

****AMENDED****
COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, March 3, 2003
7:30 p.m.

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC PARTICIPATION

IV. PRESENTATIONS

Proclamation to Prudential Spirit of Community Award honoree, Maeve O'Conner
Certificates to Police Academy Class

V. 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 – February 18, 2003
2. Approve Claims Ordinances #2399 through #2402
3. Approve the CARS Interlocal Agreement with Johnson County for Project 190383: 79th Street – Aberdeen to Belinder Avenue with Johnson County paying a maximum of \$181,000 and the City of Prairie Village paying all additional costs, estimated at \$213,000, using funding in the Capital Infrastructure Program
4. Approve proposal from OnLine Vending to provide vending services for the City's municipal facilities and the execution of an agreement as approved by the City Attorney
5. Approve the disposal of asset 1507, 1998 Scag Mower for \$1,896.00
6. Approve a short-term special use permit to Laura Goettsch for a birthday party on Saturday, March 29th from 11 a.m. to 12:30 p.m. at the Prairie Village Community Center with pony rides being given by Cathy's Custom Parties on the municipal grounds surrounding the center
7. **Approve a short-term special use permit for a temporary sign to Luminous Neon, Inc. on behalf of the Bank of Prairie Village at 3515 West 75th Street from March 11, 2003 – April 11, 2003 contingent upon the sign height not exceeding 5 feet and the location be approved by the City**
8. **Approve a short-term special use permit to Carrie Hembree for a birthday party at the Prairie Village Community Center on Sunday, March 30, 2003 from 1 p.m. to 3 p.m. with entertainment provided by Exotic Pet Mobile**
9. **Ratify the Mayor's appointment of Teri Carey to the Prairie Village Environment Recycle Committee with a term expiring in April, 2004**

By Committee:

10. Approve the synchronized swimming head coach and assistant coach contracts for the 2003 season (Park & Recreation Committee Minutes – February 12, 2003)
11. Adopt Ordinance 2028 amending Chapter 19.02 of the Prairie Village Municipal Code, entitled "Definitions" by amending Section 19.02.306 entitled "Lot Coverage" (Council Committee of the Whole Minutes – February 18, 2003)
12. Adopt Ordinance 2029 amending Chapter 19.34 of the Prairie Village Municipal Code entitled "Accessory Uses" by amending Section 19.34.025 entitled "Accessory uses-Districts R-3 and R-4" and adding a new Section 19.34.040F entitled "Permanent Standby Emergency Generators" (Council Committee of the Whole Minutes – February 18, 2003)

VI. COMMITTEE REPORTS

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
March 3, 2003
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, March 3, 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, Diana Ewy Lamberson and Patty Markley.

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 and Joyce Hagen Mundy, City Clerk.

PUBLIC PARTICIPATION

Mayor Shaffer acknowledged the presence of five scouts from Troop 98 of St. Ann's Church who were attending for their Citizenship in the Community Badge.

Frank Neff, 14035 West 91st Terrace, spoke on behalf of the League of Women Voters, addressing their concern with the possible passage of international trade agreements and their impact on city and county governments. Experts have stated that such agreements can limit local authority on such matters as : 1) zoning laws and land use regulations; 2) incentives offered to local businesses: economic development; 3) city licensing of restaurants and other places of business and 4) environmental protection measures.

Mr. Neff advised that several national organizations of local and state officials, including the National League of Cities and United States Conference of Mayors, have recognized the problem and urged the federal government to protect and maintain their authority. Representatives of the League presented background information on this issue to each Councilmember for their education. Mayor Shaffer confirmed that the League has already visited the major Johnson County Cities and intends to notify all cities of their concerns.

Ruth Hopkins noted that the NLC committee on which she serves shares the League's concern on the strong potential for the local authority of cities to be damaged

by these agreements. They have established the policy on which the NLC bases its opposition.

Presentation to Prudential Spirit of Community Award honoree Maeve O'Connor

Mayor Shaffer asked Maeve O'Connor to come forward to be recognized by the City for her volunteer service to the community. Maeve was recently named as one of the top two youth volunteer honorees in Kansas by the Eighth Annual Prudential Spirit of Community Awards Program. Maeve was recognized for her work through "Kids Helping Kids" projects including the collection of one-half million crayons, helping hurricane victims, collecting Christmas toys for children with HIV, selling 10,000 lollipops to fulfill the wish of a terminally ill child and raising money to build an intergenerational playground and garden for a geriatric center.

Mayor Shaffer read and presented Maeve with a proclamation recognizing her special achievements.

Presentation of the 2003 Graduates of the Citizens Police Academy

Police Chief Charles Grover noted that this is the 8th Citizens Police Academy offered by the City. This year's academy was coordinated by Sgt. Steve Hunter and taught by Public Safety Staff who covered all areas of Public Safety. His staff look forward to teaching the academy. Chief Grover and Mayor Shaffer congratulated and presented graduation certificates to the following class members: Kathy Adamson, Kathy Frankum, Patricia Gallagher, Paul Howery, Amy Rardin, Logan Richard, Bruce Kelly.

Bruce Kelly thanked the Council for providing this opportunity to its residents. He stated that he sees several things in a totally different manner after taking the course and expressed interest in the formation of an advanced citizens police academy.

