

**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE  
May 5, 2008  
7:30 p.m.**

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- 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 – April 21, 2008
- 2. Approve Claims Ordinance 2648
- 3. Approve the following contracts for VillageFest 2008.

Beaks N Wings	Exotic Birds	\$0
Clement McCrae Puppets	Puppet Show	\$850
Kansas City Chiefs	KC Wolf	\$600
Kansas City Royals	Sluggerrr	\$625
The Marching Cobras	Marching Cobras	\$750
Omni Entertainment	Jessica Horn Bank	\$1,200
Scott Klamm	Music Performance	\$250
Sister Act Face Painting	Face Painters	\$300
Vodvill Entertainment Company	Uncle Sam	\$500
Wacky Banana	Inflatables	\$1,800
- 4. Approve the agreement with Phil Jay for music and emcee services at the Mayor's Holiday Gala on December 5, 2008 for \$625.00.

**VIII. STAFF REPORTS**

**IX. COMMITTEE REPORTS**

**75<sup>th</sup> Street Committee**

**75<sup>th</sup> Street Study – Presentation by HNTB**

**Council Committee of the Whole – David Voysey**

**COU2008-33 Consider Project 190708: Tomahawk Road Storm Drainage Improvements (Nall Ave. to Roe Ave.) Construction Administration Change Order #1 (Final)**

**Smoke Free Task Force – David Belz**

**Consider Recommendation from the Smoke-Free Task Force regarding the City's Smoking Ordinance**

**X. OLD BUSINESS**

**XI. NEW BUSINESS**

**Consider authorizing Staff to solicit bids for Cherokee Drive traffic calming**

**Consider repairs to bathhouse roof**

**Executive Session regarding acquisition of property**

**XII. ANNOUNCEMENTS**

**XIII. ADJOURNMENT**

**If any individual requires special accommodations -- for example, qualified interpreter, large print, reader, hearing assistance -- in order to attend the meeting, please notify the City Clerk at 381-6464, Extension 4616, no later than 48 hours prior to the beginning of the meeting.**

**If you are unable to attend this meeting, comments may be received by e-mail at [cityclerk@PVKANSAS.COM](mailto:cityclerk@PVKANSAS.COM)**

**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
MAY 5, 2008**

The City Council of Prairie Village, Kansas, met in regular session on Monday, May 5, 2008, 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: Al Herrera, Ruth Hopkins, David Voysey, Andrew Wang, Laura Wassmer, Dale Beckerman, David Morrison, Charles Clark and David Belz.

Also present were: Quinn Bennion, City Administrator; Katie Logan representing the City Attorney; Wes Jordan, Chief of Police; Bob Pryzby, Director of Public Works; Dennis Enslinger, Assistant City Administrator; Karen Kindle, Finance Director; Chris Engel, Assistant to City Administrator and Joyce Hagen Mundy, City Clerk.

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

**PUBLIC PARTICIPATION**

No one was present to address the City Council.

City Administrator Quinn Bennion introduced Brian Jones, a Prairie Village resident who was selected to serve as the City's volunteer photographer by the City's Communications Committee. Mr. Jones would be attending city events to take pictures as well as take pictures for the web site, Village Voice and city brochures. Mr. Jones will cover approximately 30 city events. The city will provide a small stipend for his services.

## CONSENT AGENDA

David Voysey moved the approval of the Consent Agenda for Monday, May 5, 2008:

1. Approve Regular Council Meeting Minutes - April 21, 2008
2. Claims Ordinance 2648
3. Approve the following contracts for VillageFest 2008:

Beaks N Wings	Exotic Birds	\$0
Clement McCrae Puppets	Puppet Show	\$850
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Scott Klamm	Music Performance	\$250
Sister Act Face Painting	Face Painters	\$300
Vodvill Entertainment Company	Uncle Sam	\$500
Wacky Banana	Inflatables	\$1,800
4. Approve the agreement with Phil Jay for music and emcee services at the Mayor's Holiday Gala on December 5, 2008 for \$625.00.

A roll call vote was taken with the following members voting "aye": Herrera, Hopkins, Voysey, Wassmer, Beckerman, Clark, Morrison and Belz.

