

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, November 21, 2005
7:30 p.m.**

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC PARTICIPATION

New Business Recognition – The Goodwin Group

Recognition of Kay Wolf

IV. 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 – November 7, 2005
2. Approve an agreement between the City of Prairie Village and Allied Exterminators in 2006 for rodent control
3. Approve an agreement between the City of Prairie Village and Blue Valley Public Safety for maintenance of the outdoor warning siren system in 2006 in the amount of \$2,988 with funding from account 1-3-21-5240
4. Approve an agreement with Medronic Physio-Control Corporation for technical service support for the Police Department's AED's in 2006 in the amount of \$1,750 with funding the account 1-3-32-5160
5. Approve an agreement between the City of Prairie Village and Midwest Power Files for maintenance of the power files in the police records unit for 2006 at a cost of \$530.00 with funding from account 1-3-22-5240
6. Approve the annual service agreement with Unisource Document Products for maintenance of a Kyocera KM-7530 digital copier and Kyocera 5016 color printer at an estimated monthly cost of \$222.50 with funding from the City Clerk's 2006 operating budget
7. Approve an agreement with the Johnson County Park & Recreation District for the use of city facilities for their 50+ Programming
8. Approve the maintenance agreement between the City of Prairie Village and Otis Elevator Company for 2006
9. Approved authorized agents for the City of Prairie Village deposits at Commerce Bank; Mayor Ronald L. Shaffer, City Administrator Barbara Vernon and City Clerk Joyce Hagen Mundy
10. Ratify the Mayor's appointment of Wayne Vennard to complete the unexpired term of Kay Wolf as Council Representative for Ward 5

By Committee:

11. Reject all bids received for Project 190854: 2005 Pavement Repair Program (Policy/Services Committee Minutes – November 7, 2005)
12. Approve proceeding with Project 190855: Tomahawk Road Bridge and direct the Public Works Director to modify the interlocal agreement with the City of Mission Hills to fund the City's share of the design using current capital infrastructure program funds (Policy/Services Committee Minutes – November 7, 2005)
13. Adopt Resolution 2005-05 authorizing the placement of yield signs at the intersection of 84th Street and Fontana, north and south entrances (Legislative/Finance Committee Minutes – November 7, 2005)
14. Adopt an Ordinance amending additions to Section 9.16 of the Uniform Public Offense Code to read: "It is unlawful for any person to engage in picketing before or about the residence or dwelling of any individual in the City (Legislative/Finance Committee Minutes – November 7, 2005)
15. Approve the recommendations of the United Community Services Grant Review Committee contained in the 2006 Human Service Fund recommendation report and approve a contribution to United Community Services of \$5,500 from the 2006 Parks, Recreation & Community Services budget (Legislative/Finance Committee Minutes – November 7, 2005)
16. Approve an agreement with Johnson County Parks & Recreation to operate a Day Camp in Harmon Park from May 31st to August 11, 2006 for a fee of \$20 per day

and that campers be permitted to enter the pool complex for a fee of \$3.50 per camper per day (Legislative/Finance Committee Minutes – November 7, 2005)

17. Approve an agreement with Johnson County Parks & Recreation to permit use of the city's pool for water exercise classes and Master's Swim workouts for a fee of \$8 per hour for exercise classes and \$19 per participant for master swim workouts (Legislative/Finance Committee Minutes – November 7, 2005)
18. Approve the Learn to Swim Agreement with Johnson County Parks & Recreation to provide swim lessons during the 2006 pool season (Legislative/Finance Committee Minutes – November 7, 2005)
19. Approve an agreement with the American Red Cross for the Aquatic Examiner Program for the 2006 pool season (Legislative/Finance Committee Minutes – November 7, 2005)

V. OATH OF OFFICE – Councilman Wayne Vennard, Ward 5

VI. COMMITTEE REPORTS

Council Committee of the Whole – Al Herrera
COU2004-20 Consider No Smoking Ordinance

Policy/Services Committee – Al Herrera
POL2005-31 Consider Canterbury Sidewalk Petition

Legislative/Finance Committee – Ruth Hopkins
LEG2005-38 Consider Revisions to Fence Ordinance

VII. OLD BUSINESS

Consider Sale of General Obligation Refunding Bonds

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

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
November 21, 2005
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, November 21, 2005, at 7:30 p.m. in the Council Chambers of the Municipal Building.

