

****AMENDED****
COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, July 21, 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 – July 7, 2003
2. Approve Claims Ordinances #2438 through #2439
3. Ratify appointment of the following individuals to the Ad-Hoc Skate park Committee: Will Wetherilt, Jim Shepard, Carol Shepard and Tim Shepard.
4. Approve a short-term special use permit to the Kansas City Wizards for a banner 3' x 8' banner to be located in front of the Municipal Complex from July 25 to August 5, 2003 promoting "Jake Shepard Skate Day" at Arrowhead on August 8, 2003
5. Authorize publication of the Notice of Hearing for the 2004 budget in the amount of \$19,572,234 with tax requirement of \$3,948,600
6. **Authorize the disposal of the following City property by the Public Safety Department:**

Uniforms (5 sets)	Light bars (2)
Radio Consoles (2)	Gun Racls (2)
Prisoner cage (1)	Bumper lights (2)
Side-handled batons (5)	Radar unit (1)
Scanners (2)	PBT's (2)
7. Authorize a special assessment in the amount of \$146.88 per year for each property participating in the City's Solid Waste Management Program
8. Authorize the following Homes Associations to exempt from City provided solid waste collection services in 2004:
 - Town & Country Homes Association
 - Countryside East Homes Association
 - Normandy Square Homes Association

By Committee:

9. Approve the cost plus net construction engineering agreement with the Kansas Department of Transportation and the Affinis Corporation for Project 190810: Mission Road Bridge Replacement for a total of \$93,066.00 with funding from the Capital Infrastructure Program (Policy/Services Committee Minutes – July 7, 2003)
10. Approve the engineering agreement with the Affinis Corporation for Project 190836: 71st Street – Nall Avenue to Roe Boulevard for a total cost of \$25,000 with funding from the Capital Infrastructure Program (Policy/Services Committee Minutes – July 7, 2003)
11. Approve an engineering agreement with the Affinis Corporation for Project 190844: 2004 Street Resurfacing Program in the amount of \$34,000 with funding from the Capital Infrastructure Program (Policy/Services Committee Minutes – July 7, 2003)
12. Approve an engineering agreement with the Affinis Corporation for Project 190845: Mission Road – 75th Street to 79th Street for a total cost of \$58,000 with funding from the Capital Infrastructure Program (Policy/Services Committee Minutes – July 7, 2003)

V. COMMITTEE REPORTS

VI. OLD BUSINESS

VII. NEW BUSINESS

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.

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

**COUNCIL
CITY OF PRAIRIE VILLAGE
July 21, 2003
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, July 21, 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, Ruth Hopkins, Steve Noll, Roy True, Laura Wassmer, Jerry Kelso, Jeff Anthony, Kay Wolf and Patty Markley.

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

PRESENTATION

Mayor Shaffer presented former Councilman Bob Pierson with a proclamation recognizing his past service to the City representing Ward 3. Mr. Pierson stated that he enjoyed his experiences serving on the Council and committees for the City and noted that he still feels a part of this community, even though his official residence is now in Leawood.

Mayor Shaffer stated that he is currently interviewing candidates for Mr. Pierson's seat on the Council and expects to have an appointment by the next Council meeting.

PUBLIC PARTICIPATION

Pat Kaufman, 4307 West 63rd Terrace, addressed the Council representing five neighborhoods who had representatives in the audience, regarding their concerns with the compatibility of recently renovated homes in Prairie Village. Ms. Kaufman proposed the adoption of a congruency ordinance that would honor diversity but maintain the character of existing neighborhoods. They do not want an architectural review board, but feels there needs to be some guidelines and review of projects.

The proposed ordinance would have the building official review the proposed redevelopment for congruency in size and style with the neighboring properties. If he felt

it was congruent, he would issue a building permit. If not, the Planning Commission would review the proposed structure or the applicant could get the written approval of 51% of the owner of 21 contiguous properties.

Ms. Kaufman felt the Building Official could easily determine that congruency. The review process is not costly and is the responsibility of the property owner. She feels there would only be a few applications that would actually go before the Planning Commission.

Currently there are no restrictions on the style/appearance of a house. Deed Restrictions are limited in their ability to act only after a violation has occurred. Ms. Kaufman closed her comments quoting from Prairie Village Our Story, “What will the city look like in the next 50 years? The Decisions made today will answer these questions.”

Pat Kaufman raised concerns with a sign for a business (Prairie Village home Crafters) that uses the Prairie Village Star. She encouraged the City staff take action to trademark the star. She thinks that both the “star” and the color can be trademarked.