## STAFF REPORTS

### **Public Safety - Chief Wes Jordan**

- Chief Jordan reported the visit of the First Lady and her daughter to Prairie Village last week went well. The department cooperated with the secret service to provide security.
- The Briarwood School Traffic changes were implemented today with the cooperation of the school and PTO. The changes will be monitored for the remainder of the school year.

### **Public Works - Bob Pryzby**

- On Saturday, May 3<sup>rd</sup>, the City celebrated Arbor Day with the planting of a tree in Franklin Park. Mayor Shaffer added that Mr. Pryzby was also recognized at that event for his efforts in the creation of the Tree Board and the city's receiving "Tree City" designations for the 12 years.
- The Island Committee met last week with 15 individuals from homes associations attending. A landscape architect was present to discuss the planting of flowers, what flowers should be planted, and where and how they should be planted. A list of recommended flowers for the islands was created.
- A letter has been received from the Prairie Ridge Homes Association releasing all responsibility for statues on islands in their homes association to the City.
- Johnson County Assessor is reviewing the ownership of islands for one homes association per a question from a resident. The Assessor has confirmed the

island is in the City right-of-way and therefore City property as the right-of-way is dedicated to the City on the plat map.

- Roe Avenue was paved today. The contractor needs to do some minor clean-up and mark the street. Mr. Pryzby expects the roadway to be reopened by the end of the week.
- Mr. Pryzby reported Hodges was scheduled to have mill and overlay treatment; however, they have determined the subsurface to be inadequate and it has been moved into the street reconstruction project.
- Mr. Pryzby reported the City has been having problems with sprinklers when sidewalk and curb work is being done. Staff is suggesting a policy be approved prohibiting sprinklers from being placed in City right-of-way. He would like to see sprinklers placed one foot behind any sidewalks.
- Mr. Pryzby also noted they often receive complaints regarding sprinklers running across sidewalks during the day forcing residents off the sidewalk and into the street. He suggested when a permit was issued the hours of operation could be restricted.

David Morrison asked if the initial work on Hodges was done by the City or a private contractor. Mr. Pryzby responded mill and overlay were placed on the road approximately 15 years ago. The initial street was probably constructed by the developer. Mr. Morrison raised the possibility of going back to the contractor of the original street for damages. Mr. Pryzby noted the difficulty in identifying and finding those individuals and also noted he does not have the street specifications that were in place at that time on which to base action.

#### **City Administration - Quinn Bennion**

- At the last City Council meeting, it was stated during public participation that the City would be receiving a letter from the City Administrator of Mission regarding further discussions regarding the consolidation of police services. Mr. Bennion stated he had spoken with the City Administrator at Mission and was advised the City would not be receiving a letter from him at this time.

## **COMMITTEE REPORTS**

### **75<sup>th</sup> Street Committee - Presentation by HNTB of 75<sup>th</sup> Street Study**

Pat Daniels introduced Brian Comer with HNTB to provide an update on the neighborhood meeting regarding the possible redevelopment of the 75<sup>th</sup> Street Corridor on April 22<sup>nd</sup>. Approximately 100 people attended this meeting with one half of them having no involvement in the original Village Vision process. Prior to the meeting a bus tour of the 75<sup>th</sup> Street Corridor was taken by about 22 individuals to provide them a view of current conditions. The goal of this session was to gather information by listening. Several individuals arrived with concerns that the City had already determined what was

going to be done and would be condemning their property. These concerns were alleviated and they were assured nothing had been decided and their input was welcomed.

The discussion focused on the following topics:

- Land Use
- Transportation
- Pedestrian Connectivity
- Visual Enhancement
- Overall Vision

Discussion was held in small groups. Mr. Comer distributed and reviewed the comments received during the discussion.

HNTB is now working on the analysis of the comments, completing their market study of what is happening in the area, demographic information, infrastructure considerations and will develop and present multiple options for consideration by residents at meetings to be held June 17, 19 & 21<sup>st</sup>. These workshops will focus on the visioning stage. They will present the results of their market study, what other communities locally and nationally have done and case studies.

They will present three to five different visual concepts. Residents will be given a visual interactive survey where they will have the opportunity to identify and rate different options, land uses, define neighborhood scale, etc.

Based on the comments received in June, one proposal will be developed and presented in September with the final adoption of the study done in October.

