

**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE  
Monday, August 20, 2007  
7:30 p.m.**

**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 - August 6, 2007
2. Claims Ordinance 2641
3. Approve the renewal of the 60 month SmartTrunk Service Agreement with AT&T.
4. Approve Construction Change Order #3 with J. M. Fahey Construction Company in the amount of \$5,934.00. Funds are available in the Capital Infrastructure Program under Project 190860 - 2007 Paving Program Construction.
5. Approve the agreement with the Johnson County Airport Commission for use of the New Century Airport for snowplow training by Public Works employees at a cost of \$50 per day.

**By Committee:**

6. Approve Amendment to the Construction Agreement for Prairie Village Project 190708: (SMAC Project BC-11-056) increasing the SMAC funding commitment not to exceed 75% of the estimated construction cost of \$2,720,600. (Council Committee of the Whole Minutes - August 6, 2007)
7. Direct the Planning Commission to study the City's zoning regulations to address those items identified by the Village Vision for action by the Commission in 2007.
  - To reflect contemporary land use
  - To allow more residential, commercial office
  - To permit higher residential densities and mixed uses
  - To allow for a greater variety of housing types(Council Committee of the Whole Minutes - August 6, 2007)
8. Adopt an ordinance adding a new Article 9, to Chapter 4 of the Code of the City of Prairie Village entitled "Association Notification of Construction Activity." (Council Committee of the Whole Minutes - August 6, 2007)
9. Authorize the current Ad-Hoc Homes Association Committee be established as a formal committee of the City.(Council Committee of the Whole Minutes - August 6, 2007)

**VI. STAFF REPORTS**

**VII. COMMITTEE REPORTS**

**Village Vision - 75<sup>th</sup> St Corridor Committee - Pat Daniels**

**Prairie Village Arts Council - Committee - David Belz**

**VIII. OLD BUSINESS**

IX. NEW BUSINESS

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](mailto:cityclerk@PVKANSAS.COM)

**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
August 20, 2007**

The City Council of Prairie Village, Kansas, met in regular session on Monday, August 20, 2007, 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, Michael Kelly, Andrew Wang, Charles Clark, Wayne Vennard, Diana Ewy Sharp and David Belz.

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

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

**PUBLIC PARTICIPATION**

There was no one present to address the Council.

**CONSENT AGENDA**

Andrew Wang moved the approval of the Consent Agenda for Monday, August 20, 2007:

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- Infrastructure Program under Project 190860 - 2007 Paving Program Construction.
5. Approve the agreement with the Johnson County Airport Commission for use of the New Century Airport for snowplow training by Public Works employees at a cost of \$50 per day.
  6. Approve an amendment to the Construction Agreement for Prairie Village Project 190708: (SMAC Project BC-11-056) increasing the SMAC funding commitment not to exceed 75% of the estimated construction cost of \$2,720,600.
  7. Direct the Planning Commission to study the City's zoning regulations to address those items identified by the Village Vision for action by the Commission in 2007.
    - To reflect contemporary land use
    - To allow more residential, commercial office
    - To permit higher residential densities and mixed uses
    - To allow for a greater variety of housing types
  8. Adopt an ordinance adding a new Article 9, to Chapter 4 of the Code of the City of Prairie Village entitled "Association Notification of Construction Activity."
  9. Authorize the current Ad-Hoc Homes Association Committee to be established as a formal committee of the City.

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

## **STAFF REPORTS**

### **Administration - Doug Luther**

- Seven teardowns - teardown at 4101 Prairie Lane on hold pending outcome of civil litigation between homes association and owner
- New Tenant at PV Shopping Center - Cactus Grill
- New signs for Corinth Square Shopping Center
- AT&T still working on acceptable resolution for proposed box at Alhambra
- Open Enrollment for Health plans - 99 participating employees
  - 52 single coverage, 19 employee + 1, 28 family coverage
  - 39 participants in unreimbursed medical 125 program, 54 in insurance program

Andrew Wang asked if the 125 program was promoted to employees. Mr. Luther responded the program has been promoted and is growing. He noted the tax savings received by both the participants and the City. Last year the program resulted in approximately \$5,000 savings to the City.

Al Herrera asked if the home on Prairie Lane had received a building permit. Mr. Luther responded a permit has been issued as the proposed home meets all the city's

building codes and requirements. The issue is an interpretation of the homes association deed restrictions and as such is being handled through civil court.

