

****AMENDED****

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, October 6, 2003
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 – September 15, 2003
2. Approve Claims Ordinances #2453 through #2458
3. Approve the removal of Asset #1298, 8-foot snowplow.
4. Approve a short-term special use permit to Prairie Village Lion's Club for their annual Christmas Tree Sale at the 8200 block Mission Rd (East Parking Lot – Corinth Mall) from November 22 until December 26, 2003 between the hours of 9 a.m. and 9 p.m. with two 4' x 8' signs on the grounds and for the waiver of the permit application fee.
5. Approve a short-term special use permit to Blue Moose Bar and Grill for a temporary 5' x 3' promotional banner at 4160 W 71st St from October 7th through November 9th.
6. Approve a short-term special use permit to Asbury United Methodist Church to place a temporary Pumpkin Sale banner in front of the church from October 1st until October 31st.
7. Approve a short-term special use permit to Shawnee Mission East DECA to hold an Ultimate Frisbee Tournament at Franklin Park on November 9th and 10th from 12:00 noon until sundown with a waiver of the permit application fee.
- 8. Approve the appointment of Craig S. Doty to the Citizens Advisory Committee with his term expiring in April, 2005**
9. Ratify appointment of Nancy Vennard to the Prairie Village Planning Commission for a three-year appointment expiring in April, 2006

By Committee:

10. Approve transfer of Administrative Services for the Police Pension Plan from UMB to M&I, leaving investment management with UMB. (Pension Boards Meeting, September 15, 2003)
11. Approve transfer of Administrative Services and Investment Management of the Supplemental Retirement Plan from UMB to M&I. (Pension Boards Meeting, September 15, 2003)
12. Adopt the Council Policy Naming of City Parks as amended. (Park and Recreation Committee, September 10, 2003)
13. Approve agreement with Healthy Solutions to provide flu shots for City employees. (Legislative/Finance Committee, October 6, 2003)

V. COMMITTEE REPORTS

Council Committee of the Whole – Bill Griffith
COU2003-27 Consider rezoning of 7801 Mission Road from R-1a to RP-1b

VI. OLD BUSINESS

VII. NEW BUSINESS

Consider Petition for a Restricted Residential Parking Area - Bill Griffith

VIII. ANNOUNCEMENTS

IX. 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.

f you are unable to attend this meeting, comments may be received by e-mail at cityclerk@PVKANSAS.COM

**COUNCIL
CITY OF PRAIRIE VILLAGE
October 6, 2003
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, October 6, 2003, 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, Steve Noll, Ruth Hopkins, Greg Colston, Laura Wassmer, Jerry Kelso, Jeff Anthony, Kay Wolf, Diana Ewy Sharp and Patty Markley.

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; Jamie Shell, Finance Director and Joyce Hagen Mundy, City Clerk.

PUBLIC PARTICIPATION

Mayor Shaffer acknowledged the presence of a Boy Scout from Troop 299 attending the meeting for his Citizenship in the Community Badge. Also in attendance were several students from Shawnee Mission East High School attending for their government class and Josh Novorr representing the Shawnee Mission East DECA club.

Amber Streufert, 4404 West 78th Street, addressed the Council regarding a parking problem in her area. She recently received a parking ticket for parking in front of her home. Her property has only a single car driveway and there are three adult drivers at the residence. Mayor Shaffer advised Ms Streufert that the Council would be discussing a similar problem on 74th Terrace at the November 17th Council meeting and suggested she talk with Terry Frederick regarding the steps he is taking to address their similar problem.

Mark Birnbaum, 7578 High Drive, addressed the loss of local businesses in the Prairie Village Shopping Center. He feels the City's home occupation regulations are too restrictive to allow a business to grow to a size where it would need commercial space

and urged the Council to review them. He expressed frustration with the City's fees charged for copies of regulations, noting that current City regulations are not available at the libraries or on the City's web site.

Mr. Birnbaum also expressed concern with the City's Code Enforcement program. He feels there is a lack of oversight of the City's Code Enforcement Officer, City Prosecutor and Municipal Judges by the City Council. He stated that the City's Code Enforcement Officer went on his neighbor's property without permission to take pictures of his property. Mr. Birnbaum raised questions regarding this being a violation of the 4th amendment and noted that absence of denial is not consent. He feels both his and his neighbors' rights are being violated by the Code Enforcement Officer and wants Council to be aware of what is occurring.

CONSENT AGENDA

Bill Griffith moved the approval of the Consent Agenda for Monday, October 6, 2003 as amended:

1. Approve Regular Council Meeting Minutes – September 15, 2003
2. Approve Claims Ordinances #2453 through #2458
3. Approve the removal of Fixed Asset #1298, 8-foot snow plow
4. Approve a short-term special use permit to Prairie Village Lion's Club for their annual Christmas Tree Sale at the 8200 block Mission Rd (East Parking Lot – Corinth Mall) from November 22 until December 26, 2003 between the hours of 9 a.m. and 9 p.m. with two 4' x 8' signs on the grounds and for the waiver of the permit application fee.
5. Approve a short-term special use permit to Blue Moose Bar and Grill for a temporary 5' x 3' promotional banner at 4160 W 71st St from October 7th through November 4th.
6. Approve a short-term special use permit to Asbury United Methodist Church to place a temporary Pumpkin Sale banner in front of the church from October 1st until October 31st.
7. Approve a short-term special use permit to Shawnee Mission East DECA to hold an Ultimate Frisbee Tournament at Franklin Park on November 9th and 10th from 12:00 noon until sundown with a waiver of the permit application fee.
8. Ratify the appointment of Craig S. Doty to the Citizens Advisory Committee on Community Standards to a term ending in April, 2005
9. Ratify the appointment of Nancy Vennard to the Prairie Village Planning Commission filling the seat vacated by Robin Walker ending in April, 2006
10. Approve the transfer of Administrative Services for the Police Pension Plan from United Missouri Bank (UMB) to Marshall & Ilsley Trust Company (M & I) leaving investment management with United Missouri Bank (UMB)
11. Approve the transfer of Administrative Services and Investment Management of the Supplemental Retirement Plan from United Missouri Bank (UMB) to Marshall & Ilsley Trust Company (M&I).
12. Adopt a Council Policy entitled "Naming of City Parks" as amended
13. Approve agreement with Healthy solutions to provide flu shots for City employees at a cost of \$7.00 to the employee with the balance up to \$17.00 being paid by the City

A roll call vote was taken with the following members voting “aye”: Herrera, Griffith, Noll (abstained on #4), Hopkins, Colston, Wassmer, Kelso, Anthony, Wolf, Ewy Sharp and Markley.

COMMITTEE REPORTS

Council Committee of the Whole

COU2003-27 Consider rezoning of 7801 Mission Road from R-1a to RP-1b

On September 2, 2003 a public hearing was held by the Planning Commission on an application to rezone the property at 7801 Mission Road from single-family residential zoning (R-1a) to single-family planned residential zoning (R-1b) for a five home planned development project with a single entrance off Mission Road. The planned development zoning allows the Planning Commission and City Council to approve a development with deviations from the standard zoning regulations.

On September 15, 2003, the Council Committee of the Whole reviewed the request for rezoning with the Planning Commission’s recommendation for approval of the requested rezoning of the proposed site development plan. Bill Griffith moved the Council adopt Ordinance 2066 rezoning the property located at 7801 Mission Road from R-1a Single-Family Residential District to RP-1b Planned Single-Family Residential District, approving a preliminary development plan with the stipulations required by the Planning Commission, directing the amendment of the official zoning map of the City of Prairie Village, Kansas; and reincorporating said zoning map by reference. Laura Wassmer seconded the motion.

A roll call vote was taken with the following votes cast: “aye” Herrera, Griffith, Hopkins, Noll, Colston, Wassmer, Kelso, Anthony, Wolf, Ewy Sharp and Markley.

Mayor Shaffer explained, for the benefit of the students present, the process required for the rezoning of property and noted that this action is being taken at this meeting because State law requires a thirty-day protest period for rezoning applications from the date of Planning Commission approval to the date of adoption by the City Council.

OLD BUSINESS

There was no Old Business to come before the City Council.

NEW BUSINESS

Consider Petition for a Restricted Residential Parking Area

On Friday, September 19, 2003 a petition was filed with the City Clerk requesting the City Council conduct a public hearing to establish a restricted residential parking area for the north and south sides of 74th Terrace beginning at Mission Road and continuing west to Delmar. The City Clerk has verified that the petition complies with the conditions established in Ordinance 2016 Section D.

Bill Griffith moved the Council accept the petition and authorize a public hearing to consider establishing a restricted residential parking area as requested on Monday, November 17, 2003. Steve Noll seconded the motion.

Diana Ewy Sharp requested history on the request. Chief Charles Grover responded that different Councils have approved different types of parking signs over the past several years for the areas around Shawnee Mission East High School. For example, some of the signs state “no parking on school days”, some state “no parking on weekdays”, the restricted hours are different, etc. The Police Department has tried to make all signs consistent. The history for this area goes back to 1975.

In 1989 a sign was moved from this site established by Council in 1975 to another site. When the signs were made consistent the sign in question was returned to the 1975 location. It has been requested that the sign be returned to its 1989 location. This has not been done yet, but a work order has been issued for the movement of the sign.

Mrs. Ewy Sharp confirmed that the residents have been made aware of this.

The motion was voted on and passed by a voted of 10 to 1 with Mrs. Ewy Sharp voting “nay”.

Laura Wassmer explained to the students present that a restricted residential parking area has been requested because of residents being unable to park on the streets in front of their homes because of overflow student parking from the high school. This becomes a problem when they have multiple cars or when they have guests or service people coming to their homes. If approved the residents would be able to secure parking permits to park in front of their property.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Planning Commission	10/07/2003	7:00 p.m.
Park and Recreation Committee	10/08/2003	7:00 p.m.
This Park/Rec meeting will be held at the Public Works building on Somerset		
Sister City Committee	10/13/2003	7:00 p.m.
Council Committee	10/20/2003	6:00 p.m.
City Council	10/20/2003	7:30 p.m.

The Prairie Village Arts Council will feature an exhibit from the Mid-America Pastel Society during October in the R.G. Endres Gallery.

The 2003 League of Kansas Municipalities Conference will be held October 11 – 14, 2003 in Topeka, Kansas. The conference theme is “Kansas Homecoming”.

Peanut Butter week has ended. The total amounts received to date are:

\$160 in monetary donations.

6200 pounds of peanut butter

Our Thanks to everyone who participated.

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 8:05 p.m.

Joyce Hagen Mundy
City Clerk