

**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
May 4, 2015**

The City Council of Prairie Village, Kansas, met in regular session on Monday, May 4, 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, Sheila Myers, Brooke Morehead, Dan Runion, David Morrison and Terrence Gallagher.

Staff present was: Tim Schwartzkopf, 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 Sgt. James Carney and Ron Williamson, City Planning Consultant.

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

**PUBLIC PARTICIPATION**

No one was present to address the City Council on issues not listed on the Council Agenda.

**CONSENT AGENDA**

Council President Ashley Weaver moved the approval of the Consent Agenda for Council May 4, 2015:

1. Approve City Council Minutes - April 20, 2015

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

## **COMMITTEE REPORTS**

### **Planning Commission**

**PC2015-04 Consider Renewal of Special Use Permit for Wireless Communication facility and equipment compound at 3921 West 63<sup>rd</sup> Street, Consolidated Fire District #2**

City Attorney Katie Logan noted her firm represents Selective Site Consultants and that she will not be participating in any discussion on this matter and has not counseled the City on this item.

Ron Williamson stated this is a request to renew the Special Use Permit for the monopole and equipment compound located at Consolidated Fire District #2 Station at Mission Road and 63<sup>rd</sup> Street. The original application was made by Verizon Wireless who constructed the monopole and equipment compound. Upon completion of the construction, the facility was deeded to Consolidated Fire District #2 who is now the owner.

At its regular meeting on May 4, 2010 the Planning Commission found the findings of fact to be favorable and recommended the initial approval of the monopole and equipment compound subject to 21 conditions and subsequently approved the Site Plan. The Governing Body approved the original Special Use Permit with the 21 conditions recommended by the Planning Commission on June 7, 2010.

Mr. Williamson stated the first condition establishes the initial permit for a period of five years. At the end of the five year period, the permittee shall resubmit the application and shall demonstrate to the satisfaction of the Planning Commission and the Governing Body that a good faith effort has been made to cooperate with other providers to establish co-location at the tower site, that a need still exists for the tower, and that all the conditions of approval have been met.

With this renewal Sprint desires to co-locate on the tower. Sprint has conducted a multi-year search of a site that would allow them to improve their service coverage in this area. The propagation studies submitted clearly reflect that Sprint is currently providing inadequate coverage for this area

Sprint is requesting a three-year temporary permit to install antennas on the exterior of the tower. The existing canisters on the tower are not technically able to be used because the interior of the tower is at capacity and there is not enough space in the tower to accommodate the Sprint antennas and equipment. The Sprint antennas will be mounted on the exterior of the monopole and will be encased in a shroud. The shroud will be approximately 63" wide and 90" long. The monopole is approximately 29" wide at this point so the shroud will extend approximately 17" beyond the monopole. The equipment boxes supporting the Sprint installation would be located in the existing equipment compound. Sprint is requesting the temporary use for a period not to exceed three years in order for them to explore other alternatives to providing a permanent solution for service to this area. If this request is approved for the three-year period they can install quickly and be providing service to customers within a few months.

It was noted a permanent solution may require the replacement of this monopole with a larger, not taller one, the addition of a second tower or perhaps an alternative

tower structure which may be a “monopine,” a man-made tree. The application approval and the actual construction of the proposed facility take a considerable amount of time.

The five-year renewal period as set out in Condition #1 will expire June 7, 2015 and the applicant is requesting a ten-year renewal. When the monopole was approved, it had six canisters for antennas at elevations 145 feet, 135 feet, 125 feet, 115 feet, 105 feet and 95 feet. Verizon took the top two. AT&T took elevations 125 feet, 115 feet and 95 feet; and T-Mobile took elevation 105 feet, but did not install its antennas. Condition #12 approved the tower for Verizon and two additional carriers. Sprint is requesting co-location on the tower and would be the fourth carrier and this condition would need to be modified to accommodate them. Sprint’s technical analysis indicated the 105-foot elevation is not useable because the pole is at capacity and Sprint’s antennas and equipment cannot physically fit within the tower. Therefore, Sprint is requesting approval to install its antennas and RRUs on the outside of the monopole, but enclosed within a shroud, for a maximum period of three years while it finds a permanent solution to serve the area. The equipment proposed by Sprint will be located within the existing equipment compound.

