

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, March 19, 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 – March 5, 2007
- 2. Claims Ordinance 2636
- 3. Ratify the Mayor's appointment of Captain John Walter and Captain Wes Jordan to Acting Chief of Police to serve alternating months expiring upon appointment of a Chief of Police.

By Committee:

- 4. Approve the transfer of \$55,000.00 to the Capital Infrastructure Program Project 190855: Tomahawk Road bridge replacement from the Capital Infrastructure Program Street unallocated. (Council Committee of the Whole Minutes – March 5, 2007)
- 5. Approve a rate change on the amount charged for off-duty contractual services of \$41.52 per hour. (Council Committee of the Whole Minutes – March 5, 2007)
- 6. Include by reference the presented curb requirements, standards and practices to the manual of Infrastructure Standards. (Council Committee of the Whole Minutes – March 5, 2007)

- VI. **COMMITTEE REPORTS**
COU2007-29 Consider Planning Funding Agreement between the City and Nextel
- VII. **OLD BUSINESS**
- VIII. **NEW BUSINESS**
- IX. **ANNOUNCEMENTS**
- X. **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
March 19, 2007
-Minutes-**

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

ROLL CALL

Council President David Belz called the meeting to order and roll call was taken with the following Council members present: Al Herrera, Bill Griffith, Ruth Hopkins, Michael Kelly, Andrew Wang, Pat Daniels, Charles Clark, Wayne Vennard and Diana Ewy Sharp.

Also present were: Charles Wetzler, City Attorney; Capt. Wes Jordan, Acting Chief of Police; Bob Pryzby, Public Works Director; Doug Luther, Assistant City Administrator; and Joyce Hagen Mundy, City Clerk.

Council President David Belz led all present in the Pledge of Allegiance.

PUBLIC PARTICIPATION

Council President David Belz welcomed and recognized Boy Scouts from Troop 84, Troop 91 and Troop 283 who were attending the meeting for their "Citizenship and Community" merit badge.

Carole Plessner, 7938 Canterbury, read a letter directed to the City Council expressing complaints on the handling of the requested sidewalk on Canterbury. She felt the work has left her property decimated, unaccessible and lowered it's property value. Her former driveway with a minimal slope has been replaced with a driveway with a huge slope.

Mrs. Plessner felt the project could have been delayed as suggested by Pat Daniels at the February 20th meeting allowing for warmer weather and more daylight to benefit both the contractor and neighbors. However, Mr. Pryzby stated there was no need to delay the project as sufficient notice had been given to the residents to prepare for the construction. Later in the meeting, Mr. Herrera commended Mr. Pryzby on his professional handling of the sidewalk project. Mrs. Plessner admonished Mr. Herrera for his comments and for his failure to listen to her comments. She then lambasted Mr. Pryzby's character calling his actions unprofessional, unresponsive, vindictive, hateful and immoral.

Councilmen Wayne Vennard and Michael Kelly objected to the personal attack on Mr. Pryzby's character. Council President David Belz asked Mrs. Plesser to direct her comments to the chair and not at individual Council members or staff.

Mrs. Plesser stated the "Citizens Bill of Rights" distributed to the residents has not been followed. Public Works staff has been unresponsive to communications and created a dangerous situation for the residents. She stated she had been threatened by the contractor, denied access to her property, and had equipment and large amount of gravel dumped on her property. Mrs. Plesser accused City Staff and Council of being vindictive and wasteful with City funds by constructing a more costly and intrusive sidewalk on the west side of Canterbury.

Mrs. Plesser asked for the resignation of Bob Pryzby and Tom Trienens, the removal of the sidewalk with full repair of the property to its original condition, that her driveway be replaced to its original condition and that the City pay for the damages inflicted upon the residents.

Mrs. Plesser referenced Diana Ewy Sharp's comments on June 5, 2006, that she did not want to see another situation similar to the handling of the Canterbury Sidewalk. Mrs. Plesser stated the City has destroyed her home with its ridiculous and vindictive construction of a sidewalk. She advised the Council that she will continue to seek restitution from the City.

Stanley Plesser, 7938 Canterbury, stated he was asked by a stranger driving in their neighborhood why the sidewalk was being constructed on the west side of Canterbury rather than the east side. He responded with his story and stated he will continue to tell his story of the injustice and irresponsible government action. Mr. Plesser is seeking to develop a "Citizens Oversight Group", a jury of peers to look into the appropriateness of the actions of this administration. He said the Council does not have the right to punish the residents on the west side of Canterbury. Mr. Plesser repeated the earlier demands of his wife, that their driveway be returned to its original condition - he refuses to accept the damage to his property caused by the City and promised to return until this situation is resolved. They will not quit.

