

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, November 19, 2007
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 – November 5, 2007
2. Claims Ordinance 2643
3. Approve the agreement between the City of Prairie Village and Blue Valley Public Safety in the amount of \$3,192.00 to be paid out of the 1-3-21-5240 for 2008 for maintenance of the City's outdoor warning system.
4. Approve Construction Change Order #1 with Shafer, Kline and Warren Inc. for a reduction of \$27,039.96 to project #190718: 2007 Storm Drainage Repair Program.
5. Approve Engineering Change Order #2 for an increase of \$9,200.00, with a transfer of \$9,200.00 from Capital Infrastructure Program Drainage Unallocated, to the agreement with George Butler Associates, Inc.

By Committee:

6. Approve the transfer of \$50,000 from Contingency to the Mayor and Council Program Account 01-01-00-6350. (Council Committee of the Whole Minutes – November 5, 2007)
7. Approve the recommendations of the UCS Grant Review Committee contained in the 2008 Human Service Fund Recommendation Report and approve a contribution to the United Community Services (UCS) of \$6,300 from the 2008 Parks, Recreation & Community Services Budget. (Council Committee of the Whole Minutes – November 5, 2007)
8. Adopt an ordinance establishing compensation ranges for the City of Prairie Village upon review and approval by the City Attorney. (Council Committee of the Whole Minutes – November 5, 2007)
9. Approve advising the Johnson County Stormwater Management Advisory Committee (SMAC) that the City is withdrawing its request for Project 190709: Somerset Drive, Delmar Street, Fontana Street Drainage, at this

time due to lack of city funding, with notice that the City may renew its request at a later date; that Council Agenda item 2007-35 remain on the Council Committee Agenda for future consideration; and that the Council authorize the transfer of \$371,417 in unspent funds in the Capital Infrastructure Program to the Capital Infrastructure Unallocated Fund for use for needed repairs to the 83rd Street/Delmar system and/or other city drainage projects. (Council Committee of the Whole Minutes – November 5, 2007)

10. Adopt Ordinance 2158 amending Chapter XI of the Code of the City of Prairie Village, 2003, entitled “Public Offenses” by incorporating by reference the “Uniform Public Offense Code for Kansas Cities”, Edition 2007, with certain deletions and additions; prescribing additional regulations; and repealing Chapter XI, Article 1 of the Prairie Village Municipal Code, and amending Chapter XI, Article 3 and amending Chapter XVI of the Code of the City of Prairie Village, 2003, entitled “Traffic” by incorporating by reference the “Standard Traffic Ordinance for Kansas Cities”, Edition 2007, with certain deletions and additions; prescribing additional regulations; after review by the City Attorney. (Council Committee of the Whole Minutes – November 5, 2007)

VI. STAFF REPORTS

VII. COMMITTEE REPORTS
75th Street Corridor

VIII. OLD BUSINESS

IX. NEW BUSINESS
NLC Report

Consider designating Monday, December 24, 2007 as a City holiday with paid time off benefits for employees.

X. ANNOUNCEMENTS

XI. 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

**COUNCIL
CITY OF PRAIRIE VILLAGE
November 19, 2007**

The City Council of Prairie Village met in regular session on Monday, November 19, 2007 at 7:30 pm in the Council Chambers of the Municipal Building.

ROLL CALL

Mayor Ron Shaffer called the meeting to order with the following Council members present: Ruth Hopkins, David Voysey, Michael Kelly, Andrew Wang, Laura Wassmer, Pat Daniels, Wayne Vennard, Charles Clark, Diana Ewy Sharp, and David Belz.

Also present were: Quinn Bennion, City Administrator; Charles Wetzler, City Attorney; Wes Jordan, Police Chief; Tom Trienens, Manager of Engineering Services; Doug Luther, Assistant City Administrator; Karen Kindle, Finance Director and Jeanne Koontz, Deputy City Clerk.

PUBLIC PARTICIPATION

Mr. Tom Robinson introduced himself as the new Community Business Manager for KCPL. He spent the last 7 years as a corporate spokesperson. He distributed a new brochure on vegetation management for the council members and he invited the council members to contact him at anytime.