ROLL CALL

Mayor Ron Shaffer called the meeting to order with the following Council members responding to roll call: Al Herrera, Bill Griffith, Ruth Hopkins, Steve Noll, Greg Colston, Andrew Wang, Laura Wassmer, Pat Daniels, Jeff Anthony, Kay Wolf, Diana Ewy Sharp and David Belz.

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

PUBLIC PARTICIPATION

Mayor Shaffer was pleased to welcome and introduce John Goodwin with Northwestern Mutual, The Goodwin Group, a new Prairie Village Business located at 3515 West 75th Street.

Ken Davis, 5808 West 61st Terrace, Mission, applauded the City Council for considering the issue of smoking and noted the proposed ordinance is a compromise that has the ordinance going into effect for restaurants only after the adoption of ordinances prohibiting smoking in restaurants are adopted by all cities contiguous to Prairie Village. Mr. Davis feels the only weakness in the proposed ordinance is that the city is delegating other cities authority over the Prairie Village ordinance. Mr. Davis recommended this clause be removed and replaced with the addition of adoption of July 4, 2006 or adoption by the contiguous cities, whichever comes first.

Michele Green, an Overland Park resident, introduced Adam Lowe of 4000 West 102nd Street, President of the Briarwood Student Council. Adam asked the Council to support the proposed ordinance for the benefit of all youth in the community.

Linda Vogel, 635 Westmire Blvd, spoke in support of the proposed ordinance, noting that although she resides outside the city, she is only six minutes from Prairie Village and often shops in the City but noted she recently chose not to eat at a Prairie Village restaurant because of the smoking in the restaurant. Ms Vogel is the Regional Health Administrator for Region 7 of the U.S. Department of Health & Services and advised the Council that smoking is the single largest cause of early death and disability in the United States with 400,040 deaths per year. She shared a personal story of the impact of her siblings from living with second-hand smoke. Ms Vogel urged the Council to seriously consider the impact of smokers on the health of others.

Bill Griffith asked if the U.S. Department of Health & Services had smoking restrictions. Mrs. Vogel responded there is no smoking in Federal Buildings and also noted the Department grants awards to states for tobacco free programs.

Bob Nabazas, 4819 West 78th Street, stated Prairie Village is a community of choice. He does not feel the proposal goes far enough to protect residents. He stated, as elected officials it is the job of the City Council to act in the interests of public safety for all its residents. He noted this was done with the installation of school speed zones on Mission Road and should be done with the adoption of strong “no smoking” regulations. He asked the Council to listen to its residents, not to businesses.

A visiting resident from New York stated she has lived in three cities that have successfully passed smoking bans, New York, Los Angeles and Lawrence. Businesses will say the ordinance impacts their rights to operate; however, she noted there are several regulations restricting the operations of businesses for the health and safety of individuals and she does not feel this is any different.

Dr. Norman Kahn, 8340 Cedar, a physician with the Academy of Family Practitioners and member of the City’s Smoke Free Workplace Task Force, stated there are two current public health initiatives – one for fitness and the other against tobacco. Medical professionals strongly support actions to limit individuals’ exposure to second-hand smoke. He noted the proposed ordinance is a small step that can be taken now which will hopefully lead to larger steps in the future.

