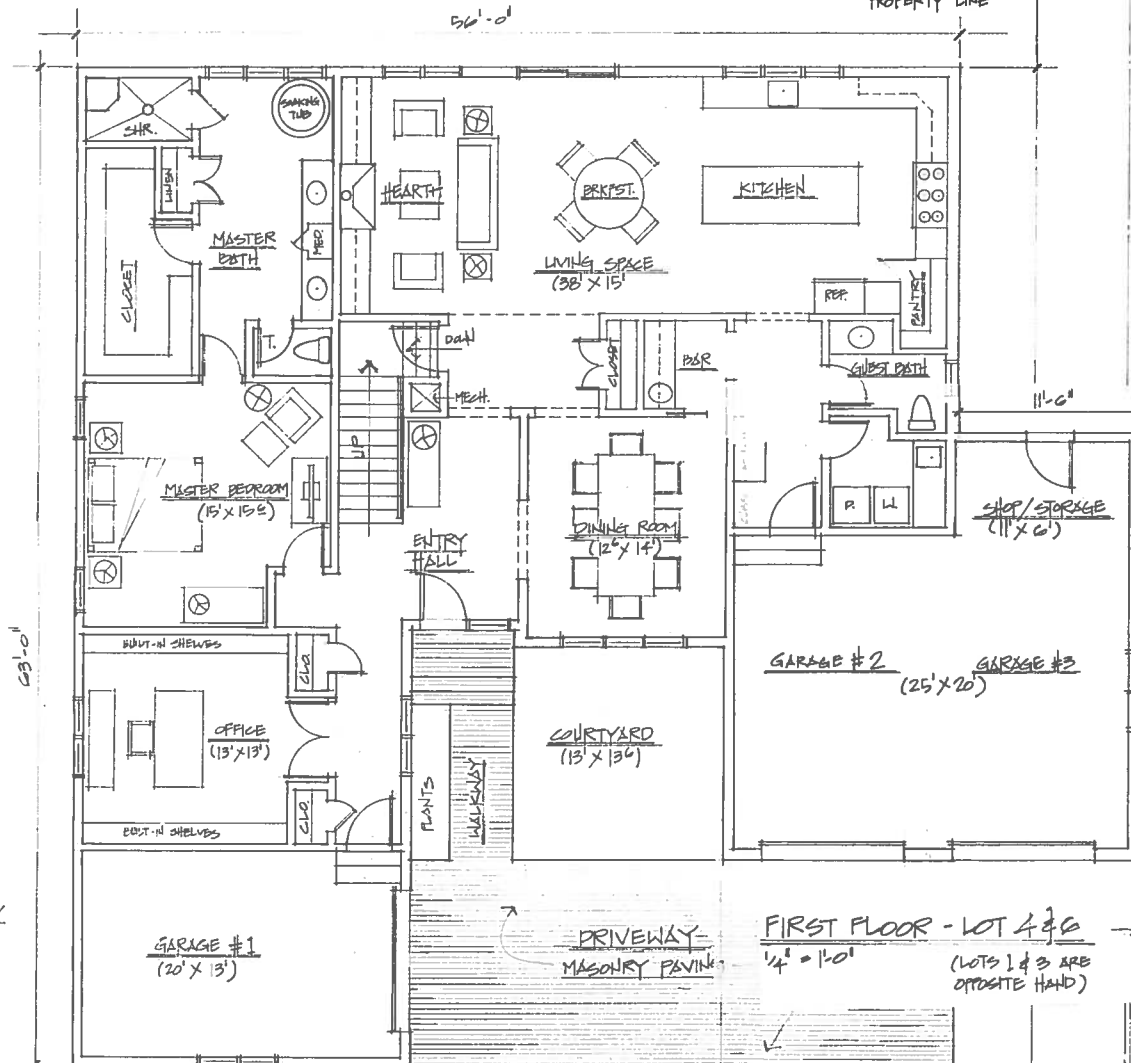


CHADWICK COURT  
 3101 WEST 75<sup>TH</sup> STREET  
 PRAIRIE VILLAGE, ILL. 60543  
 9-20-13 KWR

LOTS 1, 3, 4 & 6

w/ 3 CAR GARAGE

2' TO REAR PROPERTY LINE



FIRST FLOOR FINISHED = 2,262 S.F.  
 SECOND FLOOR FINISHED = 1,156 S.F.  
 TOTAL FINISHED = 3,418 S.F.