A public hearing was held before the Planning Commission on April 7, 2015 with no one present to speak on the application. A neighborhood information meeting was held on March 16, 2015 with no one attending.

Mr. Williamson noted that condition #12 was not well worded and requested a change in the wording eliminating the word “Additional” at the beginning of the second sentence. Steve Noll confirmed this was not a substantive change requiring a two thirds vote of the Council for approval.

The Planning Commission found favorably on the findings of fact and recommend the Governing Body approve the renewal of the Special Use Permit for a wireless communications facility at 3901 West 63<sup>rd</sup> Street subject to 21 conditions, very similar to the original conditions of approval, which were reviewed by Mr. Williamson.

Mr. Williamson noted that no protest petition has been submitted; therefore, a simple majority vote of the Governing Body (seven votes) is required for approval.

The Governing Body shall make its findings of fact based on the “Golden Factors” and the additional factors set out for a wireless communications facility.

Steve Noll moved the Governing Body adopt Ordinance 2329 approving the renewal of a Special Use Permit for the installation, operation and maintenance of communication antenna and related equipment on the property described as 3921 West 63<sup>rd</sup> Street, Prairie Village, Kansas with the correction noted to condition #12. The motion was seconded by Sheila Myers.

Dan Runion asked what happens if the new plan is not approved. Mr. Williamson stated Sprint would be allowed to remain on the tower until the expiration of this permit in three years.

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

### **Council Committee of the Whole**

City Attorney Katie Logan clarified an incorrect ruling at the Council Committee of the Whole meeting that allowed Mayor Wassmer to vote to tie the motion made by Mr. Mikkelson approving the CARS application with the reversal of the projects listed for

2016 and 2017. On the adoption of an ordinance, the Mayor may vote; however, on non-ordinance items the Mayor only votes when there is a tie vote. Therefore, the motion made by Mr. Mikkelson would have been approved by a six to five vote and would be brought forward for action.

COU2015-15 Consider approval of the 2016-2020 County Assistance Roads System (CARS) program.

Mayor Wassmer opened the floor for comments on this issue asking residents to identify themselves for the record, to limit their comments to five minutes and to not repeat comments previously made.

Katie Siengsukon, 4220 West 74<sup>th</sup> Street, addressed the Council introducing two of her four children in attendance. Her family enjoys the community atmosphere and walk-ability found in Prairie Village. She noted the large number of children who walk on Mission Road at this location to get to school and stated for the city to be aware of this danger and not take action is negligent, and referenced the Code of Ethics signed by each council member. Action to address this situation needs to be put in motion now with the placement of this project as the 2016 CARS project.

Carol Tucker, 3914 West 74<sup>th</sup> Street, expressed support for moving construction of this project to 2016 noting her father was fearful of walking this area with his walker due to the closeness of the sidewalk to the roadway and the volume and speed of traffic. The same fear is experienced by her dog. She's heard cars crash and is fearful for St. Ann's students walking to the pool. She asked why one of the main routes to the Prairie Village Shopping Center has to be a death trap. Mrs. Tucker also noted that in the winter snow plows place snow over the sidewalk forcing them to walk in the street.

Molly Roudebush, 4133 West 73<sup>rd</sup> Street, noted that her mother-in-law would not walk on this sidewalk with a stroller because of its danger and shared an experience that occurred in St. Louis where a cross country team was running on a sidewalk located next to the roadway and a student tripped and fell into the street and was killed. This is the only walkway to the school and walking on the retaining wall is not a safer option.

Mary Basola, 7676 Canterbury, is a member of St. Ann's and last fall while she was talking outside of the Church while her children played nearby a speeding Google fiber truck spun out on Mission Road losing control and coming up onto the curb only a few feet from where her young children were standing. She asked if it was necessary for one of these near misses to become a fatality before something is done.