Kathy Brummer, a former Prairie Village resident now residing in Lawrence, urged the Council to adopt the proposed ordinance. She reported statistics from the City

of Lawrence 18 months after the passage of their smoking ban that reflected an increase in sales from restaurants and drinking establishments. She noted new bars and restaurants have opened since the ban and there has been an increase in entertainment from musicians preferring to perform in smoke-free environments. Ms Brummer also noted in Pueblo County, Colorado there has been a 40% decrease in smoke related diseases since the implementation of their smoking ban. She encouraged the City not to wait for the rest of Johnson County but to take leadership and go forward now.

Mike Casey, Vice President of the Kansas Hospitality Association, spoke in opposition to the smoking ban stating it was not necessary. He noted the economic impact varies and is difficult to measure because of the number of factors impacting sales. He presented updated conflicting information for the City of Lawrence. Just as statistics can be found to support either side of the issue, Mr. Casey also stated he felt the medical issues have been presented with a biased slant. He noted that OSHA, which regulates health and safety in businesses has not taken any action to restrict or ban smoking in the workplace. Mr. Casey stated his organization supports providing consumers with the freedom of choice.

Bill Goldback, a non-resident but local businessman, spoke in support of the freedom of choice, and his right to choose what type of business he will operate. He stated the successful operation of his business is dependant on people being able to smoke. Mr. Goldback stated that 70-80% of all restaurants are non-smoking or smoking restrictive. He stressed individuals have the choice to come into his smoking business or not. He questioned the medical impact of second-hand smoke stating he has not seen any studies with second-hand smoke being the primary cause of death. He feels this issue has been blown out of proportion and that smoking is only a nuisance or inconvenience.

Greg Colston asked where Mr. Goldback's business was located. He responded he owned a bar and grill in Shawnee.

Ben Munday, 4714 West 80th Street and former City Councilman, addressed the Council in support of accepting the recommendation of the task force which has done significant research and work in reaching their recommendation. In his past experience as a Councilman he was often presented with recommendations from committees that had studied issues and they were most often approved by the City Council.

However, Mr. Munday noted his exception to the language under Section 11-410 limiting the effective date of these regulations in the hands of other cities. The city has accomplished nothing if action is not taken by other cities. Mr. Munday stated that Prairie Village has always been a leader in the establishment of minimum property standards, the adoption of city-wide recycling and the establishment of a city-wide July 4th celebration. He urged the City Council to be a leader and adopt the proposed ordinance making it applicable to all businesses including restaurants. This is not a preference issue, it is a public health issue. He asked the Council to do the right thing at the right time.

John Neuberger, 10922 West 101st Street, Overland Park and a professor at the University of Kansas stressed the medically documented health hazards related to smoking and to second-hand smoke. He asked the Council not only to consider the patrons of restaurants, but to act for the benefit of the workers working 40 hours a week in these environments. Dr. Neuberger quoted statistics from the Center for Disease Control in Atlanta relative to costs associated with smoking related diseases and noting there is no safe level of exposure to smoke. He urged the Council not to abdicate its responsibility and to pass the proposed ordinance without waiting for action by other cities.

Dr. Neuberger read a letter written to Mayor Shaffer from Dr. Roy A. Jensen, Director of the University of Kansas Cancer Center supporting the proposed smoking ban.

Louie Riederer 9503 Falcon Ridge Drive and owner of four area restaurants including Johnny's in Prairie Village and a member of the Smoke Free Workplace Task Force, addressed the Council regarding the proposed ordinance. Mr. Riederer stated of his four restaurants, one has been smoke free since 2001. He noted, unlike his other establishments which are profitable, that one is not. People in bars like to be around lots of people and this generally equates to areas where smoking is allowed. In response to the health of his employees, Mr. Riederer noted it is their choice to work in this environment stressing that the opportunity to work in non-smoking environments is readily available in the restaurant and hospitality industry. In regards to the health concerns related with smoking, he feels if they are truly to be addressed, it needs to be

with a total smoking ban. Individuals are being exposed to second-hand smoke in areas that can not be regulated.

As a member of the task force, Mr. Riederer supports the proposed ordinance as written noting it is a reasonable compromise. He strongly feels for the action to be effective it has to be taken community-wide.

