

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Tuesday, January 20, 2004
7:30 p.m.**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PUBLIC PARTICIPATION**
- 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 – January 5, 2004
2. Approve Claims Ordinances #2482 through #2485
3. Authorize the Mayor to execute the final plat of Crescent Court, a replat of part of Lot 5, Meadow View and Lot 2, Replat of Lot 5 within the City of Prairie Village, Johnson County, Kansas in the Southwest Quarter, Section 22, Township 12, Range 25 accepting the rights-of-way and easements indicated on the plat.
4. Authorize the disposal of Police Unit #103 (1993 Chevrolet Lumina)
5. Ratify the Mayor's appointment of David Belz to complete the unexpired term of Patty Markley as Council Representative for Ward VI
6. Approve the engineering services agreement with Affinis Corp. for Project 191011: 2004 Concrete Repair Program for a total cost of \$40,000 with funding from the Capital Infrastructure Program

- V. OATH OF OFFICE
Council Representative – Ward 6**
- VI. COMMITTEE REPORTS**

Legislative/Finance Committee – Ruth Hopkins

LEG2003-27 Consider 2004 Legislative Program

LEG2002-19 Consider Ordinance on licensing of Security Police

Council Committee of the Whole – Laura Wassmer

COU2004-01 Consider Extension Agreement with Southwestern Bell Telephone

COU2004-02 Consider Resolution consenting to transfer of franchise from Time Warner Cable to KCCP Trust

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
January 20, 2004
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, January 20, 2004, 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, Ruth Hopkins, Steve Noll, Greg Colston, Roy True, Laura Wassmer, Jerry Kelso, Jeff Anthony and Diana Ewy Sharp.

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

PUBLIC PARTICIPATION

Mayor Shaffer recognized four Cub Scouts from Troop 3291 present at the meeting, as well as a Boy Scout from Troop 295 and a student from Shawnee Mission East attending for her American government class.

Jody Fellows, representing her mother Betty Austin at 7541 Walmer, addressed the Council with her concerns for safety of her mother. Her mother's home is at the intersection of 76th Street and Walmer, which is a T-intersection that is under the jurisdiction of both the cities of Overland Park and Prairie Village. Her concern is with traffic, which does not stop at the intersection, and vehicles that take the corner too closely and come up over her mother's property. This is a significant problem with large trucks that are unable to make the corner.

Chief Grover responded to Ms Fellows' concerns noting that there were three problems. First is the failure to stop at the stop sign. This is under the jurisdiction of the City of Overland Park to enforce. Second is the truck traffic. The street is not posted "No Trucks" so unless the ordinance is changed by the Council, there is nothing that can be done to stop the truck traffic. Third, Ms Fellows indicated that the traffic was exceeding the speed limits. Chief Grover's staff have run radar at this location and

found traffic to be in compliance with the posted speed limits. Chief Grover noted that there have been similar problems at other “T intersections” in the City that have been addressed with signage, but the posted sign would be in Overland Park and need to be posted by them.

Barbara Vernon reported that she has spoken with the traffic engineers at the City of Overland Park regarding this problem to see if they could reroute the truck traffic and they are investigating the possibility. Ruth Hopkins asked if the turning radius was sufficient. Mr. Pryzby responded that he could ask the City of Overland Park to check the turning radius.

Ms Fellows asked if there was anything that she could do to prevent vehicles from driving over her property. Mayor Shaffer advised Ms Fellows to contact Chief Grover and Mr. Pryzby to further discuss this problem.

CONSENT AGENDA

Laura Wassmer moved the approval of the Consent Agenda as amended for Tuesday, January 20, 2004:

1. Approve Regular Council Meeting Minutes – January 5, 2004
2. Approve Claims Ordinances #2482 through #2485
3. Authorize the Mayor to execute the final plat of Crescent Court, a replat of part of Lot 5, Meadow View and Lot 2, Replat of Part of Lot 5 within the City of Prairie Village, Johnson County, Kansas in the Southwest Quarter, Section 22, Township 12, Range 25 accepting the rights-of-way and easements indicated on the plat
4. Authorize the disposal of Police Unit #103 (1993 Chevrolet Lumina)
5. Ratify the Mayor’s appointment of David Belz to complete the unexpired term of Patty Markley as Council Representative for Ward VI
6. Approve the engineering services agreement with Affinis Corporation for Project 191011: 2004 Concrete Repair Program for a total of \$40,000 with funding from the Capital Infrastructure Program

A roll call vote was taken with the following members voting “aye”: Herrera, Hopkins, Noll, Colston, True, Wassmer, Kelso, Anthony and Ewy Sharp.

OATH OF OFFICE

The City Clerk administered the Oath of Office to newly appointed Council Representative for Ward VI, David Belz. Mr. Belz will complete the unexpired term of Patty Markley representing Ward VI. Mayor Shaffer invited Mr. Belz to take his seat and to introduce his family who were present for his installation.

COMMITTEE REPORTS
Legislative/Finance Committee

LEG2003-27 Consider 2004 Legislative Program

The City annually adopts a Legislative Program and presents it to the members of the State Legislature that represent Prairie Village. The purpose of the document is to communicate the City's legislative priorities to legislators. The 2003 Legislative Program identified public education funding and municipal revenue issues. During the committee meeting, Josh Farrar presented several issues that are expected to come before the legislature. After much discussion, the committee agreed that the priorities expressed in the 2003 remain as the city's priorities in 2004

On behalf of the Legislative/Finance Committee, Ruth Hopkins moved the Council adopt a 2004 Legislative Program identical to the City's 2003 Legislative Program. The motion was seconded by Laura Wassmer and passed unanimously.