Kate Ritter, 4922 W 78th PI; Joe Reck, 4911 W 78th PI and Lisa Delaney, 4923 W 78th PI addressed the Council about traffic issues on their street. Students of Kansas City Christian School have been parking on their street. Several years ago the north side of the street was designated a no parking zone but now there are problems on the south side. Mr. Reck stated his main concern is safety because there are a lot of young

children who live on the street. Many times it is difficult for emergency vehicles to get through. He said he spoke with almost all of his neighbors and they would like to see changes. He said they have tried to work the problem out with the school but the school cannot enforce rules off school property.

Laura Wassmer clarified that there is no parking on one side of the street. She suggested no parking on school days from 9 to 3. This would allow residents to park on weekends. Ms. Delaney said that would be wonderful.

Ruth Hopkins asked how emergency vehicles were having trouble if only one side is no parking. Ms. Delaney said they have had trouble when people have parked on both sides of the street. Mr. Reck added that during drop-off and pick-up, parents usually park on both sides of the street.

Laura Wassmer asked the Chief if he would be willing to sit down with her, Pat Daniels and the school Superintendent to work on the issue. Chief Jordan pointed out that the problem is not just their street. His concern is the problem would be moved to another street. Laura Wassmer said she is worried about pushing the problem, but would like to sit down and work it out. Chief Jordan said his staff will do a study working with residents and will bring it back to the Council.

CONSENT AGENDA

Andrew Wang moved approval of the Consent Agenda for Monday, November 19, 2007:

1. Approve Council Meeting Minutes - November 5, 2007
2. Claims Ordinance 2643
3. Approve the agreement between the City of Prairie Village and Blue Valley Public Safety in the amount of \$3,192.00 to be paid out of the 1-3-21-5240 for 2008 for maintenance of the City's outdoor warning system.

4. Approve Construction Change Order #1 with Shafer, Kline and Warren Inc. for a reduction of \$27,039.96 to project #190718: 2007 Storm Drainage Repair Program.
5. Approve Engineering Change Order #2 for an increase of \$9,200.00, with a transfer of \$9,200.00 from Capital Infrastructure Program Drainage Unallocated, to the agreement with George Butler Associates, Inc.
6. Approve the transfer of \$50,000 from Contingency to the Mayor and Council Program Account of 01-01-00-6350.
7. Approve the recommendations of the UCS Grant Review Committee contained in the 2008 Human Service Fund Recommendation Report and approve a contribution to the United Community Services (UCS) of \$6,300 from the 2008 Parks, Recreation & Community Services Budget.
8. Adopt an ordinance establishing compensation ranges for the City of Prairie Village upon review and approval by the City Attorney.
9. Approve advising the Johnson County Stormwater Management Advisory Committee (SMAC) that the City is withdrawing its request for Project 190709: Somerset Drive, Delmar Street, Fontana Street Drainage, at this time due to lack of city funding, with notice that the City may renew its request at a later date; that Council Agenda item 2007-35 remain on the Council Committee Agenda for future consideration; and that the Council authorize the transfer of \$371,417 in unspent funds in the Capital Infrastructure Program to the Capital Infrastructure Unallocated Fund for use for needed repairs to the 83rd Street/Delmar system and/or other city drainage projects.
10. Adopt Ordinance 2158 amending Chapter XI of the Code of the City of Prairie Village, 2003, entitled "Public Offenses" by incorporating by reference the "Uniform Public Offense Code for Kansas Cities", Edition 2007, with certain deletions and additions; prescribing additional regulations; and repealing Chapter XI, Article 1 of the Prairie Village Municipal Code, and amending Chapter XI, Article 3 and amending Chapter XVI of the Code of the City of Prairie Village, 2003, entitled "Traffic" by incorporating by reference the "Standard Traffic Ordinance for Kansas Cities:", Edition 2007, with certain deletions and additions; prescribing additional regulations; after review by the City Attorney.

A roll call vote was taken with the following member voting "aye": Hopkins, Voysey, Kelly, Wang, Wassmer, Daniels, Vennard, Clark, Ewy Sharp and Belz.

STAFF REPORTS

Assistant City Administrator - Doug Luther

Doug Luther announced his resignation effective December 7th. He will be taking a job in the private sector managing homes associations. Mr. Luther stated he has

enjoyed the past 12 years in Prairie Village and will still be living in our city. Mayor Shaffer wished him good luck in the future.

