

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
April 20, 2015**

The City Council of Prairie Village, Kansas, met in regular session on Monday, April 20, 2015 at 7:30 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas.

ROLL CALL

Mayor Laura Wassmer 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, Brooke Morehead, Dan Runion, David Morrison, Ted Odell and Terrence Gallagher.

Staff present was: Tim Schwartzkopf, Interim Chief of Police; Keith Bredehoeft, Director of Public Works; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Wes Jordan, Assistant City Administrator; Nolan Sunderman, Assistant to the City Administrator; Lisa Santa Maria, Finance Director and Joyce Hagen Mundy, City Clerk.

Also attending were Teen Council members Bailey Riecker, Max Keeter, Ali Dastjerdi, Gabe Altenbernd, Kyle Baker and Denisa Butas.

Mayor Laura Wassmer led all present in the Pledge of Allegiance.

Scouts/Students

Mayor Wassmer recognized two students in attendance at the meeting.

PRESENTATIONS & APPOINTMENTS

Oath of Office - Mayor

City Clerk Joyce Hagen Mundy administered the oath of office to newly elected Mayor Laura Wassmer. Mayor Wassmer introduced her children who were in attendance and thanked the Council for their support. She is excited to be leading the City at this time of growth and opportunity.

Appointment & Oath of Office - Council Representative Ward 4

David Morrison moved the City Council ratify the appointment of Sheila Myers to complete the unexpired term for the vacated Council seat in Ward 4, expiring in April, 2018. The motion was seconded by Ruth Hopkins and passed unanimously.

City Clerk Joyce Hagen Mundy administered the oath of office to newly appointed Council Representative Sheila Myers.

Appointment of Chief of Police

David Morrison moved the City Council ratify the appointment of Tim Schwartzkopf to serve as Chief of Police for the City of Prairie Village. The motion was seconded by Ashley Weaver and passed unanimously. Chief Schwartzkopf introduced his family who were in attendance and thanked the Mayor and Council for the opportunity to serve Prairie Village as its Chief of Police. He acknowledged the strong foundation in place for the police department and the work of former Chief Wes Jordan and the professional police personnel serving the city.

Recognition of 2015 Teen Council

Mayor Laura Wassmer and Councilwoman Jori Nelson presented Certificates of Recognition to the 2015 Teen Council members: Bailey Riecker, Max Keeter, Ali Dastjerdi, Gabe Altenbernd, Kyle Baker and Denisa Butas. Mayor Wassmer noted the participation of the teen council in attending City Council and Committee meetings,

meeting with City Staff to better understand the operations of the Police Department, Public Works Department and City.

PUBLIC PARTICIPATION

No one was present to address the City Council.

CONSENT AGENDA

Council President Ashley Weaver moved the approval of the Consent Agenda for Monday, April 20, 2015:

1. Approve Revised City Council Minutes - April 6, 2015
2. Approve Claims Ordinance No. 2928
3. Authorize the Mayor to execute the following proclamations:
 - Bike Month - May, 2015
 - Municipal Clerks Week: May 3 - 9, 2015
 - National Police Week: May 10 - 16, 2015
 - National Public Works Week: May 17 - 23, 2015
4. Ratify the Mayor's reappointment of the following City Officials:
 - Quinn Bennion City Administrator
 - Keith Bredehoeft Director of Public Works
 - Tim Schwartzkopf Chief of Police
 - Wes Jordan Assistant City Administrator
 - Joyce Hagen Mundy City Clerk
5. Approve the Interlocal Agreements with Johnson County Park & Recreation District for the Learn to Swim program, Pool Usage Agreement and Day Camp Agreement for 2015
6. Approve the bid award to Central Salt for Enhanced Salt at a cost of \$74.59 per ton delivered.
7. Approve the bid award to Edwards Chemical, Inc. for swimming pool chemicals for 2015.
8. Approve the Interlocal Agreement with the City of Overland Park for improvements to 71st Street between Reeds Road and Nall Avenue.

A roll call vote was taken with the following members voting "aye": Weaver, Nelson, Hopkins, Noll, Mikkelson, Wang, Myers, Morehead, Runion, Morrison, Odell and Gallagher.