Joseph Nolke, 4006 West 73<sup>rd</sup> Terrace, stated that three neighbors on 73<sup>rd</sup> have opened their backyards for children to pass through as they safely walk to St. Ann's school.

Gloria Johnson, 3915 West 73<sup>rd</sup> Street, stated as a runner and a walker she avoids Mission Road. She has had children attending St. Ann's and Shawnee Mission East and feared for their safety when they walked to and from school.

Ellen Riley, 4000 West 74<sup>th</sup> Street, stated she was very aware of the challenges and details of moving forward immediately with this project; however, there is a valid urgency to do so to address this safety issue. She noted when schools were faced with safety issues, they tightened their budgets to take additional action to protect their students and she is hopeful that the City will do likewise.

Charlotte Butler, 7628 Mohawk Drive, noted she works at 7301 Mission Road and has children at St. Ann's School and supports the City taking immediate action to

address this dangerous situation for those who have to travel on this sidewalk to get to school.

Mike Riley, 4000 West 74<sup>th</sup> Street, thanked the Council for their consideration of this and particularly the Council members who accepted his invitation to walk this area. He noted you can feel a breeze from the speed of the cars travelling on Mission Road when on the sidewalk located next to the roadway. Children should not be put daily in the position of danger while walking to school.

Scott Nelson, 3900 West 74<sup>th</sup> Street (corner of Mission Road and 74<sup>th</sup> Street), noted he doesn't even mow his lawn during heavily travelled times on Mission Road because he can feel the cars on the roadway.

Wendy Padgett, 3918 West 74<sup>th</sup> Terrace, stated she loves walking to the Prairie Village Shopping Center, but when doing so she has her children walk on the grass in front of her and holds their hands. She urged the City Council to support immediate action.

Lynn Thornburg, resides where the accident occurred last February, wants her daughter to be able to play in their yard but she doesn't feel safe having her do so. She talked about the offset roadways entering onto Mission Road and the difficulty they have clearly entering the roadway. This is a dangerous location that needs to be addressed immediately.

Brad Trenkle, 4319 West 69<sup>th</sup> Street, stated that he does not live in this area, but noted that his dog is also fearful of walking the sidewalks along Mission Road because of the closeness to the roadway and the speed and volume of traffic. He asked the Governing Body to set the course and vision to take on this challenge and address this issue now.



Andrew Wang noted that in his ten years on the Council, he has rarely seen such passion and commitment of residents to come to Council to support action to make a positive change in their neighborhood rather than prevent action. He acknowledged the challenges that will need to be faced, but feels the City can and should take them.

Andrew Wang moved the City Council approve the 2016-2020 CARS application with interchanging the projects for 2016 and 2017. The motion was seconded by Eric Mikkelson.

Ruth Hopkins stated she believes 100% in the project, but the problem is rushing an 18 month project into a shorter timeframe and being able to do it right. She noted the timetable is being reduced by two-thirds.

Eric Mikkelson replied the project timetable is being reduced from 18 months to 13-14 months. This is the third public meeting that has been had on the project, additional public meetings are not necessary. He doesn't feel the issue needs to be studied by a consultant, there is clearly a safety hazard that needs to be addressed and now is the time to rally and take action.

Mayor Wassmer asked when the application needed to be submitted. Mr. Bredehoeft responded he will submit it this week. Mayor Wassmer asked what information needed to be submitted with the application, if the application has to include a specific design for a narrowed roadway or can the design be more open. Mr. Bredehoeft replied there could be some flexibility.

Brooke Morehead stated she is concerned with the implication that it has already been decided to reduce Mission Road from four lanes to three lanes. What if the study indicates that it should not or cannot be reduced. Chief Schwartzkopf has indicated that

based on the accident and law enforcement data collected this is not a safety issues. She noted the issue is being looked at as a microcosm not recognizing the impact on the wider community including the hundreds of people who travel Mission Road and possible impact of traffic pattern changes resulting from this action. She wants to make sure the city is coming up with the best solution.

Eric Mikkelson stated the funding will still be available if it is decided not to reduce the roadway to three lanes. He noted the city can suffer from analysis paralysis. There is no data that can be found to convince him this is not a dangerous safety issue and it is time to act - not to study.