Tamara Salaty, 7752 Briar, stated she travels frequently to New York and noted the acceptance of the smoking ban by both smokers and non-smokers alike. She noted of the 75-80% of restaurants that are smoke-free or restricted a significant portion are fast food establishments.

Bob Pryzby, 5427 W. 86th Street, spoke of his recent loss of his wife and brother to lung cancer. He noted that as a former smoker, his wife found it very difficult to go out to eat in smoking environments. He urged the adoption of the proposed ordinance for the sake of individual's like Jeanne.

Mary Jayne Hellebust, with Kansas Coalition, stated this is indeed a public health issue. She noted when you view statistics you need to also look at where the statistics come from. She provided statistics from the State of California, which has been smoke-free since the 1990s. She also noted several countries, states and cities that have gone smoke-free and the impact of the health of their residents. Ms Hellebust noted the momentum is beginning in Kansas and urged the Council to keep it moving with the adoption of the proposed ordinance, stating it is the responsibility of City Governments to regulate for the public good. She noted even the tobacco industry websites acknowledge the health issues related to smoking and second-hand smoke.

Pat Daniels asked if there was any legislation in Kansas towards taking state-wide action. Ms Hellebust responded Senator Roberts from Great Bend introduced Legislation during the last session, but he does not have sufficient support to get the bill out of committee for consideration. Al Herrera asked who funds the Kansas Coalition. Ms. Hellebust responded funding is received from the Kansas Health Foundation and other smaller health agencies.

Lisa Bernshaw, 7303 Earnshaw, with American Cancer Society, distributed information earlier to the Council documenting health concerns with smoke and urged the Council to adopt the proposed regulation without the clause restricting its implementation

until adoption of similar regulations by other cities. She noted the City of Fairway has taken the first step and asked Council to follow suit. She noted contrary to earlier comments, many youth do not have the choice of working in non-smoking environments.

Linda Vogel, responded to the earlier statement regarding the lack of action by OSHA. Ms Vogel stated OSHA is not a research agency, but a regulatory agency based on research. It only has the authority to restrict smoking in areas where such action may cause combustion and fire. It does not have the authority as a federal agency to restrict smoking – that is a local authority.

Linda DeCoursey, American Heart Association, stated on November 14th results of a study conducted in Pueblo, Colorado after their smoking ban showed a 27% decline in heart attacks with no change experienced in adjacent communities. A similar study in Montana reflected a 36% decline after the implementation of their smoking ban. Ms DeCoursey urged the adoption of the proposed ordinance with removal of the clause restricting implementation until the adoption of regulatory ordinances by adjacent cities.

Casey Sutton, owner of the Blue Moose Restaurant in Prairie Village, stated he personally hates cigarette smoke and noted his business was originally opened as a non-smoking restaurant. However, the change to a smoking environment was required for the business to remain open. On behalf of the investors in his establishment, he urged the Council to support local businesses.

Mayor Shaffer acknowledged all those who addressed the Council and stated the issue of smoking would be discussed later in the Council meeting encouraging individuals to remain for that discussion.

CONSENT AGENDA

Kay Wolf moved approval of the Consent Agenda for Monday, November 21, 2005:

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2. Approve an agreement between the City of Prairie Village and Allied Exterminators in 2006 for rodent control
3. Approve an agreement between the City of Prairie Village and Blue Valley Public Safety for maintenance of the outdoor warning siren system in 2006 in the amount of \$2,988 with funding from account 1-3-21-5240
4. Approve an agreement with Medronic Physio-Control Corporation for technical service support for the Police Department's AED's in 2006 in the amount of \$1,750 with funding the account 1-3-32-5160
5. Approve an agreement between the City of Prairie Village and Midwest Power Files for maintenance of the power files in the police records unit for 2006 at a cost of \$530.00 with funding from account 1-3-22-5240