Al Herrera expressed disappointment with the results of the meeting stating he felt it covered ground already covered and stated he had hoped for more. He wanted to see more vision. The City has been discussing this for two years, he was expecting to move more quickly.

Mr. Comer responded he felt it was very important to not present preconceived plans, he noted one half of those present were not involved in the Village Vision process and he felt it was important to get their input and involvement. Mrs. Hopkins agreed that it was important to spend the time listening to residents. Many of the residents were frightened by what might happen to their property.

Mr. Comer stated the Village Vision discussions were broad based. It was important now that an area has been identified that the residents of that area have an opportunity to be involved in any proposed redevelopment. It is essential to have them engaged for the plan to be successful and the City retain its credibility.

Pat Daniels stated he suspects each city council member has a vision of what 75<sup>th</sup> Street should look like, now is the time to get the residents' vision and involvement. The first session was designed to search for input from the street level. Next, options will be viewed and the educational process will begin. "Visions" will be presented in April. Mr. Daniels encouraged the City Council to be actively involved and to invite others to participate as these meetings will formulate the plans to be presented. There is "no preconceived picture at this time".

Mayor Shaffer noted there are current openings on the 75<sup>th</sup> Street Steering Committee and asked interested Council members to contact him.

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

COU2008-33 Consider Project 190708: Tomahawk Road Storm Drainage Improvements (Nall Avenue to Roe)

On behalf of the Council Committee of the Whole, David Voysey moved the City Council approve Construction Administration Change Order #1 (Final) with Shafer, Kline & Warren, Inc. for Project 190708: Tomahawk Storm Drainage Improvements (Nall

Avenue to Roe Avenue) for an increase of \$34,664.60 bringing the final contract amount to \$221,664.50. The motion was seconded by Ruth Hopkins and passed unanimously.

## **Smoke-Free Task Force**

### Consider Recommendation from Smoke-Free Task Force regarding the City's Smoking Ordinance

David Belz stated the Smoke-Free Task Force met April 29<sup>th</sup> to reconsider the City's ordinance based on recent actions taken by other cities. He noted five of the six contiguous cities have passed no-smoking ordinances. The Task Force is recommending the City proceed with a full smoking ban in the city.

On behalf of the Smoke-Free Task Force, David Belz moved the City Council direct the City staff to prepare a draft of a full smoking ban in the City of Prairie Village. The motion was seconded by Charles Clark.

Al Herrera noted most of the city's restaurants have gone "no smoking" without the City passing a ban and questioned why a ban was needed at this time. He would like to see the democracy of letting the business owners determine their stance on smoking within their establishments. He would like to see Prairie Village go outside the box and not follow other cities, but allow our businesses to decide.

David Voysey stated he understands Mr. Herrera's comments, but he has not had one resident tell him they do not want the City to go non-smoking.

Mayor Shaffer added to not adopt an ordinance would place Johnny's and O'Neill's at a disadvantage.

Mr. Herrera noted the Blue Moose is non-smoking except from 9 p.m. to 1 a.m. He feels the lack of opposition is due to residents feeling it is inevitable so they no



longer voice their opinion. He supports letting the business owners operate their businesses.

Ruth Hopkins stated she strongly supports the ban which has been recommended by the Task Force and expressed concern for the health of workers. E-mails she has received have been overwhelming in support of the smoking ban.

Mr. Herrera noted the support is not universal. The Kansas City decision was based on 53% of the voters.

The motion was voted on and passed by a vote of 7 to 2 with Herrera and Morrison voting “nay”.

Quinn Bennion stated the staff needs direction on the specifics of the ordinance. Mr. Belz responded the current ordinance speaks to the working environment and feels the only change needed is the inclusion of restaurants and clubs. Charles Clark suggested that consideration be given to the Overland Park and Leawood ordinances to have common regulations for the benefit of people.

Mayor Shaffer acknowledged the presence of Councilwoman Debbie Kring of the City of Mission.

### **May 19<sup>th</sup> meeting**

Mayor Shaffer noted that we know of four council members would be absent from the May 19<sup>th</sup> City Council meeting. This would require all remaining Council members to be present in order to have a quorum. Mayor Shaffer stated he would follow-up on this to ensure a quorum was available for the meeting or make necessary arrangements.