Pat Daniels gave those individuals present at the meeting a brief history on the Canterbury Sidewalk project and noted that although the comments made may not have been appropriate, our democracy allows individuals to address their thoughts to the governing body.

Al Herrera stated the name-calling by Mrs. Plesser was totally uncalled for and expressed his support for the city's staff. Mr. Kelly and Mr. Vennard expressed their support for Bob Pryzby.

CONSENT AGENDA

Al Herrera moved the approval of the Consent Agenda for Monday, March 19, 2007 :

1. Approve Regular Council Meeting Minutes - March 5, 2007
2. Approve Claims Ordinance 2636
3. Ratify the Mayor's appointment of Captain John Walter and Captain Wes Jordan as Acting Chief of Police to serve alternating months expiring upon the appointment of a Chief of Police
4. Approve the transfer of \$55,000.00 to the Capital Infrastructure Program for Project 190855: Tomahawk Road Bridge Replacement from the Capital Infrastructure Program Street Unallocated
5. Approve a rate change on the amount charged for off-duty contractual services of \$41.52 per hour
6. Include by reference the presented curb requirements, standards and practices to the Manual of Infrastructure Standards

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

COMMITTEE REPORTS

Council Committee of the Whole

On behalf of the Council Committee of the Whole, Bill Griffith moved the City Council approve the planning funding agreement between the City of Prairie Village and Nextel for the 800 MHz rebanding process for the city's radio system. The motion was seconded by Ruth Hopkins and passed unanimously.

OLD BUSINESS

Bill Griffith asked what the next step was in the Village Vision progress. Doug Luther stated over 100 persons attended the open house on March 8th. Comments are being tabulated and will be distributed to the Steering Committee, Council and Planning Commission. The Planning Commission has set a public hearing on the Comprehensive Plan for Tuesday, May 1st at 7 p.m. After the hearing, the Plan will be forwarded with the Commission's recommendation to the City Council for adoption.

NEW BUSINESS

Michael Kelly said he would like to discuss merits of a City Administrator vs a City Manager form of government. David Belz stated he did not feel the Council had sufficient information to discuss that question at this time and stated he would add it to the Council Committee agenda for discussion soon.

Bill Griffith asked where the City was in the search process for Chief of Police and City Administrator. Charles Clark responded the consultant hired to assist in the process has begun the search for Chief of Police. Applications for that position close on March 30th and then the consultant will screen the applications and provide the Council with recommended candidates to interview. This is anticipated to happen by May 1st with a decision made by the City Council in May. The City Administrator will retire in October and the process for filling that position will begin shortly.

Charles Clark stated a major difference between a City Administrator and City Manager is that the City Manager has the ability to hire and fire department heads, whereas these positions are appointed by the Mayor/Council under a City Administrator form of government.

Ruth Hopkins stated the Council needs information and opinions from knowledgeable persons on the merits of having a City Administrator vs a City Manager and noted this needs to be done soon.

Wayne Vennard asked if a change would require a charter change. Charles Wetzler, City Attorney, stated the role of the Mayor, Council and City Officials is clearly set out in the City Code and this would be changed significantly under a City Manager form of government.

Bill Griffith asked if the consultant has background and information that could be presented to the Council on the merits of the different forms. Charles Clark stated he may, and noted he has not discussed the question with him.

Bill Griffith agreed with Mrs. Hopkins that the Council needed information on which to make a decision from the legal perspective from the city attorney and from the personnel perspective from the Consultant and that this needs to be done soon. David Belz responded he did not feel this could be done by the next meeting. He suggested that possibly the information be distributed to the Council two weeks before the discussion to allow time to review and determine if additional information is needed prior to the action discussion of the issue.

Wayne Vennard asked if the advertisement for Mrs. Vernon's position could note that the Council is considering both the City Administrator and City Manager forms of government. Pat Daniels noted the salary requirements for a City Manager may be different than for a City Administrator.

Staff was directed to compile information for the Council on this issue.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Prairie Village Arts Council	03/21/2007	7:00 p.m.
VillageFest Committee	03/22/2007	7:00 p.m.
Communications Committee	03/28/2007	5:30 p.m.
Environmental Recycle Committee	03/28/2007	7:00 p.m.
Council Committee of the Whole	04/02/2007	6:00 p.m.
Council	04/02/2007	7:30 p.m.

The Prairie Village Arts Council is pleased to feature a mixed media exhibit by A. J. Weber in the R.G. Endres Gallery during the month of March.

Recreation memberships will go on sale in the City Clerk's office on April 2nd. The swimming pool will open May 26th.

The annual large item pick-up has been scheduled with Deffenbaugh for April 28th.

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 8:05 p.m.

Joyce Hagen Mundy
City Clerk