LEG2002-19 Consider licensing of Security Police

The Legislative/Finance Committee considered revisions to PVMC 5.20 regarding the licensing of security police within the City proposed by Chief Grover. As the City is no longer able to provide the type of background investigation described in the current ordinance, the proposed revisions require that the City issue a license to the security company and make the company responsible for conducting the background investigation of its employees. The new regulations also require the security company to post a \$500,000 bond in order to receive a city license.

On behalf of the Legislative/Finance Committee, Ruth Hopkins moved the City Council adopt an ordinance amending Chapter 5.20 of the Prairie Village Municipal Code entitled "Security Licenses and License Agents". Laura Wassmer seconded the motion.

Jeff Anthony stated that this recommendation is being forwarded on a 3 to 2 vote. He opposes the City's licensing of security police as he feels it could be taken as an endorsement and is concerned with the possible exposure the licensing would create.

Ruth Hopkins supports the licensing as a means for the City to know who is performing these services while placing the burden of liability and investigation of agents on the security police company.

Chief Grover noted that previously the City was able to run more thorough background checks; however that type of background check is no longer allowed except in the investigation of a crime. The new ordinance requires the submittal fingerprint cards that the City can forward to the FBI or KBI.

Diana Ewy Sharp supports the proposed amendment as it places the burden on the security companies and she does not feel the licensing is an endorsement by the City.

Chief Grover noted that there are only two companies licensed within the City with approximately 8 to 10 agents.

A roll call vote was taken on the motion adopting Prairie Village Municipal Code 5.20 with the following members voting “aye”: Herrera, Hopkins, Noll, Colston, True, Wassmer, Kelso, Ewy Sharp and Belz with Jeff Anthony voting “nay”. The motion was adopted.

Council Committee of the Whole

COU2004-01 Consider Extension Agreement with Southwestern Bell Telephone

In 2002, the City adopted an extension agreement between the City of Prairie Village and Southwestern Bell Telephone to continue operation under its existing franchise, pending state legislation that would impact the telecommunications industry. This agreement will expire shortly. Although the legislation has been adopted, the attorneys for the City and for SBC have not been able to come to terms on a new franchise agreement. The negotiation is continuing and expected to reach successful completion within the next few weeks. Therefore, the Assistant City Attorney is recommending a three-month extension of the agreement.

On behalf of the Council Committee of the Whole, Laura Wassmer moved the City Council approve an extension agreement with Southwestern Bell Telephone through May 17, 2004. The motion was seconded by Roy True and passed unanimously.

COU2004-02 Consider Resolution consenting to transfer of Franchise from Time-Warner Cable to KCCP

Time-Warner has a franchise agreement to provide cable television service in the City and to use City right-of-way for their equipment. Due to restructuring, Time-Warner Cable has requested the City consent to the transfer of the franchise agreement.

The initial franchise ordinance was adopted in July of 1987 with Telecable of Overland Park. Since that time there have been several transfers, mergers and acquisitions approved by the City Council.

On behalf of the Council Committee of the Whole, Laura Wassmer moved the City Council adopt Resolution 2004-01 consenting to the transfer of a cable television franchise from Time Warner to KCCP Trust. The motion was seconded by Roy True and passed unanimously.

Villagefest

Diana Ewy Sharp announced the first meeting of the Villagefest Committee would be held on Thursday, January 29th at 7 p.m. and invited Council and any interested persons to attend.

OLD BUSINESS

There was no Old Business to come before the Council.

NEW BUSINESS

There was no New Business to come before the Council.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Prairie Village Arts Council	01/21/2004	7:00 p.m.
Skate Park Committee	01/26/2004	7:00 p.m.
CACCS Committee Meeting	01/27/2004	7:00 p.m.
Environmental/Recycle Committee	01/28/2004	7:00 p.m.
Village Fest Committee	01/29/2004	7:00 p.m.
Policy/Services Committee	02/02/2004	6:00 p.m.
Legislative/Finance Committee	02/02/2004	6:00 p.m.
City Council	02/02/2004	7:30 p.m.

The Prairie Village Arts Council features Bob Stewart’s exhibit of photography in the R.G. Endres Gallery during the month of January. In February an exhibit of watercolor paintings by Alice Carman will be featured in the R.G. Endres Gallery. The reception for Alice Carman will be held on February 6, 2004 from 6:30 - 7:30 pm.

The Mayor’s Holiday Tree Fund has received \$7,727 in donations as of January 15th. 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.

Remember that due to the observance of the Martin Luther King Jr. Holiday trash pick-up will be delayed one day all week. City offices will also be closed.

The League of Kansas Municipalities – City Hall Day is in Topeka, Ks on January 29th.

The Employee Appreciation Dinner will be held on Friday, February 27 at the New Dinner Theatre from 7 p.m. to 11:00 p.m. Council Members, City Staff and their families are invited to attend.

The 50th Anniversary books, **Prairie Village Our Story**, are being sold to the public.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned
at 8:00 p.m.

Joyce Hagen Mundy
City Clerk