Keith Bredehoeft stated a general scope of the project needs to be developed. The CARS program is traditionally used for asphalt improvements. This is a much more complex issue and he does not know if a roadway reduction to three lanes is the right action.

Sheila Myers asked what happens if the project cannot be completed in 2016. Mr. Bredehoeft responded he did not know as the city has always completed their projects in one year.

Sheila Myers asked what happens if the city gets the grant fund but the design is not done. Mr. Bredehoeft replied the City would lose funding for this project and the other project not submitted. Mrs. Myers asked if there was a short term solution that could be put into place until 2017.

Mr. Bredehoeft stated that his recommendation is and he supports doing the right project in 2017 after it can be fully studied and options explored. Mrs. Myers asked if it was done in 2017 if it could be done in the first quarter. Mr. Bredehoeft responded that due to its location near a school, it would not be constructed until after school closed.

Mayor Wassmer stated if this becomes a 2016 project construction would begin the end of May giving the city 12 months for planning and preparation with six months to design instead of 18 months.

Quinn Bennion reviewed the staff following staff concerns with moving this project forward to 2016:

- This is a significant project that needs time to develop and the normal process will guide that development. We are not sure of what is needed to best address the concerns raised.
- This is not a normal CARS project.
- A full traffic study is needed with counts on this section as well as to the north and south along with a full accident analysis of the corridor considering how the project would affect signal intersections and impacts to the north and south.
- Possible easements may need to be acquired.
- Bike needs should be studied.
- The Main Street Concept with aesthetic features should be investigated.
- Full public involvement process extending beyond the immediate neighborhood is need.
- There are risks associated with moving forward. There is a risk in submitting an application for funding that has not been fully thought out and studied.

Eric Mikkelson stated that one month ago the City Council voted 6 to 5 to submit this project for the 2016 CARS program. Timing is an issue with this project. There are 14 to 15 months before construction will begin. The city will save money in that the proposed project for funding was more expensive. There is also a risk taken in not taking action.

Ashley Weaver stated she agreed with Ruth Hopkins that there is no guarantee that CARS will accept this project for funding.

Terrence Gallagher stated there is no one on the City Council that does not view this as a valid project that should be done. The question is when the project should be done. He noted that in his Ward he has gotten more e-mails opposed to the project.

The vote is on the right process for action that will make this a win/win situation. Staff needs the time to investigate options and do it right.

Sheila Myers asked if the roadway could be striped immediately at a minimal cost and impact on traffic while this is being studied further.

Terrence Gallagher asked about putting up jersey barriers to make a save space for walkers. FEMA suggests that all sidewalks near schools be set back from the roadway.

Jori Nelson stated this was identified as a major priority.

Mayor Wassmer responded that this is a Capital Improvement Project. It is not listed on the priority listing and it is yet another big project. Ms Nelson suggested hiring a contract person to oversee this project. Mayor Wassmer replied that an increase in taxes would be required for that to be done.

Eric Mikkelson pointed out the project cost of this project is less than the proposed project. Mr. Bredehoeft noted the proposed project covers a longer section of roadway. Sheila Myers questioned if the city doesn't have a plan, how can it be said that the cost will be less. Mr. Mikkelson replied they are estimates. Mrs. Myers responded the proposed project is not an estimate - there is a specific plan that has been researched and investigated.

Andrew Wang restated his motion that the City Council approve the 2016-2020 CARS application with interchanging the projects for 2016 and 2017.

The motion was voted on and passed by a vote of six to five with Weaver, Hopkins, Noll, Myers and Morehead voting in opposition.

COU2015-14 Consider approval of amendments to Council Policy CP001 entitled “City Committees”

Mayor Wassmer stated this item was discussed at the April 20<sup>th</sup> Council Committee of the Whole meeting and council was directed to send in revisions that it desired to staff for editing for a final version for adoption. Those changes were reflected in the information presented in the council packet with the final version distributed this evening. Action is needed on this policy change in order for the Mayor to move forward on committee and council appointments.