6. Approve the annual service agreement with Unisource Document Products for maintenance of a Kyocera KM-7530 digital copier and Kyocera 5016 color printer at an estimated monthly cost of \$222.50 with funding from the City Clerk's 2006 operating budget
7. Approve an agreement with the Johnson County Park & Recreation District for the use of city facilities for their 50+ Programming
8. Approve the maintenance agreement between the City of Prairie Village and Otis Elevator Company for 2006
9. Approve designating Mayor Ronald L. Shaffer, City Administrator Barbara Vernon and City Clerk Joyce Hagen Mundy as authorized agents for the City of Prairie Village deposits at Commerce Bank
10. Ratify the Mayor's appointment of Wayne Vennard to complete the unexpired term of Kay Wolf as Council Representative for Ward 5
11. Reject all bids received for Project 190854: 2005 Pavement Repair Program
12. Authorize proceeding with Project 190855: Tomahawk Road Bridge and direct the Public Works Director to modify the interlocal agreement with the City of Mission Hills to fund the City's share of the design using current capital infrastructure program funds
13. Adopt Resolution 2005-05 authorizing the placement of yield signs at the intersection of 84th Street and Fontana, north and south entrances
14. Adopt an Ordinance amending additions to Section 9.16 of the Uniform Public Offense Code to read: "It is unlawful for any person to engage in picketing before or about the residence or dwelling of any individual in the City."
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16. Approve an agreement with Johnson County Parks & Recreation to operate a Day Camp in Harmon Park from May 31st to August 11, 2006 for a fee of \$20 per day and that campers be permitted to enter the pool complex for a fee of \$3.50 per camper per day
17. Approve an agreement with Johnson County Parks & Recreation to permit use of the city's pool for water exercise classes and Master's Swim workouts for a fee of \$8 per hour for exercise classes and \$19 per participant for master swim workouts
18. Approve the Learn to Swim Agreement with Johnson County Parks & Recreation to provide swim lessons during the 2006 pool season
19. Approve an agreement with the American Red Cross for the Aquatic Examiner Program for the 2006 pool season

A roll call vote was taken with the following members voting "aye": Herrera, Griffith, Hopkins, Noll, Colston, Wang, Wassmer, Daniels, Anthony, Wolf, Ewy Sharp and Belz.

PRESENTATION TO KAY WOLF

Mayor Shaffer accepted Kay Wolf's resignation from the City Council and presented her with a proclamation acknowledging her service to the City during the past five years. Kay will continue to serve Prairie Village residents as Kansas State Representative for District 21. Ms Wolf stated it had been were privilege to serve and work with the Council and City Staff and encouraged residents and colleagues to contact her with their concerns in her new position.

OATH OF OFFICE

City Clerk Joyce Hagen Mundy administered the oath of office to Wayne Vennard as Council Representative for Ward 5. Mayor Shaffer welcomed Mr. Vennard to the Council and asked him to take his seat.

COMMITTEE REPORTS

Council Committee of the Whole

COU2004-20 Consider No Smoking Ordinance

On behalf of the Council Committee of the Whole, Al Herrera moved the City Council amend Chapter 11, Article 4 of the Prairie Village Municipal Code entitled “Smoking” by repealing the existing Chapter 11, Article 4 and enacting a new Chapter and Article of the same name and title. The motion was seconded by Ruth Hopkins.

David Belz reviewed the proposed ordinance being recommended by the Smoke Free Workplace Task Force. The initial discussion was based on the model ordinance adopted by Kansas City, Missouri. The primary provisions of the ordinance prohibit smoking in all enclosed public places, including places of employment, except restaurants, 60 days after adoption by the City Council. Smoking would continue to be permitted in designated areas of restaurants until all cities contiguous to Prairie Village adopt regulations prohibiting smoking in restaurants. These cities include Fairway and Kansas City, Missouri who have already adopted no smoking regulations and Leawood, Mission, Mission Hills and Overland Park.

Mr. Belz stated the proposed regulations were a compromise drafted to address concerns for potential economic risks to restaurants while still addressing the concerns with the impact on the general public of second-hand smoke.