Public Safety - Chief Wes Jordan

Chief Jordan reported he received the school zone study from Shawnee Mission East last week. He will meet with them tomorrow to go over the study. They have adopted all of the City's suggestions. The traffic counts verified the perceived problems. He said he is not sure it has been formally presented to the school district. He will provide more information at the next council meeting.

Administration - Quinn Bennion

Mr. Bennion requested the KU Pep Rally at Corinth Shops be placed under new business.

Mr. Bennion reminded Council about the Northeast Johnson County Chamber of Commerce Dinner on November 30th.

Mr. Bennion gave an update on Meadowbrook. Mayor Shaffer, Ron Williamson and Quinn Bennion met with the Opus group earlier today to discuss the project and talk about planning commission concerns. Opus is committed to looking at the plan and intends to submit a letter to Council requesting the project be remanded back to planning commission for further discussion. The Planning Commission recommendation on Meadowbrook is scheduled for the December 3rd meeting. Opus has committed to meet with key stakeholders.

COMMITTEE REPORTS

75th Street Committee

Pat Daniels said the committee recently interviewed the 3 finalists and then met to discuss the pros and cons of each one. The committee has selected HNTB. Currently they are negotiating the contract and will be meeting tomorrow.

Holiday Tree Lighting Committee

Diana Ewy Sharp reminded council about the Mayor's Tree Lighting Ceremony next Monday at 6:30 pm. She said Highwoods has done an outstanding job with the tree. Gary Lezak will be broadcasting Weather Live and will emcee the event with Mayor Shaffer. She said the committee has worked very hard and invited council members to attend.

Sister City Committee

Michael Kelly reported the Sister City Committee has put in writing the roles and duties of committee members and clarified the process to get on the committee. This item will be brought to council on December 3rd. The committee has also selected Dolyna, Ukraine as a possible Sister City and will bring this item to council on December 17th. He said he and Cleo Simmonds will also do a presentation on their trip to Dolyna at the meeting.

OLD BUSINESS

There was no old business to come before the council.

NEW BUSINESS

NLC Report

Michael Kelly said it was a great trip. He was glad to become better acquainted with council members and staff. He also enjoyed gaining perspective from council members from other cities.

Ruth Hopkins said she had great reservations about going to New Orleans because she has not been pleased with the handling of the recovery efforts. She spent a day with a resident and feels very lucky to live in Kansas. The trip reconfirmed her opinion that the mismanagement of federal and state funds has been an embarrassment to the nation. She said there are still places and people that have not been helped and as a whole the city is struggling. She said she is committed to stay in politics to keep it working well and not allow corruption to take over.

Diana Ewy Sharp echoed Michael's words of getting to know staff. She said she feels Prairie Village has done a lot of work with emergency preparedness and feels the City would be in shape for quick action. She said she spoke with her steering committee about the Meadowbrook issue and feels it will take more work to find an acceptable solution.

Consider Request for Temporary Alcohol Sales Permit

Quinn Bennion stated in early November the City received and approved a Short Term Special Use Permit for a pep rally to occur at Corinth shops for an estimated 3,000 people. The energy has heightened and a lot more people are expected to attend. The City learned today that alcoholic beverages will be sold outside the facilities of Johnny's and Salty Iguana. A temporary alcohol sales permit is required for this event. According to City Ordinance there is a 10 day waiting period. Staff requests council to waive the waiting period. Johnny's and Salty Iguana have retained the necessary state permits. Chief Jordan has worked with Corinth Shops who will hire off-duty officers and will also have on-site security from Highwood's Properties.

Chief Jordan said he does not know the volume but estimates a very large crowd due to heavy advertising and the holiday. He said he will be increasing staff on that shift to work off-site issues. He said he wants to make it a safe event for everyone.

Ruth Hopkins asked if all of the merchants are aware and okay with the event. Donna Potts said they are on board and the parking has been worked out although the majority of stores are closed in the evening.

Michael Kelly asked who will be attending. Pat Roberts from Johnny's said the alumni association, 150 piece marching band, cheerleading squad, and some hall-of-famers.

Diana Ewy Sharp made the following motion which was seconded by Ruth Hopkins and passed unanimously.