Brooke Morehead moved the City Council approve the revised Council Policy 001 entitled “City Committees”. The motion was seconded by Ruth Hopkins and passed unanimously.

COU2015-16 Consider approval of a Construction Contract with Phoenix Concrete and Underground, LLC for Project CONC2015: 2015 Concrete Repair Program

On behalf of the Council Committee of the Whole, Council President Ashley Weaver moved the City Council authorize the Mayor to sign the Construction Contract with Phoenix Concrete & Underground, LLC for Project CONC2015: 2015 Concrete Repair Program in the amount of \$700,000. The motion was seconded by Eric Mikkelson and passed unanimously.

COU2015-17 Consider approval of a Construction Contract with Vance Brothers, Inc. for Project P5000: 2015 Crack Seal/Micro Surfacing Program

On behalf of the Council Committee of the Whole, Council President Ashley Weaver moved the City Council authorize the Mayor to sign the Construction Contract with Vance Brothers, Inc. for Project P5000: 2015 Crack Seal/Micro Surfacing Program

in the amount of \$312,000. The motion was seconded by Sheila Myers and passed unanimously.

COU2015-18 Consider approval of a Construction Contract with Metro Asphalt, Inc. for Project P5001: 2015 Street Repair Program

On behalf of the Council Committee of the Whole, Council President Ashley Weaver moved the City Council authorize the Mayor to sign the Construction Contract with Metro Asphalt, Inc. for Project P5001: 2015 Street Repair Program in the amount of \$150,000. The motion was seconded by Andrew Wang and passed unanimously.

COU2015-19 Consider approval of Emerald Ash Borer Tree removal and treatment plan

On behalf of the Council Committee of the Whole, Council President Ashley Weaver moved the City Council approve the Emerald Ash Borer (EAB) Ash tree removal and treatment plan as presented by staff. The motion was seconded by Steve Noll and passed by a vote of 10 to 1 with Ruth Hopkins voting in opposition.

COU2015-20 Consider approval of amendment to PVMC 1-301 entitled "Appointive Offices"

On behalf of the Council Committee of the Whole, Council President Ashley Weaver moved the Governing Body adopt Ordinance 2330 amending Section 1-301 entitled "Appointive Offices; Terms and salary" of Article 3 entitled "Officers and Employees" of Chapter 1 entitled "Administration" of the Prairie Village Municipal Code. The motion was seconded by Jori Nelson.

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

**COU2015-20 Consider approval of a Funding Agreement with MB-18, LLC (a VanTrust entity) for the development of Meadowbrook Property**

City Attorney Katie Logan stated a funding agreement is required by City Council Policy CP059 “City Assistance with Redevelopment Projects” for projects involving economic incentives. The agreement requires deposits be made to the City to cover costs the city incurs for the development of the funding and to prepare the agreement. Ms. Logan noted that some of these costs have already been incurred. These expenses include legal services for preparation of legal documents, bond documents, appraisals, financial advising services and other professional services. The funding agreement requires that the Applicant, MB-18, LLC (entity of VanTrust), reimburse the City for the payment of reasonably incurred costs. The expenses incurred are anticipated to be eligible for reimbursement once TIF funds are available.

The funding agreement establishes a deposit fund of \$75,000. The anticipated outside consulting services to be paid from these funds include Lathrop & Gage (Legal Services); Gilmore & Bell (Bond Counsel Services); Columbia Capital (Financial Advising Services); Bliss Associates (Appraisal Services) and the eligibility study required.

Eric Mikkelson questioned the omission of legal services in Section 2d of the funding agreement. Ms Logan those services are covered specifically elsewhere and in Section 2d under “additional consultants”.

Dan Runion confirmed these expenses will be reimbursable from the proceeds of the bond. He questioned the termination language in the agreement suggesting that the City solely has the ability to terminate the agreement and not the applicant. He also questioned the lack of a designated reimbursable amount allowed.

Katie Logan responded that this is a template agreement negotiated with the developer. The agreement can be terminated for failure to make payment or reimburse eligible expenses. She noted that if the project is ultimately approved, the developer has the opportunity to be reimbursed for these payments. However, there is no guarantee if the project is not approved.