HEATED SQ. FT. = 2,262  
 GARAGE SQ. FT. = 823  
 TOTAL ENVELOPE = 3,085 SQ. FT.

LOT SIZE = 8,712 SQ. FT.  
 ENVELOPE = 3,085 SQ. FT.  
 RATIO OF HOUSE TO LOT = 35%  
 OPEN SPACE = 65%

FIRST FLOOR - LOT 4 & 6  
 1/4" = 1'-0"  
 (LOTS 1 & 3 ARE OPPOSITE HAND)

CHADWICK COURT  
 3101 WEST 75<sup>TH</sup> STREET  
 PRAIRIE VILLAGE, KANSAS  
 9-20-13 RWR  
 REV. 10-31-13

FIRST FLOOR



(LOTS 2, 3 & 5)

EDGE OF PRIVATE STREET

## MAYOR'S ANNOUNCEMENTS

December 2, 2013

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

Planning Commission	12/03/2013	7:00 p.m.
Tree Board	12/04/2013	6:00 p.m.
Environment/Recycle Committee	12/04/2013	7:00 p.m.
Parks and Recreation Committee	12/11/2013	7:00 p.m.
Council Committee of the Whole	12/16/2013	6:00 p.m.
City Council	12/16/2013	7:30 p.m.

---

---

Due to the winter holidays, the Environment/Recycle Committee will combine their November and December meetings into a single meeting this Wednesday, December 4, at 7:00 p.m. in the MPR.

The Johnson and Wyandotte Counties Council of Mayors Holiday Social is this Wednesday, December 4, at 5:30 p.m. at the Overland Park Convention Center.

The Mayor's Holiday Tree Lighting will be this Thursday, December 5, from 6:00 – 7:00 p.m. at Corinth Square.

The Employee Holiday Luncheon will be Wednesday, December 11, from 11:30 a.m. – 1:00 p.m. in the Council Chambers.

The Prairie Village Arts Council is pleased to present a mixed media exhibit by the Great Kansas City Art Association as the December exhibit in the R. G. Endres Gallery. The reception is on Friday, December 13, from 6:30 – 7:30 p.m.

The Mayor's Holiday Gala for Volunteers will be Friday, December 13, at Homestead Country Club.

## **INFORMATIONAL ITEMS**

**December 2, 2013**

1. Environment/Recycle Committee Minutes - September 25, 2013
2. Park and Recreation Committee Minutes - October 9, 2013
3. Sister Cities Committee Minutes - October 14, 2013
4. Prairie Village Art Council Minutes and Addendum - October 16, 2013
5. Planning Commission Agenda - December 3, 2013
6. Mark Your Calendars

## PRAIRIE VILLAGE ENVIRONMENT AND RECYCLE COMMITTEE

Minutes, September 25, 2013

Pete Jarchow, for the Steering Committee, opened the meeting at 7:00 p.m. Attending were Pete, Barbara Brown, Ben Claypool, Deb English, Thomas O'Brien, Danielle Dulin, Margaret Goldstein, Al Pugsley, Kathy Riorden, Polly Swafford, Karin McAdams, Clara Ma, and a visitor, Liz Henry.

The minutes from August 28 were approved as written.