City Attorney Charles Wetzler has written a letter to the business owner regarding the sign, which he stated falls under common law trademark status. Doug Luther stated that in recent conversations with the owner he was advised that the star would be removed from his signs. Mr. Wetzler advised that he had spoken with other cities regarding the use of the City name and many allow the use of the city name. Mr. Wetzler feels the City has some control over the use of the city’s name.

Bill Griffith asked if the Planning Commission had seen the proposed ordinance. Ms. Kaufman responded that they had not. Mr. Griffith noted the proposed ordinance alleviates some issues and brings up others. He feels the Planning Commission should review it. Mayor Shaffer responded that he would ask the Planning Commission to review the proposed ordinance, but advised those present that the process for the adoption of an ordinance takes time.

Ms. Kaufman asked how many members were on the Commission and how often they met. Mayor Shaffer responded that the Commission has seven members and there is currently a vacant seat. They meet monthly, the first Tuesday of the month.

Laura Wassmer stated she felt the proposed ordinance was a great idea and would like to see it worked out.

Bob Miller, 4422 West 69th Street, noted that the proposed ordinance places the responsibility on the property owner wanting the change. He questioned what happens between now and the review by the Planning Commission, noting that another home has recently been purchased for renovation.

Kay Wolf reviewed her recent experience regarding the legal rights of homes associations' enforcement of deed restrictions. Her homes association has disallowed houses to be built. They were taken to court and the court ruled in their favor. She suggested that they could contact Dave Anderson or Melanie Mann for more information on the process followed by their homes association.

Mayor Shaffer advised those present to make sure deed restrictions were enforced.

Anna Ricket, 4223 West 70th Street, questioned how long a building could be under construction. Doug Luther responded the initial building permit is valid for 6 months and can be extended for another six months. After a year the permit would be void and the City has legal steps that can be taken.

A resident expressed concern with excessive trash in the back yard of the property adjacent to hers. She was directed to give her complaint to the Code Enforcement Officer for investigation.

Jim Hanson, 4117 West 68th Terrace, noted that the homes in the Prairie Village Homes Association, which were built around the time of World War II, are small by today's standards and do not have the amenities that today's home buyers want. Change is inevitable. He expressed concern with declining property values and potential difficulty in selling these homes if they are required to follow designs that were established 50 years ago. Buyers will go elsewhere. Anything that stays static dies. Mr. Hanson stated that the city should be encouraging the updating of homes and might be well advised to start a campaign on accepting change and not fighting it.

Laura Wassmer responded that she did not hear the residents opposing change.

Bob Miller, 4422 West 69th Street, noted several homes in the area that have been remodeled without impacting the character of the neighborhood. Change can be done attractively and in congruency with the surrounding neighborhood. This is what they are seeking.

CONSENT AGENDA

Bill Griffith moved the approval of the amended Consent Agenda for Monday, July 21, 2003:

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

COMMITTEE REPORTS

Park & Recreation Committee

Kay Wolf reported that at the last Park & Recreation Committee meeting the committee discussed the naming of city parks and the establishment of a policy and guidelines for doing so. They did not discuss specific parks. They reviewed a listing of parks and former Mayors and will be getting additional information from staff. They are proceeding cautiously as they want to create a fair policy with clear criteria. There was

no opposition to the suggestion, the committee simply wants to ensure that it is done right.

OLD BUSINESS

There was no Old Business to come before the Council.

NEW BUSINESS

Patty Markley asked Barbara Vernon if the company that did filming in the city parks paid any fee. Mrs. Vernon replied that no fee was paid. She suggested that this be considered in the future.

Kay Wolf reported that at a recent seminar she attended a developer from Canada who was doing a major project in Lee's Summit, the developer recognized the City of Prairie Village as a city that he emulates in his developments.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Environment/Recycle Committee	7/23/2003	7:00 p.m.
Villagefest 2003	7/24/2003	7:00 p.m.
Skate Park Committee	7/28/2003	7:00 p.m.
Policy/Services Committee	8/04/2003	6:00 p.m.
Legislative/Finance Committee	8/04/2003	6:00 p.m.
City Council	8/04/2003	7:30 p.m.

The Prairie Village Arts Council will feature an exhibit of watercolor paintings by Sandy Schaffer in the R.G. Endres Gallery during the month of July. In August an exhibit of watercolor by Jerry Ellis will be featured in the R.G. Endres Gallery.

The Prairie Village Pool is open for its 2003 season. Swimming Pool and other recreational program memberships are on sale in the Municipal Building. Information & applications for all recreational programs can be found on the City's website pvkansas.com

Join us at the Prairie Village Synchronized Swim Show coming on July 27, 2003

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 8:25 p.m.

Joyce Hagen Mundy
City Clerk