

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
December 2, 2013**

The City Council of Prairie Village, Kansas, met in regular session on Monday, December 2, 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, Dale Warman, Ruth Hopkins, Steve Noll, Andrew Wang, Laura Wassmer, Brooke Morehead, Charles Clark, Ted Odell and David Belz.

Also present were: Wes Jordan, Chief of Police; 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; Nic Sanders, HR Specialist and Joyce Hagen Mundy, City Clerk. Also present was Ron Williamson, City Planning Consultant.

Mayor Shaffer led those present in the Pledge of Allegiance.

PUBLIC PARTICIPATION

Chuck Dehner, 4201 West 68th Terrace, addressed the Council regarding statements made by City Administrator Quinn Bennion at the September 3rd City Council meeting. He felt the comments constituted defamation of character. The comments were in regard to the accuracy of six statements made about CID projects. Mr. Dehner contended 5 of the 6 were accurate and distributed to Council members supporting documentation. He noted in Kansas there is a criminal defamation of character provision that he believes should apply to Mr. Bennion's statements.

However, he feels that Mr. Bennion's actions were made at the direction of someone else.

Mayor Shaffer acknowledged the presence of two Rockhurst High School students attending for their American Government class

CONSENT AGENDA

Dale Warman moved the approval of the Consent Agenda for Monday, December 2, 2013:

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 - 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 - expires 2018
 - Johnson County Key - Locksmith Services - expires 2014
 - K & G Stripping - Pavement Marking Services - expires 2015
 - Keller Fire & Safety - Fire Extinguisher Services
 - 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 to complete an unexpired 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 review and approval of the City Attorney
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"

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

MAYOR'S REPORT

Mayor Shaffer reported on activities representing the City during the past two weeks including the following: Johnson County Community College Open Forum, LKM Regional Supper, Lathrop & Gage Holiday Open House, Northeast Johnson County Chamber Gala, Highland Elementary School DARE graduation, 9 mile marker dedication at Weltner Park, Kansas City Chamber retirement event, MARC Board of Directors meeting; Greater Kansas City Chamber Annual Meeting.

COMMITTEE REPORTS

Park & Recreation Committee

Laura Wassmer reported on the dedication of the 9 mile marker dedication at Weltner Park. She noted the plaque at the marker goes into the history behind the marker and its significance. Ms Wassmer stated several agencies have been working on getting authorization for the placement of the marker for 25 years. She is pleased to have this historic site in Prairie Village.

Council Committee of the Whole

COU2013-51 Consider Request to Publish Amendment to 2014 Budget - Special Alcohol Fund

On behalf of the Council Committee of the Whole, Dale Warman moved the City Council authorize the publication of an amendment to the 2014 Budget as required by State statutes. The motion was seconded by Andrew Wang and passed unanimously.

COU2013-52 Consider Request to Publish Amendment to 2013 Budget - CID Funds

On behalf of the Council Committee of the Whole, Dale Warman moved the City Council authorize the publication of an amendment to the 2013 Budget as required by State statutes. The motion was seconded by Ted Odell and passed unanimously.

COU2013-53 Consider Adoption of Resolution prohibiting the carrying of firearms in Prairie Village Municipal Buildings in accordance with Kansas House Bill 2052

On behalf of the Council Committee, Dale Warman moved the City Council adopt Resolution 2013-06 prohibiting the carrying of firearms in Prairie Village Municipal Buildings in accordance with Kansas House Bill 2052. The motion was seconded by Ruth Hopkins and passed unanimously

Planning Commission

PC2013-08 Consider request for rezoning of 3101 West 75th 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 7th and sent the application back to the Commission for further consideration of two of the deviations from code requested by the application.

On November 5th 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

Ruth Hopkins stated she supports the requested reduction in the rear yard setback to 20 feet. She visited Mr. Royer’s development at 7801 Mission Road which has a 16’ rear yard setback and found it to be more than acceptable. She feels the proposed project meets the definition of “infill development”.

Andrew Wang noted that in his presentation to the Planning Commission, Mr. Royer stated the demographics that the homes will be marketed to are seeking more of

a patio home rear yard with minimal yard work required. He asked if there would be adequate screening when the bushes were thinned out. Mr. Williamson responded there are no evergreen trees, so the foliage would be minimal in the winter months; however, the applicant is proposing to install a perimeter fence that would also provide screening.

Mayor Shaffer confirmed that the neighbors at the neighborhood meeting held prior to the application being presented to the Planning Commission did not have any concerns with the proposed setbacks.

Steve Noll stated he visited the site and the hedge being referred to is massive. He supports the proposed plan as an innovative use of a vacant piece of land.

Ruth Hopkins moved the Governing Body adopt Ordinance 2200 approving the requested rezoning of 3101 West 75th Street from R-1a to RP-1b and the revised preliminary development plan subject to 16 conditions and with the following four deviations from ordinance requirements granted: 1) reduction of front yard setback from 30 feet to 15 feet; 2) increase in lot coverage from 30% to 35%; 3) reduction in rear yard setback from 25 feet to 20 feet and 4) reduction in the lot depth from 100 feet to 99 feet. The motion was seconded by David Belz.

Dale Warman stated he does not usually vote in opposition to the Planning Commission's recommendation; however, he feels the proposed plan with the smaller rear yards is in agreement with what is being desired by many of today's home owners.

Brooke Morehead stated here only reservation to the plan is the straight line construction of the proposed homes. Bob Mogren responded they have three quality builders lined up to build the homes and is confident that they will be high quality homes with unique features and appearances.

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

STAFF REPORTS

Administration

- Lisa Santa Maria thanked Council members for turning in receipts to assist in the closing of the year.
- Mrs. Santa Maria asked Council members to be thinking of questions they would like to see placed on the 2014 budget simulation. This will be discussed further at the January work session.
- Quinn Bennion noted the Dorr holiday display is back.
- The City has been receiving calls from residents wanting the bag increase for yard waste, which is 8 during the month of December, from the 12 bag limit in November be increased due to the late dropping of leaves.

OLD BUSINESS

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

NEW BUSINESS

Andrew Wang raised the question as to why the Mission Valley Neighborhood Association opposing the Mission Valley Development has been given equal time and status of the applicant. He noted that MVNA does not represent everyone opposing the project.

Quinn Bennion noted this has been discussed by staff many times. This is the first time opposition has been given such status. The reasoning was to reduce the amount of comments by allowing them to speak on behalf of their many members. At this point in time, it would be difficult to change.

Brooke stated that she feels that Council should attend the Public Hearing to get a complete picture of the project and the residents’ concerns.

Charles Clark noted the recent violence in the Ukraine and urged the Council to keep Prairie Village's Sister City Dolyna in their thoughts.

Dale Warman urged Council members to attend the upcoming Lathrop & Gage Legislative Breakfast to get information on the legislative issues that will be discussed in 2014.

ANNOUNCEMENTS

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.

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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. The Social Hours begins at 6:30 p.m., seating for dinner begins at 7:30 p.m.

Mayor Shaffer encouraged Council members to volunteer at the Gingerbread House event this Sunday at Brighton Gardens at 1:30 and 3:00 p.m.

ADJOURNMENT

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

Joyce Hagen Mundy
City Clerk