### Reports and business

- **Community Forum:** The date is October 3, 5:30 p.m., and the theme is "What's in our Water?"
  - A volunteer sheet was passed, and committee members filled it all.
  - Responses have been slow. Most local legislators have been unable to come. Barbara Bollier asked for the power point presentation, but that won't be possible.
  - Quite a few postcards came back with incorrect addresses. The registration table will make an extra effort to check people's contact information. Door prize tickets should also help verify information.
  - It was decided not to discontinue sending postcards, because many people don't open their email.
  - Tom will send out one more email, and there may be coverage in the Shawnee Mission East *Harbinger*.
  - To make sure that people who eat dinner have actually paid, registration people will hand out old playing cards to each person who is eligible for dinner.
  - KNRC usually covers the speaker honorarium, customarily \$100.
- **Community Gardens**
  - At the October general meeting, new officers will be elected.
  - There are still problems with inappropriate behavior on the part of two plot holders and with too-tall crops, but solutions are being discussed.
  - The gardens have donated 132 pounds of produce each (plus a great deal of kale) to the Meneilly Center and Hillcrest Covenant Church.
- **Earth Fair:**
  - The committee has found a manager for next year's Earth Fair: Linda Gourley, who was recommended by Thomas O'Brien.
  - Pete will re-contact the SME commercial art teacher to make sure that she's working on having the students make posters for the fair.

- **Education Committee:**

- The committee has been searching for an appropriate project.
- A possible idea is to find ways to help Prairie Village stores limit the number of plastic bags that they give to customers.
- Members noted that there are cities with laws that either prohibit plastic bag use or require retailers to charge for giving bags. At the very least we could spark a publicity campaign for retailers that already give a \$.05 refund for people who bring their own bags – and encourage other merchants to do so.
- Other possibilities are to put out a petition to find out how much interest there is in this issue, to promote the recycling of plastic bags, or to help educate school children on the plastic bag issue. There are a lot of educational materials that graphically depict the damage that plastic bags do to sea creatures.

- **Other business:**

- Danielle Dulin, responding to a discussion at last month's meeting, noted that there are ways that Deffenbaugh could monitor how many people are recycling.
- Al reminded us about the Concert for the Climate, coming on September 28, and Bill McKibben's talk the night before.

The meeting adjourned at 8:15

The next meeting will be held on October 23 at 7:00 p.m.

Respectfully submitted,

Karin McAdams

**PARK AND RECREATION COMMITTEE**  
**October 10, 2013**  
**City Hall**

Park and Recreation Committee met at 7:00 PM. In attendance: Laura Wassmer, Chair, Maggie Schwartz, Clarence Munsch, Diane Pallanich, Kevin Letourneau, Eric Blevins. Staff: Danielle Dulin, Keith Bredehoeft

Ms. Wassmer called the meeting to order at 7 PM.

**Public Participation**

**Consent Agenda**

1. Minutes from September 11, 2013

**Reports**

1. Public Works Report

Mr. Bredehoeft reported on the current condition of park system. He indicated that Taliaferro Park is slated for improvements in 2014, but that in 2013 there was concrete work done by the pavilion and the sidewalk behind the pavilion was removed. There is a new soccer net and mulch was added to the play area, and the clear bubble on the play equipment was replaced. Additionally, he was looking at removing several “stub” trees. Weltner Park is primarily receiving maintenance. Plagues to mark the “Nine-mile Point”, a significant location in Johnson County during the Santa Fe Trail days, had been received from the Historical Society. Ms. Wassmer asked that the plagues will be placed on concrete towards the parking lot so that they do not interfere with the use of the park. Mr. Bredehoeft indicated that he and Sergeant Carney have been considering the installation of pedestrian crossing beacons. There has been concern about pedestrian safety at this location, and the site meets necessary criteria, i.e. curved road, speed limit, site distance, to move forward with the installation. This location will be a test case to see how well the beacons function. The cost will be under \$5,000. The trail in Windsor Park received a 2” overlay and still looks good. Two permanent trash cans are being located on the west side of the port-a-potty at the request of residents, and the play equipment is being repaired. Mr. Bredehoeft indicated that department is looking at different alternatives in regards to landscaping at Prairie Park. It is a prominent entrance into Prairie Village and should be maintained at the highest level. A bench is being reinstalled in Brenzier Park. Both swings are operational again in Porter Park, and the parking lot has been repaved which really improves the curb appeal. Infill has been done on the fields and there has been a reduction in standing water. The rose garden in Franklin Park has been struggling the last few summers, but there is funding available through the Municipal Foundation to maintain it at a higher level moving forward. Last year, the water tower at McCrum was removed, and the park will be receiving a makeover in 2014.