COMMITTEE REPORTS

Council Committee of the Whole

COU2015-13 Consider 2015-2016 Insurance Renewals

On behalf of the Council Committee of the Whole, Council President Ashley Weaver moved the City Council approve the renewal of all of the City's insurance needs with Travelers for the coverage year of May 2015 to May 2016 at a cost not to exceed \$342,525. The motion was seconded by Brooke Morehead and passed unanimously.

Environment/Recycle Committee

Jori Nelson reported that the Environment/Recycle Committee has decided not to pursue a ban on plastic bags at this time but will encourage businesses to offer incentives to customers to use reusable bags.

MAYOR'S REPORT

Mayor Wassmer noted the City had received 23 volunteer applications to serve on the Planning Commission. Terrence Gallagher, Brooke Morehead, Ron Williamson and the Mayor have reviewed and rated the applications selecting five individuals to interview. The Council has received copies of all the applications received. This committee will make a recommendation for appointments to Mayor, which will then come before the Council.

Mayor Wassmer announced that she would be forming a task force for the developer agreement for the Meadowbrook Project including two Council members. The meetings will be held during the day. Interested Council members should contact her.

During the Council Committee of the Whole changes to committee structure will be discussed. After adoption of the revised Council Policy, she will assign Council members to committees. Appointments will be made mid May.

STAFF REPORTS

Public Safety

- Chief Schwartzkopf reported the officer injured Sunday evening had minor injuries and is back at work. The investigation into the incident is continuing.
- Since February the department has received over 40 reports of identity theft related to the filing of tax returns. They provide the necessary forms which in turn are investigated by the IRS.

Public Works

- Keith Bredehoeft provided an update on Google fiber installation - the preparatory construction on 650 poles has gone well and is nearing completion with only one permit outstanding. Discussions are continuing with AT&T for their Gigapower installation.
- A Park Informational meeting was held on April 16 for the 2015 park improvements. Information was also mailed to all properties surrounding the parks involved. Only one resident attended.
- The annual Arbor Day event sponsored by the Tree Board will be held on Saturday, April 25 at Porter Park at 9 a.m.

Administration

- Wes Jordan presented Chief Schwartzkopf with the bars on his collar reflecting his change of status from Captain to Chief of Police.
- Wes Jordan reviewed the proposed process for the selection of a new Planning Consultant. The Request for Qualifications will be sent out later this week. A search committee made up of representatives of the Planning Commission, City Council, the Mayor and staff will review the qualification and interview candidates. The time frame is tight with Mr. Williamson wishing to retire in June.
- Quinn Bennion announced a new staff person will be joining the City Clerk's Office later this week.
- The Employee Fitness Room has recently been expanded with additional equipment. Employees and Council members are able to use the facility with a waiver.

OLD BUSINESS

Eric Mikkelson noted the recent approval by the Overland Park City Council of a bike plan adding 165 miles of bike lane throughout Overland Park. He also noted that

Overland Park also chose not to approve an agreement with KCP&L for electric charging stations at their city facilities for reasons similar to those given by the Council.

New Business

Jori Nelson recognized Teen Council member Kyle Baker on his selection as President of the Student Council next year.

Mayor Wassmer acknowledged the receipt of a certificate from the National League of Cities honoring Prairie Village for 40 years of membership.

Adoption of 2016 Council Priority Listing

Quinn Bennion noted the Council Priority Listing is a malleable document and will be visited several times during the year. It is a guide to be used to allocate Council and staff resources. He is appreciative of the direction provided by the listing.

He has received several comments regarding the listing on the inclusion of the 71st to 75th Mission Road Project. This was added to the priority listing because of the additional time that will be required of staff and the time necessary for the public process to be carried out. This is a major thoroughfare and merits significant public input similar to the 75th Street Project.

As Mayor Wassmer pointed out at the work session, 2015 is a very full year with many major projects underway in the city requiring significant staff time. The direction given to the staff at the work session needs to be confirmed by the City Council in a council meeting.

Mayor Wassmer stated she had received significant comments and correspondence from residents regarding the proposed project and process followed. She had also received comments from council members who were unclear as to the

timeframe being discussed for this project. She asked Public Works Director Keith Bredehoeft to present the normal process followed for Capital Improvement Projects of this size.