Mr. Runion stated he is uncomfortable approving an agreement that limits the city's ability to terminate and does not have a budgeted amount included. Ms. Logan replied the developer asked for a budget to be included, but the city denied the request due to the difficulty of estimating projected costs.

David Harrison, with Van Trust, added that the funding agreement is a mechanism that has them paying the city for services. If the project does not get approved, the city has nothing to lose as their expenses have been reimbursed. If the project is approved, they have the ability to be reimbursed those funds as part of the TIF proceeds. Ms. Logan stated the anticipated expenses are expected to be in the \$300,000 range. Mr. Harrison stated they would love to have a stated dollar value. They will be paying expenses as the project develops and if costs get too large they would probably be the ones to pull out.

Steve Noll moved the City Council approve a Funding Agreement with MB-18, LLC related to reimbursing city costs associated with the Meadowbrook Development and Park. The motion was seconded by Sheila Myers and passed by a vote of 10 to 1 with Dan Runion voting in opposition.

## **MAYOR'S REPORT**



Mayor Wassmer stated she was invited to speak at the 20<sup>th</sup> anniversary of Claridge Court along with former Kansas City Mayor Kay Barnes and former Mayor Roe Taliaferro. As part of the event predictions were read from a time capsule buried when the facility opened and new predictions were made for the next 20 years to be placed in a time capsule. She was also invited to speak at the JCNichols sales office regarding what is happening in Prairie Village. She attended the retirement celebration for former Chief of Police Wes Jordan.

Mayor Wassmer encouraged council members to return their committee requests to Joyce by the end of the week. She also challenged the council members to walk the streets in their ward and take a close look at the condition of the streets, even taking pictures of specific locations and sending them to Keith Bredehoeft. She had recently done this and was astonished at the condition of some of the streets along Roe and Mission Road 75<sup>th</sup> Street to 83<sup>rd</sup> Street. This will provide a better perspective of the city's infrastructure needs as the Capital Improvement Program is created for 2016.

## **STAFF REPORTS**

### **Public Safety**

- Chief Schwartzkopf noted the annual Tip a Cop fundraiser for Special Olympics will be held at Johnny's from 4:30 to 9:00 on May 14<sup>th</sup>.
- An update was provided on the recent burglary arrest on 71<sup>st</sup> Terrace noting the suspects have also been linked to a burglary on the 4100 block of 73<sup>rd</sup>. The investigation is on-going.

### **Public Works**

- Keith Bredehoeft announced that two permits have been issued to AT&T for their Gigapower installation.
- Mr. Bredehoeft reviewed the RFQ process in place for the selection of inspectors
- Terrence Gallagher confirmed the work on 75<sup>th</sup> Street is being done by the City.

### **Administration**

- Lisa Santa Maria reviewed a prepared handout reflecting the internal controls in place for accounting, noting the city follows GAAP (Generally Accepted Accounting Principles) and KMAAG (Kansas State Statutes).

- Mrs. Santa Maria noted she is having discussions regarding the use of a pay card for routine monthly bills paid by the City which would reduce the process time and costs considerably. The city processes over 200 checks per month.
- Quinn Bennion noted the next step in the consideration of the Meadowbrook development would be the Memo of Understanding/agreement with the four parties involved in the development.
- The Meadowbrook Development Agreement work group will begin meeting to discuss the agreement.
- Mr. Bennion noted the number of significant actions that would be coming before the Council during the summer months and asked Council members to advise staff of known meetings that they will be unable to attend.

## **OLD BUSINESS**

### **Planning Commission**

#### **PC2013-11 Consider request for extension to SUP for Mission Chateau**

Mayor Wassmer noted in April a thirty-day extension was given. Both parties are continuing to work in good faith on an agreement. Mayor Wassmer expressed her frustration with the lack of closure on this noting that new requests from one side lead to changes from the other and vice versa. She is recommending that action be tabled for an additional month with a strong direction to both parties to put it all out and make this happen.