Ms. Wassmer asked if there was any discussion at the Council meeting regarding the disc golf. Ms. Dulin replied that Councilmember Morehead had concerns about the level of public involvement when it came time to move forward with disc golf course in Harmon Park, but Mr. Bredehoeft explained that a similar public involvement process that was used when Franklin and Weltner Parks were renovated would be used for McCrum and Harmon Park in 2014.

Ms. Pallanich stated that the port-a-potties needed to be cleaned more frequently, especially in Porter Park.



Ms. Wassmer stated that Mr. Bredehoeft has made a lot of progress in the short time he has been the interim director and thanked him for his efforts.

2. Recreation Report
  - a. Annual Recreation Report

Ms. Dulin gave a brief summary of the annual recreation report. Total memberships were down 457, and revenues from membership package sales were down 13.8% from 2012. Gate revenues were down 16.3%. Total attendance was down 27.5%. An unusually large number of lifeguards took advantage of the end-of-season incentive to work when pool hours have been reduced which resulted in a large amount of bonuses being awarded this year. Enrollment in the swim team is strong, and if the trend continues in 2014, an additional swim coach may need to be hired to maintain the coach-to-swimmer ratio policy set by the Committee. Ms. Dulin explained that other municipal pools experienced similar drops in attendance in revenues this season, and it most likely due to the mild summer—the average daily temperature was 94 degrees in 2012 and only 85 in 2013.

There was a brief discussion regarding the City's "no refund, no rain check policy" at the pool. It was determined that the Committee would discuss this closer to next pool season.

3. Chairperson's Report

No report.

Meeting adjourned at 7:41 PM.

# SISTER CITY MINUTES

## OCTOBER 14, 2013

Members present: Carole Mosher, Vera Glywa, Aaron Noll, Craig Stramel, Jim Hohensee

Others present: Danielle Dulin, Ivan Novikov

The minutes from the last meeting were examined. Carole moved to approve the minutes and Vera seconded the motion. The minutes were approved.

Several bills were discussed including printing expenses for the flyers and some art show expenses that had not been covered. Vera moved to pay those bills and Craig seconded the motion. The motion was approved.

The sunflowers have flourished but the irrigation system needs to be fixed. Danielle will check on the irrigation needs and provide an estimate of expenses at the November meeting..

Craig's presentation was reviewed and he could do more. Other ideas for presentations were discussed. Craig proposed that other peace corps volunteers could talk about their experiences. This was received enthusiastically by the committee members.

For the coming year, Jim requested each member to propose at least one new initiative. Carole added that we should revive initiatives that have not been actively pursued in the past. Several such ideas were enumerated to include:

1. Student, business, and other exchanges between the cities.
2. School pen-pals. Youth interaction.
3. Jazz or music exchanges
4. Expanding the committee
5. Social Media

Continuing initiatives to include:

1. Earth Fair
2. Presentations
3. Village Fest
4. Photo Shows
5. Ukraine Day
6. Exchange Student Receptions

Carole proposed that the 11<sup>th</sup> or 18<sup>th</sup> of November would be good for the student reception this year. Since we plan to meet on the 11<sup>th</sup>, the 18<sup>th</sup> would be better. Jim moved that Carole schedule the

reception for the 18<sup>th</sup> of November with a \$200 budget for refreshments and gift bags. Craig seconded the motion. It was approved.