Al Herrera stated he does not support the proposed ordinance. He noted the difficulties with enforcing the regulations. He does not see the other metropolitan cities adopting similar regulations which would negate the implementation of ordinance. Mr. Herrera stated he would not be voting in support of the ordinance.

Laura Wassmer stated she is a non-smoker and hates smoky bars but acknowledged she patronizes them because it is where her friends gather. She stated one of the best ways to support non-smoking bars is to patronize them. Ms Wassmer stated she doesn't question the negative affects of second-hand smoke and of smoking;

however, she feels there is a real economic risk for restaurants and drinking establishments to not allow smoking. Prairie Village has worked for years to get more restaurants in the City and she feels the City needs to support them.

David Belz agreed with the comments made that statistics can be found to support both sides of the issue. He noted statistics from large geographic areas that businesses have been successful in “no smoking” areas after time. Mr. Belz stated it is the responsibility of the Council to look at the overall community.

Andrew Wang stated he can not support legislation for legislation sake. The proposed ordinance was specifically written to address smoking in restaurants; however, what has been referred to as the “trigger clause” makes it highly unlikely that smoking in restaurants will cease. He would also like to see a way to identify, measure and monitor regulated smoke emissions.

Jeff Anthony stated his consistent opposition to Council establishing regulations against businesses. He feels the proposed ordinance goes too far when you are talking about regulating voluntary venues such as entertainment.

Greg Colston supported the proposed ordinance but recommended the removal of the City of Mission Hills from the contiguous cities as they do not have any restaurants. He would also like to see the ordinance address smoking within 50’ of the restaurants to prevent patrons from having to walk through clouds of smoke to enter a restaurant.

Wayne Vennard stated the proposed ordinance is very weak, but it is a first step. He supports its adoption and would like to see the ordinance revisited if the contiguous cities have not taken action within six months.

Pat Daniels commended the speakers on their presentations on this issue. He stated the momentum for this action is clear and feels there will eventually be smoking bans in place in the metropolitan area. However, he is empathetic to the concerns of restaurant owners wanting adoption of similar regulations in surrounding communities. He is not in favor of Prairie Village leading the charge by itself and supports the ordinance as written.

Diana Ewy Sharp acknowledged the concerns of business owners. She supports the ordinance as written. She can not support the ordinance without the requirement for adoption of similar regulations by contiguous cities.

Mayor Shaffer called for a vote on the motion with the following votes cast: “aye” Hopkins, Noll, Colston, Wassmer, Daniels, Vennard, Ewy Sharp and Belz and “nay” Herrera, Griffith, Wang and Anthony. Mayor Shaffer declared the motion adopted by a vote of 8 to 4, and acknowledged the work of the task force for the work and study that went into the proposed ordinance.

Policy/Services Committee

POL2005-31 Consider Canterbury Sidewalk Petition

On behalf of the Policy/Services Committee, Al Herrera moved the City Council direct the Public Works staff to include a budget request in the 2007 Capital Infrastructure Program for the construction of a sidewalk on the west side of Canterbury Street between 79th Street and Somerset Drive. The motion was seconded by Greg Colston.

Pat Daniels stated he supported the motion with the understanding that when constructed the sidewalk would be connected to the existing sidewalk north of 79th Street on Canterbury. He feels it would be prudent to construct this in conjunction with the proposed sidewalk. Mr. Daniels moved to amend the motion to add this section of sidewalk. The amendment was seconded by Laura Wassmer.

Concerns were raised with placing a sidewalk without the knowledge of the resident impacted. The amendment was voted on and passed by a vote of 9 to 3 with Hopkins, Noll and Ewy Sharp voting “nay”.

The motion as amended to include a budget request in the 2007 Capital Infrastructure Program for the construction of a sidewalk on the west side of Canterbury Street between 79th Street and Somerset Drive and extend the existing sidewalk north of 79th Street to Somerset Drive was voted on and passed by a vote of 11 to 1 with Ruth Hopkins voting “nay”.