MOVE THE CITY COUNCIL WAIVE THE 10 DAY WAITING PERIOD REQUIRED BY PRAIRIE VILLAGE MUNICIPAL CODE CHAPTER 3 ARTICLE 6 AND APPROVE A TEMPORARY PERMIT TO JOHNNY'S TAVERN AND THE SALTY IGUANA TO PERMIT THE SALE AND CONSUMPTION OF ALCOHOLIC LIQUOR FROM 6:00 PM TO 10:00 PM ON FRIDAY, 23 NOVEMBER, 2007 IN THE AREA DESCRIBED ON THE TEMPORARY PERMIT APPLICATION, GENERALLY DESCRIBED AS THE EAST SIDE OF THE CORINTH SQUARE SHOPPING CENTER LOATED AT 83RD STREET AND MISSION ROAD AND ISSUANCE OF THE PERMIT WILL BE CONTINGENT UPON COMPLYING WITH ANY SECURITY, TRAFFIC CONTROL, OR OTHER REQUIREMENTS AS MAY BE REQUIRED BY THE PRAIRIE VILLAGE POLICE DEPARTMENT IN ORDER TO ENSURE PUBLIC SAFETY AND THE WELFARE OF NEARBY RESIDENTS AND PROPERTY OWNERS.

Dec. 24th Holiday

Mr. Bennion stated it was brought to his attention that the Johnson County and other Johnson County cities are designating Monday, December 24th as a holiday. This issue requires city council action. He said his understanding is that in previous years a half day has been granted by the Mayor. He mentioned several cities that would be

closed and a few that would be open. The fiscal impact would be \$8,100 for those working in the Police Department on that day. Additional costs would be incurred if snow operations were needed from Public Works.

Mayor Shaffer clarified this is only occurring because there is a Monday before Tuesday holiday and it would not become a habit.

Andrew Wang clarified that it would cost an additional \$8,100 for staff that had to work.

Diana Ewy Sharp made the following motion which was seconded by David Belz:

CONSIDER DESIGNATING MONDAY, DECEMBER 24, 2007 AS A CITY HOLIDAY WITH PAID TIME OFF BENEFITS FOR EMPLOYEES

Andrew Wang stated \$8,000 is a substantial amount of money and the 24th of December is not a holiday. Michael Kelly clarified that employees are typically given a half day. Diana Ewy Sharp said years ago council granted the Friday after Thanksgiving as a holiday and she feels Christmas is a much bigger holiday. David Belz said according to the packet the council set a precedent for this in 2003 when we gave the 26th as a holiday when the 25th was on a Thursday. Ruth Hopkins said employees can take vacation time if they have plans. Pat Daniels said he feels this is a difficult decision to make for a public body. Diana Ewy Sharp said if not granted it will likely leave a shoestring group of people running the city.

Mayor Shaffer called the motion and asked for a show of hands. The motion failed 4 to 6.

Pat Daniels said he feels that if other major cities grant it as a holiday the issue may need to be reconsidered.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Prairie Village Arts Council	11/28/2007	7:00 p.m.
Environmental Recycle Committee	11/28/2007	7:00 p.m.
Council Committee	12/03/2007	6:00 p.m.
Council	12/03/2007	7:30 p.m.

The Prairie Village Arts Council is pleased to feature an exhibit by the Mid-America Pastel Society in the R.G. Endres Gallery during the month of November.

The League of Kansas Municipalities Regional Supper will be held on November 28, 2007 at 6:00 pm at the Olathe Fire Department - Olathe Room - 1225 S Hamilton Circle. **Please RSVP to Jeanne by November 19th if you plan to attend.**

The Northeast Johnson County Chamber Annual Dinner will be held at the Lake Quivira Country Club on November 30th. Contact Jeanne for more information.

The Mayor's Holiday Gala will be held on Friday, December 7th at Homestead Country Club at 6:30 p.m. **Please RSVP to Jeanne by November 30th if you plan to attend.**

The City offices will be closed on November 22 and 23 in observance of the Thanksgiving holiday. Deffenbaugh is also closed on November 22nd and trash pickup will be delayed one day.

The Employee Appreciation Holiday lunch will be on December 14th from noon until 2 p.m. in the Council Chambers. This year's meal will be catered by McGonigle's Market.

The 50th Anniversary books, Prairie Village Our Story, and Prairie Village Gift Cards continue to be sold to the public.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:20 pm.

Jeanne Koontz
Deputy City Clerk