The next meeting will be the 11<sup>th</sup> of November.

Craig moved to adjourn. Aaron seconded the motion. It was approved and the meeting adjourned.

Prairie Village Arts Council  
Wednesday, October 16, 2013  
7:00 p.m.  
City Hall Council Chambers

## Minutes

The Prairie Village Arts Council met at 7:00 p.m. in the City Council Chambers at City Hall. Members present: Shelly Trewolla, Chair, Truss Tyson, Art Weeks, Ted Odell, Julie Flanagan, Pam Marshall, Shervin Razavian, Kim Horgan, and Wayne Wilkes. Staff: Jeanne Koontz. Charles

### **Introduction of Members**

Shelly Trewolla welcomed three new members to the committee and everyone introduced themselves.

### **Minutes**

The minutes from the August 21, 2013 meeting were approved as submitted.

### **Financial Reports**

Jeanne Koontz noted the budget is on track and she will provide a full report on State of the Arts at the next meeting.

### **City Council Report**

Councilmember Odell provided an overview of the October 7<sup>th</sup> City Council Meeting which included the appointment of three new Arts Council members.

### **Exhibit/Receptions**

October Exhibit/Reception – State of the Arts, October 11<sup>th</sup> from 6:30 - 8:30 p.m.  
Shelly Trewolla asked the sub-committee to stay after the meeting to review the event and provided suggestions for next year.

November Exhibit/Reception – MidAmerica Pastel Society, November 8<sup>th</sup>, 2013 from 6:30 – 8:30 p.m.

### **Old Business**

Truss Tyson noted the story and picture in the pvpost regarding State of the Arts. Shelly Trewolla reminded the committee of the JFK reenactment event on November 16<sup>th</sup>. The committee gave monetary support for the event.

### **New Business**

#### Shooting Stars Sponsorship

Jeanne Koontz reported that the Arts Council of Johnson County is requesting a sponsorship for Shooting Stars in 2014. The scholarship has been budgeted. Shelly Trewolla stated the Shooting Stars is a high school juried art show for students in

Johnson County. In the past the committee has donated \$1,000. Arts Council members are invited to attend the reception.

Art Weeks moved to approve a donation of \$1,000 to Shooting Stars for 2014. Pam Marshall seconded the motion which passed unanimously.

#### Artist Submissions

The committee reviewed four artist submissions for 2014. Filbeck, Finkelston and Schnakenberg were selected for February 2014. Helen Benson was selected for June 2014. The Mannings were selected for September 2014 and Mukharji and Koch were selected for November 2014. The months of January, March, May, August and December still need to be filled.

The committee discussed how to attract artists to show in the gallery and how to attract higher quality artists including corporate sponsorships and a KC Art Institute show. Shelly Trewolla stated this item would be added to the next meeting for a more in-depth discussion.

Ted Odell stated that a number of people asked about allowing children to submit for State of the Arts. Julie Flanagan suggested having separate show for children called Young State of the Arts and offered to coordinate the show. Shelly Trewolla stated this item would be added to the next meeting for further discussion.

Meeting was adjourned at 8:04 p.m.

**FOOD            general**

Rimanns supplied 48 bottles of red and 48 bottles of white wine—the white was chilled  
Soft drinks        we used 2 bottles of reg coke, one of diet and one of sprite at each bar  
Coffee            use 3 pots each of regular and decaf, unless the weather is cold, then maybe  
one more pot of each            1 pint of cream sugar cubes and coffee stirrers  
Ice                4 large bags of ice and 4 coolers-one at each bar for the white wine and one for  
ice for soft drinks and sodas  
Water cooler at the upper bar, with citrus slices

