

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
SEPTEMBER 15, 2014**

The City Council of Prairie Village, Kansas, met in regular session on Monday, September 15, 2014 at 7:30 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas.

ROLL CALL

Mayor Ron Shaffer called the meeting to order and roll call was taken with the following Council members present: Ashley Weaver, Jori Nelson, Ruth Hopkins, Steve Noll, Eric Mikkelson, Andrew Wang, Laura Wassmer, Brooke Morehead, Dan Runion, Courtney McFadden, Ted Odell and Terrence Gallagher.

Also present were: Wes Jordan, Chief of Police; Keith Bredehoeft, Director of Public Works; Katie Logan, City Attorney; Lisa Santa Maria, Finance Director and Joyce Hagen Mundy, City Clerk.

Mayor Shaffer led those present in the Pledge of Allegiance.

PRESENTATION

Presentation of Public Safety Awards

Chief Wes Jordan presented to Officers Joel Colletti and John Shipman the Department's Lifesaving Award for their actions in response to a vehicle crash on West 79th Street early the morning of April 21st where they encountered a pickup truck engulfed in flames so intense that they could not see inside the passenger compartment. They quickly deployed Code Fire equipment to extinguish the fire. Following extrication by the fire department, they removed the severely burned driver

from the vehicle. Both officers were recognized for their actions by those present. Chief Jordan noted this was the second Lifesaving Award received by Officer Colletti.

PUBLIC PARTICIPATION

William Brockman, 4303 West 77th Terrace, noted there is a walled planter which runs some 60 feet along the eastern sidewalk from the home plate area of the baseball diamond on Delmar to the park entrance. The planter is topped with bare dirt, rocks and weeds. He would like to see some sod or ground cover planted. Mr. Brockman stated he sent this message by e-mail to his Council representatives and received no response, so he then hand delivered a letter to City Hall for the Mayor, but has received no response. He has waited several weeks and still no response. He feels this is unacceptable.

Mayor Shaffer responded he did receive his letter and forwarded to the Public Works Director for action. Keith Bredehoeft, the city's Public Works Director, replied that the city is working with the school district to address the problem. He apologized for not advising Mr. Brockman of their actions and agreed that this issue should have been addressed several weeks ago.

Council member Brooke Morehead responded that she had not received Mr. Brockman's e-mail and wished he had called her.

Chuck Dehner, 4201 West 68th Terrace, spoke to the comments made by John Anderson regarding the lack of participation at City Council meetings. He noted that he had attended several meetings and addressed the Council; however, like Mr. Brockman, the City has not responded. Mr. Dehner restated his concerns with the CID approved for the Prairie Village Shopping Center, particularly as it relates to reimbursement for the

construction of a new building for the owners and the lack of process followed in the approval of the conditional use permit for the drive-thru and the Mission Lane Improvements.

Mr. Dehner noted that the City Council will be asked to approve the transfer of the CID from its current owner to a new owner. He voiced his on-going concern with the city being requested to issue bonds under the CID agreement. He urged the new Council not to continue to give away city money, but to challenge the underlying agreement and revoke the CID.

Mayor Shaffer acknowledged the presence of five scouts from Troop 98 attending the meeting as a badge requirement.

With no one else present to address the City Council public participation was closed at 7:42.

Jori Nelson expressed appreciation to the staff for the earlier delivery of the Council Packet.

CONSENT AGENDA

Ted Odell asked that item #3 be removed. Ashley Weaver moved the approval of the Consent Agenda for Monday, September 15, 2014 as amended:

1. Approve Regular Council Meeting Minutes - August 18, 2014
2. Approve Claims Ordinance #2921
3. (Removed) Approve Agreement for Building Inspection Services with Johnson County
4. Authorize the Mayor to execute Proclamation celebrating the 50th Anniversary of Tiffany Town in the Prairie Village Shopping Center and Proclaiming October 6 - 10 as Peanut Butter Week.

A roll call vote was taken with the following members voting “aye”: Weaver, Nelson, Hopkins, Noll, Mikkelson, Wang, Wassmer, Morehead, McFadden, Odell and Gallagher.

Ted Odell expressed concern with the payment of \$75 per hour for building inspection services and asked how long the city anticipated being under the agreement and how many hours per week were anticipated.