Mr. Bredehoeft distributed and reviewed the normal process followed for a project of this size and scope which covered an 18 month timeframe before construction started. The process includes conducting a traffic study, public meeting on concept plan, approval of design consultant, preliminary design plans/field survey, public meeting on preliminary design, council approval of preliminary design, final design, utility adjustments or replacements and bid process. He noted that all of these steps will need to be completed in 2015 for the project to be constructed in 2016.

Ted Odell stated he was concerned with the time frame, noting the City has been working on the 75th Street project since he came on council three years ago. Mr. Bredehoeft responded the 75th Street project has taken longer because of the KDOT guidelines that had to be followed.

Mayor Wassmer confirmed the standard process for a capital improvement project requires 18 months of work prior to the beginning of actual construction.

Eric Mikkelson stated he felt the time frame for the project was communicated well at the last meeting. It was an aggressive, but doable, timeframe.

Ashley Weaver noted she was unclear on the timeframe. Ruth Hopkins asked if this needs to be done in 12 months rather than 18, what gets dropped.

Keith Bredehoeft responded the inclusion of this project will impact other projects that the city is currently working on. This is a good project and it is his recommendation that it be placed for 2017 CARS funding to ensure that it is well studied with significant input from the public and residents.

Eric Mikkelson noted the purpose of the work session was to establish Council priority and the council set this project as a priority.

Mayor Wassmer noted this is not just a Ward 3 project. This is a major road travelled by many Prairie Village residents. The impact of the proposed change will affect more than the adjacent property owners and she feels it merits input from residents throughout the city. She does not feel a small group of people should be able to set priorities that impact the entire city. She received several calls from residents who felt this was being rushed and wanted an opportunity to have input.

Sheila Myers asked if this action meant the city would be narrowing Mission Road in 2016.

Keith Bredehoeft noted the risk the city would be taking by submitting this project for CARS funding is that if the design doesn't work out the City would not get any CARS funding.

Eric Mikkelson stated the meeting on April 13th was duly called with a public agenda with action taken by an official vote and feels that such action is binding.

Mayor Wassmer stated a Council work session is not a City Council meeting. Any action or directive taken needs to be reaffirmed by vote of the Council at a City Council meeting.

Quinn Bennion noted the Mission Road project differs from others in that it has the opportunity to be submitted for CARS funding and that submittal for CARS funding for 2016 needs to be approved by the City Council at the May 4th meeting. The planned submittal for 2016 CARS funding was Mission Road 75th Street to 83rd which has been in the plans for several years.

Ted Odell stated he felt pressured to make an application for a hypothetical project which the city has not done any research, design and doesn't know the cost. The city could make tremendous improvements to this thoroughfare with the appropriate planning and still secure possible CARS funds in 2017. He noted council work sessions are usually held offsite for Council only and he did not appreciate the residents presence.

Eric Mikkelson expressed his frustration that people who didn't like the way the vote went would attempt to get a new vote after the appointment of a new council member. He considers a new vote a complete breakdown of the Council.

Ruth Hopkins stated she was under the impression that action taken at the work session would be coming to the City Council for a formal vote as is standard procedure with recommendations/actions from committees. Mayor Wassmer stated the action taken on April 13th was a directive/recommendation to staff and not an official vote of the City Council.

Ruth Hopkins moved the City Council adopt the 2016 Priority Listing with the removal of #3. The motion was seconded by Ted Odell.

David Morrison asked the city attorney if the vote taken on April 13th was legally binding.

City Attorney Katie Logan stated votes taken in committee are recommendations to the Council. Work sessions are more in line with a committee meeting than an official city council meeting and actions taken would need to be voted on separately at a regular city council meeting. Work sessions are not an action taking environment.

Eric Mikkelson asked that the Council not take action this evening, but wait until notice could be given to the neighbors of when action would be taken.

Mayor Wassmer replied she would like to have the entire city notified that it would be on the agenda and not just Ward 3. She is supportive of the project, but it needs to be open to comments from all residents. She has spoken with several who want an opportunity to share their thoughts on the project.

Sheila Myers asked if the city stayed with its original planned submittal for 2016 CARS funding, what would happen to this project. Keith Bredehoeft responded it would likely become the 2017 CARS project.

Ted Odell noted that items # 15 and #20 both address property maintenance and he would like to have them combined as a 2016 priority. He noted this issue has evolved over the past three years and he would like to see it continue with looking at possible code revisions.