### **NEW BUSINESS**

#### **Consider authorizing Staff to solicit bids for Cherokee Drive Traffic Calming**

Bob Pryzby reported two years ago the City Council adopted a policy on traffic calming. Five different neighborhoods have used the policy to investigate concerns.

One area did not qualify and the other four are at different stages in the process. Cherokee residents have completed the steps required by the policy and Mr. Pryzby is seeking authorization to go out to bid for their selected traffic calming resolution. He noted \$80,000 is in the Capital Improvement Program for traffic calming.

Laura Wassmer asked what they are doing. Mr. Pryzby responded they are placing three traffic tables along Cherokee - one south of 71<sup>st</sup> Street, one at 73<sup>rd</sup> Street and one north of the Cherokee intersection. Dale Beckerman asked if these devices are installed elsewhere in the area. Mr. Pryzby responded there is one in KC, MO at 70<sup>th</sup> and one at the Sprint campus. Al Herrera asked if these would create any problem for emergency and/or police vehicles. Chief Jordan responded they looked at the ones installed at the Sprint campus and if constructed like those, there would not be any problems. He stressed these are designed to slow speed without causing damage to vehicles or the driver to lose control of their vehicle.

Mayor Shaffer stated the group has met all the conditions of the policy and he feels the City has an obligation to move forward.

Andrew Wang expressed concern with the request due to the length of Cherokee and the defined area only included residents on both sides of Cherokee and did not include residents on adjacent streets. He is concerned with the action creating problems on the adjacent streets from traffic seeking to avoid Cherokee. He envisioned the policy to require a broader definition of area and be more inclusive. Chief Jordan responded an engineering study was done of the area and he does not feel the traffic will be pushed to the next streets over. Andrew Wang asked how cut-through traffic was identified. Chief Jordan responded by vehicle tags. The tags of residents living on the street were identified. He noted Cherokee is a residential street that is not used as a residential street.

David Voysey confirmed this action only authorized getting bids. Laura Wassmer asked if a ballpark figure was available for the projected cost. Mr. Pryzby stated projected costs are \$30,000 to \$35,000. Chief Jordan stated the use of traffic tables has significantly reduced speed in areas. Mr. Pryzby added this group has worked well with him and Chief Jordan deliberately studying the issue and researching solutions. They worked to develop a city program, not a program designed for Cherokee.

David Belz moved the City Council authorize staff to secure bids for the Cherokee Drive traffic calming resolution. The motion was seconded by Ruth Hopkins and passed unanimously.

#### Consider Repairs to Bathhouse Roof

Bob Pryzby reported there are roof leaks in the concession area, the office area, the guard room and electrical room. Public Works staff has determined the leaks are primarily the result of winter ice damage in or near the metal recessed gutter. Staff attempted to repair leaks over the concession area last summer. Roofing companies are recommending the replacement of several rows of shingles with a membrane that would extend over the metal gutter.

The 2008 Swimming Pool Operating budget does not have sufficient funds for this repair. Staff is requesting a transfer of \$12,000 from the General Fund Contingency to the Swimming Pool Operating budget.

Mayor Shaffer confirmed \$12,000 would cover all the necessary work.

David Voysey moved the City Council approve the transfer of \$12,000 from the General Fund Contingency to Swimming Pool Operating budget for repairs to bathhouse roof. The motion was seconded by Ruth Hopkins and passed unanimously.

## **Executive Session.**

David Voysey moved pursuant to KSA 75-4319(b)(6) that the Governing Body, recess into Executive Session for a period not to exceed twenty minutes for the purpose of discussing with the City Attorney preliminary discussions relating to the acquisition of real property.

Present will be the Mayor, City Council, Police Chief, City Administrator, PW Director, Assistant City Administrator, Finance Director, City Clerk, HR Specialist, Asst. to the City Administrator and City Attorney. The motion was seconded by Ruth Hopkins and passed unanimously.

Mayor Shaffer reconvened the meeting at 9:05 p.m. and called upon City Administrator Quinn Bennion to continue the presentation of the 2009 budget started during the earlier Council Committee of the Whole meeting. Laura Wassmer left.