Keith Bredehoeft noted this is a temporary agreement until a new Building Official can be hired and stated that interviews were conducted last week. He cannot give an exact ending date nor an estimation of the number of hours. It will be determined by the amount of plan review that has to be conducted that current staff is unable to review.

Eric Mikkelson stated he shared Mr. Odell’s concerns but was also concerned with the language of the agreement and the lack of indemnification for the City. Katie Logan responded that she had reviewed the agreement and had raised the issue with the legal staff for Johnson County. Their response was that they were doing the city a favor and these are the terms of the agreement. She noted this is intended to be a short-term agreement. Mr. Mikkelson stated he felt the county was being unreasonable. Ms. Logan responded the City does not have the personnel on staff with the required certifications to perform the commercial reviews required for some on-going projects. Mr. Mikkelson asked if it would be possible to hire another contractor or private entity. Mayor Shaffer responded that their costs would be hired.

Dan Runion asked if the County indicated that their insurance coverage would not provide coverage. Ms. Logan responded no and that it may have coverage. Mr. Runion asked if staff had confirmed that our insurance would provide coverage. Ms. Logan stated that has been confirmed.

Laura Wassmer stated that unless there is reason to question the availability and qualifications of the county staff, she does not have any problem approving this agreement.

Ruth Hopkins stated the city cannot hold up on-going building projects for an indeterminate time

Andrew Wang asked Ms Logan for an explanation of “sovereign immunity”.

Laura Wassmer moved the City Council approve the Agreement for Building Inspection Services with Johnson County. The motion was seconded by Andrew Wang and passed by a majority vote of 8 to 4 with council members Weaver, Nelson, Mikkelson and Runion voting “nay”.

MAYOR’S REPORT

Mayor Shaffer called upon Bob Harsh to present a proclamation in celebration of the 50th anniversary of Tiffany Town in the Prairie Village Shopping Center. Mr. Harsh noted his excellent employees and loyal Prairie Village residents for the success of Tiffany Town. He thanked the city for its recognition of this milestone.

Mayor Shaffer reported he represented the City at several events during the past weeks but due to the length of his list he would not review all of them. He attended the Johnson County Community College Harvest Dinner, Prairie Village Jazz Festival, Lancer Day Parade among others.

COMMITTEE REPORTS

Council Committee of the Whole

COU2014-35 Consider the adoption of the 2014 Uniform Public Offense Code for Kansas Cities, with certain changes, additions and deletions.

On behalf of the Council Committee of the Whole, Council President Ashley Weaver moved the Governing Body adopt Ordinance 2315 adopting the Uniform Public Offense Code Edition 2014 (UPOC) prepared and published by the League of Kansas Municipalities with certain sections amended, deleted and with additional and supplemental sections including revisions to 10.5(B) requiring the approval of the Chief of Police to fire firearms for ceremonial purposes and for the discharge of firearms for ceremonial purposes and for the discharge of firearms in any licensed shooting gallery or licensed shooting range. The motion was seconded by Laura Wassmer.

A roll call vote was taken with the following votes cast “aye”: Shaffer, Weaver, Hopkins, Noll, Mikkelson, Wang, Wassmer, Morehead, McFadden, Odell and Gallagher; “nay” Nelson.

COU2014-35 Consider the adoption of the 2014 Standard Traffic Ordinance for Kansas Cities, with certain changes, additions and deletions

On behalf of the Council Committee of the Whole, Council President Ashley Weaver moved the Governing Body adopt Ordinance 2316 adopting the Standard Traffic Ordinance Edition of 2014 (STO) prepared and published by the League of Kansas Municipalities with certain sections amended, deleted and with additional and supplemental sections. The motion was seconded by Laura Wassmer.

A roll call vote was taken with the following votes cast “aye”: Shaffer, Weaver, Nelson, Hopkins, Noll, Mikkelson, Wang, Wassmer, Morehead, McFadden, Odell and Gallagher.

COU2014-36 Consider Pool Painting Bids

On behalf of the Council Committee of the Whole, Council President Ashley Weaver moved the City Council approve the bid from Northeast Painting Associates,

LLC for pool painting in the amount of \$57,570. The motion was seconded by Courtney McFadden and passed unanimously.

COU2014-37 Consider Construction Administration Agreement with TranSystems for the 2014 CDBG Project

On behalf of the Council Committee of the Whole, Council President Ashley Weaver moved the City Council approve the Construction Administration Agreement with TranSystems for the 2014 CDBG Project:: RADR0001 in the amount of \$5,500. The motion was seconded by Ted Odell and passed unanimously.