Al Herrera moved the sidewalk on the west side of Canterbury Street between 79th Street and Somerset Drive be placed adjacent to the curb. The motion was seconded by Bill Griffith.

Pat Daniels expressed concern with the necessary movement of KCP&L poles for the construction of the sidewalk. Mr. Pryzby responded the poles would be moved by KCP&L at no cost to the City and noted a location further off the curb would be more

appropriate. David Belz confirmed if the cost for construction at this location was significant that Mr. Pryzby would come back to the Council for direction before proceeding.

The motion was voted on and passed by a vote of 10 to 2 with Hopkins and Ewy Sharp voting “nay”.

Legislative/Finance Committee

LEG2005-38 Consider Revisions to Fence Ordinance

Ruth Hopkins reported the Planning Commission has been discussing possible revisions to the city’s fence regulations for the past several months and are recommending several changes to the regulations. However, the committee had concerns with some of the proposed changes and therefore, on behalf of the Legislative/Finance Committee, Ruth Hopkins moved the City Council return the proposed fence regulations to the Planning Commission for further consideration of the following items: 1) The retaining wall setback should be eliminated because it would not allow the wall to tie back to the property line, which may defeat its purpose and the setback area will be unusable or become a maintenance problem; 2) The 5’ setback off the front corner of the dwelling be eliminated because it reduces the usability of the side yard and presents security concerns for exposed bedroom windows. Also many fences are already located off the front corner of dwellings and this would create problems when fences are replaced; 3) The permitting process needs to be refined so that it is not too time consuming for residents to obtain a fence permit. The motion was seconded by Bill Griffith and passed unanimously.

OLD BUSINESS

Consider Harmon Park & Pool Renovation Bond Refinancing

Al Herrera moved the City Council table action to authorize the offering for sale of General Obligation Refunding Bonds of the City of Prairie Village. The motion was seconded by Laura Wassmer and passed unanimously.

NEW BUSINESS

Jeff Anthony asked that a standing committee on compensation and benefits be appointed by the Mayor to include Council representatives, industry representatives and

staff. Bill Griffith recommended action on this not be taken until after the completion of the compensation and benefits survey that is currently being conducted by an outside consultant. He feels it would be more appropriate at that time and could also address the implementation of any recommendations of the consultants.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Citizens Advisory Committee	11/29/2005	7:00 p.m.
Policy/Services Committee	12/05/2005	6:00 p.m.
Legislative/Finance Committee	12/05/2005	5:30 p.m.
Council	12/05/2005	7:30 p.m.

The Prairie Village Arts Council is pleased to feature the Mid-America Pastel Society’s exhibit in the R.G. Endres Gallery during the month of November. The Gallery will host an exhibit of photograph by Julie Johnson in December.

The Mayor’s Holiday Tree Lighting will be held on Monday, November 28th at 6:30 p.m. in the Municipal Building. Donations to the Holiday Tree Fund will be utilized in assisting Prairie Village families and Senior Citizens needing help to pay their heating and electric bills during the cold winter months, as well as with home maintenance throughout the year. Your tax-deductible contributions are appreciated.

Deffenbaugh will observe the Thanksgiving Day holiday with the normal Thursday pickup being done on Friday and Friday’s done on Saturday. The Municipal Offices will also be closed in observance of the holiday on Thursday and Friday.

The Mayor’s Holiday Volunteer Gala at Homestead Country Club will be held on Friday, December 2nd starting at 6:30 p.m. RSVP to Lauren by November 28th.

Mark your calendar for the Employee Appreciation/Holiday Celebration on Wednesday December 14 at noon in the MPR. Mayor and Council Members will need to be present to hand out promotion and tenure awards for employees and Council, enjoy a boxed lunch and receive a holiday gift..

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 9:45 p.m.

Joyce Hagen Mundy
City Clerk