### **Public Safety - Tim Schwartzkopf**

- The Liz Wilson case has been bound over for trial with a trial date set at February 25, 2008.
- The Police have stepped up patrols to address recent vandalism in the parks resulting in arrests of two youth at Windsor Park and four teenagers at the Harmon Park Tennis Courts.
- The 9-1-1 equipment is currently being upgraded by the Mid America Regional Council.

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

- The grass on the bank outside the patio of the municipal building will be removed and replaced with low yews, shrubs and some annual flowers. This area is very difficult for crews to mow and maintain.
- 2008 Capital Infrastructure Program Review

#### **Parks**

- Fall Zone Replacement - Harmon Park rubberized surface
- Park ID Signs
- Carroll Plaza Study - may want to delay due to 75<sup>th</sup> Street Corridor
- Swimming Pool Reserve - no major problems in 2007
- Meadowlake Park money moved to Windsor possible ball field repairs
- Master Plan for Parks
  - Scope to be determined by Parks Committee,
  - Addressing hardscape or softscape issue

**Drainage** - Mr. Pryzby expressed appreciation to the Council for returning funds to this area.

- 2008 Drainage Repair Program
- 2009 Drainage Repair Program
- Somerset Dr. & Low Water Crossing - no funding, SMAC is requesting release of funds
- Private Water Discharge Program - there have been 3 successful installations and 3 systems abandoned. The program is working

#### **Streets**

- 2008 Paving Program - sidewalk will be constructed on Hodges Drive
- 2009 Paving Program - working on list of potential streets
- 75<sup>th</sup> Street - Belinder to State Line - funds moved to  
Roe Avenue - 91<sup>st</sup> Street to Somerset
- Roe Avenue - North City limit to 67<sup>th</sup> Street (slurry seal)
- Mission Lane Bridge Replacement - professional consultant

#### **Building Projects**

- Public Works Replace Building B

**ADA** - ongoing replacement of ramps

#### **Concrete**

- 40 Streets with concrete repair work - west side 79<sup>th</sup> to 83<sup>rd</sup> and Lamar to Nall
- The Swimming Pool will be closed in two weeks, process will take a month

David Belz asked the status of negotiations with Highwoods on the public works building and of the Mission Hill request for proposal for public works services. Mr. Pryzby responded the request from Mission Hills will be discussed by the Finance Committee on August 28<sup>th</sup>. Mayor Shaffer responded negotiations with Highwoods are continuing.

Al Herrera asked if the Tomahawk Bridge would be completed before the holidays. Mr. Pryzby replied things are going well at this time; however, it is too early to estimate a completion date.

### **Legal Staff**

Charles Wetzler reported he is monitoring one law suit regarding a former employee that is scheduled for mediation in September and noted the city's insurance carrier is also representing the city on this case.

Al Herrera asked the status of the repair of the unsafe structure on Mohawk. Doug Luther responded the property has been purchased. The yard area is clean. The building inspector and code enforcement officer are monitoring progress closely. The roof has been repaired and the owner hopes to have windows installed by the end of the month; however, he is beginning to have financial problems and has not been successful in securing funding.

### **City Administrator**

Barbara Vernon reported on the proposed merger of Fire District #2 and Merriam and the potential impact of the merger. The fire district states that the move will achieve economies of scale and over time become beneficial. The Northeast Johnson County Mayors have discussed the issue and have asked City Administrators to do further research into the true financial impact on participating cities. Mrs. Vernon noted that Prairie Village represents 30% of the covered area and will incur the largest impact.

Ruth Hopkins expressed concern and asked who ultimately would make the decision to merge. Mayor Shaffer replied the Fire District Board voted on the merger two weeks ago and Merriam is set to vote on the merger this week. County Commissioners make the final decision on behalf of the County. Mrs. Vernon advised the Council there would be public hearings held on the proposed merger.

## **COMMITTEE REPORTS**

### **Prairie Village Arts Council**

David Belz reported the Prairie Village Arts Council is working on development of a public art program.

The juried art show being held this October will hold its reception on Friday, October 12<sup>th</sup> from 6 to 8 p.m. The committee was able to collect approximately \$3,500 of the \$4,500 in funding received from the City. Entries were lower than expected; however, \$2000 was raised in sponsorships. Hy-Vee has agreed to provide its sponsorship by offsetting the entire cost of the reception. Mr. Belz indicated that applications for the 2008 show are expected to be greater due to the publicity and public awareness provided by this show. Michael Kelly commented that Hy-Vee also covered the cost of the Sister City reception for foreign exchange students and is an excellent corporate citizen.