**Menu**

3 smoked salmon  
3 meatballs with 2 bottles of bbq sauce and 2 jars of marmalade  
8 blocks of cheese (no cubed!)  
6 bunches of grapes—red, green and black  
2 containers of strawberries  
2 bags of dried apricots  
2 bags of raisins  
2 jars of artichoke hearts  
2 jars of black olives  
2 jars of green olives  
1 yard of beef, cubed  
Recipes of spinach dip  
3 lg containers of hummus  
3 recipes of layered cheese spread-pesto, red pepper, green onion  
4 boxes of crackers (2 toasted, 2 multigrain)  
10 bags of toasted bread rounds from Farm Fresh Market

**Recommended changes**

Only 1 bag of raisins  
3 boxes of strawberries  
12 bags of bread rounds  
1 bunch of black grapes

**DESSERT**

Recommend    1 tin of butter cookies  
                    2 tins of chocolate cookies  
                    9 lbs of Russell Stovers seconds from the store at the Legends  
                    2 large boxes of brownies from Sams=4 pans

**WINE** open all bottles in advance!

**SUPPLIES**

Small plastic plates

Table cloths 10 x120 round

X 90x132 oblong

X90x 156 oblong

Small cocktail napkins and small plates for 500

5 feet of ribbon per table

**ART COUNCIL SUPPLIES**

3 wine bottle openers

2 small white cream pitchers

2 white ceramic bowls

1 crystal water dispenser

Need: small containers for coffee stirrers and smaller ones for tooth picks

## **CLEAN-UP**

- Outside
  - remove lighting
  - Collect table cloths and take home to wash
  - Bring in tables
  
- Inside
  - wash everything except glasses, which staff washes
  - Clean and put away coffee thermoses and water dispenser
  - Clean coffee pots and put them and coffee away
  - Clean up kitchen

## **BRING FROM HOME**

- Fish bowls for donations at bar
- Serving dishes
- Specialized utensils and knives
- Scissors
- Dish towels
- Colander

## **BARS**

- Minimum of 2 people per bar, 3 is better
- Get ice from public works ice machine
- Have cans of soda rather than bottles

## **SLIDE SHOW**

- 2 slide shows—one of all the accepted entries, with slides for donors included
  - One of the winners, beginning with the honorable mentions and their donors, then the arts council award, then the 2 awards of merit, then the best of show have a donor slide first, then the artwork slide



## CALENDAR OF THINGS TO DO

- May     Begin asking for donations for awards
- June 1   send out email and postcard call for artists' entries  
          Select juror
- Aug     begin menu planning  
          Gather ideas for center piece  
          Contact musicians
- 6 weeks ahead
- Order tent, tables, trays
  - Jury show and send notifications
  - Order screen and skirt
  - Decide who does what, brings what for the reception
  - Finalize menu
  - Contact Rimanns
- End of Sept, first of Oct           hang show, have pizza
- Make tags
  - Make slide show
- Week of the event
- Compile Sam's shopping list
  - Shop on Wed
  - Cook on Thursday, include dinner for those participating
  - Thursday, supervise setup of tents and
- Friday   gather around 12 or 1
- Outside set up tables and table cloths
    - Install lighting
    - Take glasses to bars
    - Fill coolers with ice and place at bars
    - Ice down white wine and sodas
    - Donation jars with signs
    - Trash barrels
  - Inside 3:00 cut and plate brownies, cookies, crackers, etc
  - Drain and plate antipasto, cheeses and fruit
  - 4:00   start coffee
  - 5:40-45 take food out to table

### **EVENING MAINTENANCE**

Keep platters stocked and straightened

Replace platters as needed

Dust scraps off table and collect food fallen from trays

(replate it inside, rather than at the table)

Collect dirty glasses in boxes, rewash and return to bars

Collect dirty plates and trash inside gallery and outside, and throw it away

### **FOLLOW-UP**

Thank you notes to

Rimans's

Juror

Donors, with photo of the art work they sponsored

City staff

Meet with committee to rehash the event and make suggestions for improvements or

changes

**PLANNING COMMISSION AGENDA  
CITY OF PRAIRIE VILLAGE  
TUESDAY, DECEMBER 3, 2013  
\*\*SHAWNEE MISSION EAST HIGH SCHOOL CAFETERIA\*  
7500 MISSION ROAD  
7:00 P.M.**