Terrence Gallagher moved the City Council grant an extension of 30 days to the expiration of the Special Use Permit. The motion was seconded by Ashley Weaver.

Dan Runion confirmed that there is still agreement on the conceptual plan, that the agreement between parties is what remains unresolved. Mayor Wassmer noted that some of the additional conditions have suggested plan changes.

Brian Doerr with the Mission Valley Neighborhood Association and Mike Flannigan, legal counsel for MVS, LLC noted both parties are working toward mutual acceptance of the 12 - 14 page agreement. Mr. Flannigan stated he would be send a draft to Mr. Doerr later in the evening with an invitation to meet face to face to discuss,

rather than sending drafts back and forth. This should result in a quicker resolution of differences.

Jori Nelson suggested the extension be shortened to the next meeting. Mayor Wassmer stated she felt 30 days was a fair length of time.

Brian Doerr stated both parties are working diligently and are not stalling. He has spent four years on this project. Mr. Flannigan stated if the agreement is ready by the next meeting, they will bring it in.

Ashley Weaver urged both parties to find a way to finally get this done.

Brooke Morehead asked why MVS was continuing to hold on the approved plan if they are committed to a new plan. Mr. Flannigan stated they are committed to this project, but they will not release their prior approval until they have received all the necessary approvals on the new project.

The motion was voted on and passed by an eight to three vote with Nelson, Runion and Morrison voting in opposition.

Terrence Gallagher stated the revision of the CARS application project is the equivalent of adding another major project and requested that staff re-examine the priority listing and readdress what can be done looking at all the projects and available manpower. Mayor Wassmer noted the addition of the new CARS project is a major undertaking that will affect everything else. Eric Mikkelson confirmed that the Council will not be voting on priorities again.

Terrence Gallagher directed the staff to review and present recommended changes to the priority listing at the June 1<sup>st</sup> meeting. The motion was seconded by Ruth Hopkins and passed unanimously.

**New Business**

**EXECUTIVE SESSION**

Ashley Weaver moved pursuant to KSA 75-4319 (b) (6) that the Governing Body, recess into Executive Session in the Multi-Purpose Room for a period not to exceed 15 minutes for the purpose of discussing possible acquisition of property. Present will be the Mayor, City Council, City Administrator, Assistant to the City Administrator and City Attorney. The motion was seconded by Brooke Morehead and passed unanimously.

Mayor Wassmer reconvened the City Council meeting at 9:49 p.m.

**Committee meetings scheduled for the next two weeks:**

|                                |            |           |
|--------------------------------|------------|-----------|
| Board of Zoning Appeals        | 05/05/2015 | 6:30 p.m. |
| Planning Commission            | 05/05/2015 | 7:00 p.m. |
| Prairie Village Arts Council   | 05/06/2015 | 5:30 p.m. |
| Sister City Committee          | 05/11/2015 | 7:00 p.m. |
| JazzFest Committee             | 05/12/2015 | 7:00 p.m. |
| Park & Recreation              | 05/13/2015 | 6:00 p.m. |
| Council Committee of the Whole | 05/18/2015 | 6:00 p.m. |
| City Council                   | 05/18/2015 | 7:30 p.m. |

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The Prairie Village Arts Council is pleased to present an Acrylic on canvas exhibit by Stacy Krieg in the R. G. Endres Gallery during the month of May. The artist reception will be Friday, May 8, from 6:00 - 7:30 p.m.

Recreation sales have begun. The pool opens on Saturday, May 23<sup>rd</sup> at 11 a.m.

The City Council is invited to attend a recognition reception for recent Police Department promotions on Friday, May 8<sup>th</sup> at 3 p.m. in the Council Chambers.

The MARC 19<sup>th</sup> Annual Regional Assembly Luncheon will take place on Friday, June 5<sup>th</sup>. Council members wanting to attend should contact Meghan Buum by Friday, May 15<sup>th</sup>.

## ADJOURNMENT

With no further business to come before the City Council the meeting was adjourned  
at 9:50 p.m.

Joyce Hagen Mundy  
City Clerk