## **OLD BUSINESS**

### **No Smoking Ordinance**

Charles Clark stated he planned to bring back for consideration the "No Smoking Ordinance" which was tabled earlier in anticipation of action by other cities. He noted that since that time Lenexa has passed the ordinance and if it is not adopted by the Kansas City Council, it will go before the general public as a ballot issue. Mr. Clark noted he did not feel the issue needed further investigation by the Task Force.

David Belz noted only one committee member attended their last meeting and he intended to e-mail all the members to see when they could meet. He is willing to meet again.

Mayor Shaffer noted he would like any presentations before the Council to come from Prairie Village residents. Mr. Belz noted he can not control who attends the meeting or who speaks.

Ruth Hopkins stated she felt strongly the committee should meet again. She wants to know what they are thinking about the proposed revisions to follow the ordinance adopted by the City of Overland Park.

Al Herrera asked that the new restaurant owner be included. He quoted a recent newspaper article stating that Kansas City, Missouri would not adopt the ordinance until the 85% criteria was met. Mr. Herrera strongly feels the adoption of this ordinance is a significant disservice to the City's restaurant owners and is totally against the ordinance until it is adopted by neighboring Kansas City, Missouri.

David Belz stated he can not control who attends a meeting, but assured the Council a meeting date would be set and communicated to the entire task force. He noted the task force met four times initially.

Al Herrera stated the restaurant owners felt the task force was stacked against them. Mr. Belz responded that the makeup of the task force included three representatives from both sides of the issue.

Charles Clark stated he would wait until after the task force has met to bring the issue forward. Mr. Herrera stressed that he wanted the new restaurant owner included at the meeting. Mr. Belz stated he would be welcome to attend, but noted it would be as a guest and not an appointed voting member of the task force. At Mr. Herrera's request, Mr. Belz stated he would e-mail him the notice of meeting for him to pass along to those he felt should be attending.

David Belz clarified for the Council that the City has already passed a no smoking ordinance; the discussion is not on the ordinance, but on the date and level of implementation.



## NEW BUSINESS

### **Pool Hours and Fees**

Diana Ewy Sharp introduced Chris Engel to present an update on pool operations and a request for a reduction of fees for the final two weeks of the season.

Chris Engel reported the lifeguard staff at the pool has returned to school creating serious staffing issues. The City has already reduced the hours of operation during the week and increased pay to create an incentive for guards to remain working until the end of the season. However; the extra-curricular activities of the students make it impossible for them to work. As a result, there is not sufficient staff to operate the pool at full capacity even with abbreviated hours. In order to remain open, some of the pools have been closed during the week.

The baby pool, half the lap lanes, the slides and the diving well have been closed to allow for full staffing of the yard pool, adult pool and half the lap lanes. Since the pool is not operating "as advertised" staff is recommending the twilight pool admission rate of \$4 begin at 4:30 p.m. on weekdays instead of the regular 5:30 for the last two weeks of the pool season. The potential loss in revenue should not be significant and could potentially be offset by the goodwill created or by extra dollars spent at concessions.

Mr. Engel noted this is a problem experienced by all area pools. Diana Ewy Sharp stated she and Al Herrera will meet with Chris and the pool managers at the close of the season to discuss possible ways to address this on-going problem.

Diana Ewy Sharp moved the City Council reduce the Monday through Thursday gate admission price from \$6 to \$4 for the last two weeks of the pool season. The motion was seconded by Ruth Hopkins and passed unanimously.

## ANNOUNCEMENTS

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

Environmental Recycle Committee	08/22/2007	7:00 p.m.
Finance Committee	08/28/2007	4:00 p.m.
Council Committee of the Whole (Tuesday)	09/04/2007	6:00 p.m.
Council (Tuesday)	09/04/2007	7:30 p.m.

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The Prairie Village Arts Council is pleased to feature a photography exhibit by Shawn Bohs in the R.G. Endres Gallery during the month of August.

The Shawnee Mission Educational Foundation annual breakfast will be held on Thursday, August 28<sup>th</sup> at the Overland Park Convention Center.

Commerce Bank in Corinth is hosting a reception Thursday, August 30<sup>th</sup> from 5-7 p.m. The event is co-sponsored by AT&T as well as the Chambers of Northeast Johnson County and Leawood.

The Prairie Village pool closes for the season at 6:00 p.m. on September 3<sup>rd</sup>.

The 50<sup>th</sup> 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

8:40 p.m.

Joyce Hagen Mundy  
City Clerk