I. ROLL CALL

II. APPROVAL OF PC MINUTES - NOVEMBER 5, 2013

III. PUBLIC HEARINGS

PC2013-11 Request for Special Use Permit for Adult Senior Dwellings  
8500 Mission Road  
Current Zoning: R-1a  
Applicant: Joe Tutera with MVS, LLC

IV. NON-PUBLIC HEARINGS

PC2013-126 Site Plan Approval - Mission Chateau  
8500 Mission Road  
Zoning: R-1a  
Applicant: Joe Tutera with MVS, LLC

PC2013-127 Preliminary Plat Approval - Mission Chateau  
8500 Mission Road  
Zoning: R-1a  
Applicant: Joe Tutera with MVS, LLC

V. OTHER BUSINESS

Authorize public hearing to consider change to SUP regulations???

VI. ADJOURNMENT

Plans available at City Hall if applicable

If you can not be present, comments can be made by e-mail to

[Cityclerk@Pvkansas.com](mailto:Cityclerk@Pvkansas.com)

**\*Any Commission members having a conflict of interest, shall acknowledge that conflict prior to the hearing of an application, shall not participate in the hearing or discussion, shall not vote on the issue and shall vacate their position at the table until the conclusion of the hearing.**

**Council Members  
Mark Your Calendars  
November 18, 2013**

<b>December 2013</b>	Greater Kansas City Arts Association exhibit in the R. G. Endres Gallery
December 2	City Council Meeting
December 4	Johnson and Wyandotte Counties Council of Mayors Holiday Social, Overland Park Convention Center, 5:30 p.m.
December 5	Mayor's Holiday Tree Lighting, Corinth Square, 6:00 - 7:00 p.m.
December 11	Employee Holiday Luncheon, Council Chambers, 11:30 a.m. - 1:00 p.m.
December 13	Mayor's Holiday Gala for Volunteers, Homestead Country Club, Social Hour begins at 6:30 p.m., seating for dinner at 7:30 p.m.
December 13	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
December 16	City Council Meeting
December 25	City offices closed in observance of Christmas
<b>January 2014</b>	
January 6	City Council Meeting
January 10	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
January 20	City offices closed in observance of Martin Luther King, Jr. Day
January 21	City Council Meeting
<b>February 2014</b>	
February 3	City Council Meeting
February 14	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
February 17	City offices closed in observance of President's Day
February 18	City Council Meeting
<b>March 2014</b>	
March 3	City Council Meeting
March 14	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
March 17	City Council Meeting
<b>April 2014</b>	
April 7	City Council Meeting
April 11	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
April 21	City Council Meeting
<b>May 2014</b>	
May 5	City Council Meeting
May 9	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
May 19	City Council Meeting
May 26	City offices closed in observance of Memorial Day
<b>June 2014</b>	
June 2	City Council Meeting
June 13	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
June 16	City Council Meeting

**July 2014**

July 4 City offices closed in observance of Independence Day  
July 4 VillageFest  
July 7 City Council Meeting  
July 11 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.  
July 21 City Council Meeting

**August 2014**

August 4 City Council Meeting  
August 8 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.  
August 18 City Council Meeting

**September 2014**

September 1 City offices closed in observance of Labor Day  
September 2 City Council Meeting  
September 6 JazzFest  
September 12 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.  
September 15 City Council Meeting

**October 2014**

October 6 City Council Meeting  
October 10 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.  
October 20 City Council Meeting

**November 2014**

November 3 City Council Meeting  
November 14 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.  
November 17 City Council Meeting  
November 27 City offices closed in observance of Thanksgiving  
November 28 City offices closed in observance of Thanksgiving

**December 2014**

December 1 City Council Meeting  
December 11 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.  
December 15 City Council Meeting  
December 25 City offices closed in observance of Christmas