COU2014-38 Consider Interlocal Agreement with the City of Leawood, Kansas for Project SODR0004: Somerset Drive - Belinder Avenue to State Line Road

On behalf of the Council Committee of the Whole, Council President Ashley Weaver moved the City Council approve the Interlocal Agreement with the City of Leawood, Kansas for Project SODR0004: Somerset Drive - Belinder Avenue to State Line Road. The motion was seconded by Brooke Morehead and passed unanimously.

Statuary Committee

Laura Wassmer reported the updating of the basic inventory and ratings of statues located within Prairie Village has been completed and given to an appraiser who did the review of Mission Hill's statues. The goal of the committee is to be able to do as much as can be done within the allotted budget. The project will continue next year with the creation of a long term plan for the maintenance, cleaning and repair of statues over the next five to ten years.

Ruth Hopkins noted the initial statutory inventory was completed many years ago as an Eagle Scout Project.

JazzFest Committee

Mayor Shaffer called upon JazzFest Committee Chairman Jack Shearer to report on the 2014 Jazz Festival. Mr. Shearer stated the festival was a success on all accounts. The weather was beautiful, the talent was awesome and although all payments and bills have not yet been received, the festival will end in the black. He thanked the Police Public Works Departments for their assistance. He expressed appreciation to the Prairie Village Post for its promotion and coverage of the event. He recognized the contributions of Jane Andrews, volunteer coordinator; Larry Kopitnik, talent coordinator; JD Kinney, merchandise/sales coordinator; city staff person Joyce Hagen Mundy and Council liaison Brooke Morehead.

Mr. Shearer announced that JD Kinney will serve as the Chairman of the JazzFest committee for the coming year. Mr. Kinney thanked Mr. Shear for his past leadership and stated that he is looking forward to continuing this acclaimed area Jazz Festival and community event.

Ruth Hopkins asked if there was any negative feedback from the admission charge. Mr. Kinney responded that it was minimal. Ms Nelson who volunteered at the event stated she did not hear any negative comments.

Brooke Morehead noted that in January 2013 the committee requested a loan of \$10,000 which was approved. Unfortunately, in November the committee reported that it would not be able to repay the loan and the Council approved the use of the loan for payment of bills and to begin the 2014 year. In August, the Council approved budgeted funding of the event at \$10,000 and the committee will have excess funds from this festival to begin planning for 2015 and secure another fabulous talent line-up.

STAFF REPORTS

Mayor Shaffer stated that staff reports were given at the earlier Council Committee of the Whole meeting.

OLD BUSINESS

Brooke Morehead asked staff to arrange for a meeting of the Committee on Committee Structure.

NEW BUSINESS

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

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

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|---------------------------------|------------|-----------|
| Prairie Village Arts Council | 09/17/2014 | 7:00 p.m. |
| Environmental/Recycle Committee | 09/24/2014 | 7:00 p.m. |
| Council Committee of the Whole | 10/02/2014 | 6:00 p.m. |
| City Council | 10/02/2014 | 7:30 p.m. |

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The Prairie Village Arts Council is pleased to present a mixed media exhibit by Gloria Hawkins and Christina Ellis mixed media exhibit in the R. G. Endres Gallery.

The Shawnee Mission Education Foundation’s fall breakfast is Thursday, September 25th at 7 a.m. at the Overland Park Convention Center (6000 College Blvd)

Prairie Village Peanut Butter Week is October 6 - 10. Please bring peanut butter to the October 6 Council Meeting or stop by City Hall the week of the collection.

The October exhibit in the R.G. Endres Gallery will be the annual State of the Arts. The reception will be held on Friday, October 10th from 6 - 8 p.m. with the awards being announced at 7:30 p.m.

Flu shots will be offered for Council Members and city employees on Wednesday, September 17th from 9 to 11 a.m. at Public Works or from 3 - 4:30 p.m. in the Multi-Purpose Room. The fee for the shot is \$13.50. Please notify Amy Hunt at 913-385-4664 if you plan to receive a shot.

ADJOURNMENT

With no further business to come before the City Council the meeting was adjourned
at 8:30 p.m.

Joyce Hagen Mundy
City Clerk