Eric Mikkelson said he heard the residents' plea to the council to view Mission Road as more than a dollar and staff time issue, but as an urgent safety issue. That is why this project was accelerated to the front of the line. He cannot see a higher moral priority than the safety of our children. The work session was to set direction on the Council's priorities and this project was chosen due to its urgent moral issue.

Sheila Myers asked if anyone had been injured. Mr. Mikkelson responded fortunately not. Mrs. Myers stated that there are several areas in the city that have similar curb design with sidewalk at the curb. Mr. Mikkelson noted this area also has a stone wall next to the sidewalk creating even greater danger. Mrs. Myer noted a similar situation along 83rd and Nall. This is not an optimal condition, but the council must take into consideration costs, staff resources and the safety of the city as a whole. She noted a reference was made at the work session to tickets being written at this location.

Chief Schwartzkopf noted there were 12 tickets written, but added he does not know if that is any different than other areas along Mission Road. He added that during that time period the department was doing a seat belt enforcement campaign which may have contributed to the number of tickets. He offered to research further.

Ted Odell stated he does not believe the action taken on April 13th obligates the City. Further discussion needs to take place. He is concerned with the number of unknown factors including costs and funding and asked if the Council would be willing to raise taxes if necessary to pay for this project.

Eric Mikkelson responded that safety is important to each member of the Council and noted the motion was contingent on costs not to exceed \$2M with 50% funding from CARS. There are reasonable arguments regarding when to proceed; however, the Council set the priority for immediate action.

Terrence Gallagher noted that at the work session he asked for an evaluation of all the school zones. Mr. Gallagher asked if this was to be done in 2015 what would have to be taken off the priority list. Mr. Bredehoeft responded the issue is not only the impact on other projects, but the city would not be following a process that is necessary for a project of this size and magnitude.

Mr. Gallagher asked what would need to be done to fast track this. Quinn Bennion responded there would be items compromised or shifted to make this happen. This project and other projects will be less well studied and completed. Mr. Gallagher asked if projects would need to be removed to do this project. Quinn Bennion responded the previously planned project would be delayed. The removal of planning items will diminish the ability of the city to create and construct a well planned project.

The Council needs to determine if this project is to be submitted as the 2016 or the 2017 CARS Project.

Ruth Hopkins redrew her motion and Ted Odell withdrew his second.

Ted Odell moved the City Council approve the 2016 priority listing with the removal of item #3 for future comments and combining items #15 and #20 as a 2016 medium priority. The motion was seconded by Ruth Hopkins.

Brooke Morehead noted the exploration of the use and cost of body cams for PD on the priority listing and asked for clarification, noting a recent article in the KC Star. Chief Schwartzkopf noted the department has been investigating both the cost and use of these units to determine if they were appropriate for the department. They are not at this time ready to move forward with their purchase or expanded use throughout the department.

Eric Mikkelson expressed concern with the voting of Council members for priorities noting the number of votes cast did not equal the number of persons voting. He confirmed that if this is reapproved that there would be sufficient time for submittal for CARS funding. Keith Bredehoeft responded that he would be submitting a project as a placeholder to ensure the city's ability to submit.

Ted O'Dell questioned if the residents along Mission Road 75th to 83rd should also be notified of the possible delay of their project.

Dan Runion questioned the possible impact on the proposed changes to Mission Road 71st to 75th on the Mission Road 75th to 83rd.

Mayor Wassmer called for a vote on the motion. The motion was approved by a 7 to 5 vote with the following members voting in opposition: Morrison, Runion, Mikkelson, Wang and Nelson.

Committee meetings scheduled for the next two weeks:

Environment/Recycle Committee	04/22/2015	7:00 p.m.
VillageFest Committee	04/26/2015	7:00 p.m.
Council Committee of the Whole	05/04/2015	6:00 p.m.
City Council	05/04/2015	7:30 p.m.

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The Prairie Village Arts Council is pleased to present a photography exhibit by The Saturday Group in the R. G. Endres Gallery during the month of March.

Recreation sales have begun. Pool memberships purchased in April will be discounted by \$10.

The Prairie Village Tree Board is hosting an Arbor Day Event on April 25th at Porter Park at 10 a.m. honoring former member Jack Lewis.

ADJOURNMENT

With no further business to come before the City Council the meeting was adjourned at 9:00 p.m.

Joyce Hagen Mundy
City Clerk