## **Possible Fee Changes**

Quinn Bennion noted staff is reviewing possible fee changes. These will be presented to the Council for consideration on June 16<sup>th</sup>. Those fees being reviewed are

- Building Permits
- Recreation Fees
- Reservation Fees
- Court Credit Card Fees
- Animal Confinement Fees
- License Fees
- Drainage & ROW Permits
- Others

He noted some of these fees have not been changed in 15 years. He is seeking fees that are appropriate and reasonable. David Voysey asked if rental properties were inspected. Mr. Bennion responded an exterior inspection was done by code enforcement prior to issuing a license. There are currently 684 licensed rental properties and the city is not capturing them all. Dale Beckerman asked the information

include the last time the fee was changed. David Morrison asked the information also include a comparison to similar fees charged by other cities.

### **Service Enhancements**

Staff is also reviewing enhancements to current services offered such as a recruitment video for the Police Department to assist in its recruiting process as well as recruitment software for HR. As discussed at the earlier Council Committee meeting, also being considered is Court and Council meeting security.

### **Technology Needs**

Quinn Bennion noted in August the voters will vote on the proposed one-quarter percent "jail sales tax". Per the discussion by the Chair of the Commission, the cities will receive 36% of the funds raised by the tax which is estimated to result in approximately \$500,000 in revenue for Prairie Village. After reviewing the city's technology needs, staff is recommending these funds be included in the 2009 budget and designated to pay for one-time technology/security upgrade projects. The 2010 budget discussion would include future plans for this revenue source.

Staff has identified the following technology/security needs:

- Records Management Software
- In-Car Video System Replacement
- Work Order Management Software
- In-Car Laptop Computer Replacement
- Microsoft Office 2007 upgrade
- Shooting Range (through Johnson County Co-op)
- Council Laptop Replacement
- Wireless Networking Cards for Laptops
- Upgrade T1 Data Transmission Line
- Building Improvements - Security
- Financial Software/Licensing Software
- Code Red
- Website Reconstruction

This will allow the city to catch-up with technology needs and address the security needs presented earlier this evening.

David Belz stated he felt this was a good use for these funds if they become available. Andrew Wang confirmed the current revenue received from this source is going into the Economic Development Fund and this would apply only to the funds received in 2009.

Charles Clark stated he likes the proposal as it identifies specific uses for the funds. He noted Johnson County wants cities to identify how they will spend their portion of the tax funds to help draw support for the tax. Quinn Bennion stated most of these items are big dollar items and support public safety and security needs.

Mayor Shaffer stated all of the cities are being asked by Johnson County to adopt a resolution of support for the continuation of the tax. Katie Logan noted the City of Leawood passed their resolution of support two weeks ago. Mayor Shaffer stated this will be added to a future agenda.

Karen Kindle stated staff is meeting with Department Heads conducting a line item review of each department's proposed budget. On June 9<sup>th</sup>, the 2009 operating budget will be presented. This is a special meeting of the Council. At the June 16<sup>th</sup> Council Committee of the Whole the recommended CIP budget will be presented as well as discussion of Economic Development Fund and Village Vision items.

**ANNOUNCEMENTS**

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

Board of Zoning Appeals	05/06/2008	6:30 p.m.
Planning Commission	05/06/2008	7:00 p.m.
Tree Board	05/07/2008	6:00 p.m.
Sister City	05/12/2008	7:00 p.m.
Park & Recreation Committee	05/14/2008	7:00 p.m.
Council Committee of the Whole	05/19/2008	6:00 p.m.
City Council	05/19/2008	7:30 p.m.

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The Prairie Village Arts Council is pleased to feature a photography and ceramics exhibit by Marearl Denning in the R. G. Endres Gallery for the month of May. The reception will be held on May 9th from 6:30 to 7:30 p.m.

The Prairie Village swimming pool opens for the season on May 24<sup>th</sup>.

The City offices will be closed Monday, May 26<sup>th</sup> in observance of Memorial Day. Deffenbaugh also observes this holiday and trash pick-up will be delayed one day.

**Prairie Village Gift Cards are on sale at the Municipal Building.** This is a great way to encourage others to “Shop Prairie Village.”

The 50<sup>th</sup> Anniversary books, **Prairie Village Our Story**, are being sold to the public.

## **ADJOURNMENT**

With no further business to come before the Council, the meeting was adjourned  
at 9:20 p.m.

Joyce Hagen Mundy  
City Clerk