Logan Richard stated his interest in pursuing a career in Public Safety was solidified by the course.

Pat Gallagher, a Prairie Village resident since 1972, stated the course was an exceptional experience. The officers were well prepared, the presentations were well organized and delivered. She appreciated the hands-on activities and well paced classes.

CONSENT AGENDA

The City Clerk noted that the Consent Agenda had been revised with the addition of two short-term special use permits and a committee appointment.

Laura Wassmer moved the approval of the Consent Agenda for Monday, March 3, 2003 as amended:

1. Approve Regular Council Meeting Minutes – February 18, 2003
2. Approve Claims Ordinances #2399 through 2402
3. Approve the CARS Interlocal Agreement with Johnson County for Project 190383: 79th Street – Aberdeen to Belinder Avenue with Johnson County paying a maximum of \$181,000 and the City of Prairie Village paying all additional costs, estimated at \$213,000, using funding in the Capital Infrastructure Program
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9. Ratify the Mayor’s appointment of Teri Carey to the Prairie Village Environment Recycle Committee with a term expiring in April, 2004
10. Approve the synchronized swimming head coach and assistant coach contracts for the 2003 season
11. Adopt Ordinance 2028 amending Chapter 19.02 of the Prairie Village Municipal Code, entitled “Definitions” by amending Section 19.02.306 entitled “Lot Coverage”
12. Adopt Ordinance 2029 amending Chapter 19.34 of the Prairie Village Municipal Code entitled “Accessory Uses” by amending Section 19.34.025 entitled “Accessory Uses-Districts R-3 and R-4” and adding a new Section 19.34.040F entitled “Permanent Standby Emergency Generators”

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

COMMITTEE REPORTS

Legislative/Finance Committee

LEG2000-25 Consider Fees

Bill Griffith reported that during the Legislative/Finance Committee meeting several fees were discussed that need to be brought forward for Council action. After reviewing the cost for issuance and inspection of right-of-way permits issued by Public Works, it was determined that the fee of \$45 currently charged does not cover expenses incurred by the City. Staff recommended that the fee be increased to \$65, which would cover the City’s costs. Staff also reviewed the cost and process for the issuance of Drainage Permits. It is staff’s recommendation that the City change the Drainage Permit fee from a single fee of \$85 to a two part fee – application processing fee of \$50 and an inspection fee of \$55.

The committee also reviewed proposed recreation fees for 2003. It was the recommendation of the Park & Recreation Committee that the fees remain the same as they were in 2002. However, the Long Range Financial Planning Committee recommended that all fees be increased by the Consumer Price Index (CPI). The initial recommendation was based on the December, 2002 CPI of 2.1%. The City Administrator presented new fees based on the revised 2003 CPI of 2.4%. During the review of the fees, the committee felt that it would be prudent to increase the recreation fees by the projected cost of living increase of 2.4%, however, recommended that the proposed increases be rounded.

Therefore, on behalf of the Legislative/Finance Committee, Bill Griffith moved the City Council increase the Right-of-Way Permit fee from \$45 to \$65 per permit; change the Drainage Permit fee from a single fee of \$85 to a two part fee including an application processing fee of \$50 and an inspection fee of \$55 and that the 2003 recreation fees, with the exception of the JTL fee, be increased by the projected CIP of 2.4% and rounded to the nearest dollar amount. Laura Wassmer seconded the motion.

Steve Noll asked if the proposed fees are different than those distributed in the Legislative/Finance Committee packet. Bill Griffith responded that revised figures were presented at the committee meeting, but the change of .3% resulted in minimal changes from that distributed in the packet.

The motion was voted on and passed unanimously.

Bill Griffith noted that the Kansas City Junior Tennis League (KCJTL) under which the City's Junior Tennis Teams participate has increased its fee charged for participation from \$10 to \$17.50. Therefore, the Legislative/Finance Committee is recommending an increase of 15% to the JTL fee from the current \$65 to \$75 to cover the cost of the increased membership fee required by KCJTL.

Bill Griffith moved the City Council approve an increase in the JTL fee from \$65 to \$75 to cover cost increases in membership fees required by the League office and other costs associated with the tennis program. The motion was seconded by Laura Wassmer and passed unanimously.

LEG2002-35 Consider Interlocal Agreement with Johnson County Park & Recreation District for use of City facilities

The Johnson County Park & Recreation District uses City facilities for some of its 50+ programming. Over the past several years, this has been done through an interlocal

agreement with the Park District at no cost. The City confirmed that the Park District has similar agreements with other cities for the use of their facilities at no cost.

Steve Noll confirmed that the interlocal agreement is the same as previous agreements.

Bill Griffith moved the City Council approve the Interlocal Agreement with Johnson County Park and Recreation District for the use of City facilities for 50+ programming at no cost. The motion was seconded by Laura Wassmer and passed unanimously.

OLD BUSINESS

There was no Old Business to come before the Council.

NEW BUSINESS

Bob Pryzby reported that 95% of the tiles in the city's pool are loose. The grout has not been effective in holding the tiles on the floor and sides of the pool. Mr. Pryzby and his staff have researched the problem and discussed possible solutions with professionals in the field. It appears that the problem is caused by the grout preventing the tile sticking under in water.

The two-year maintenance agreement for the pool has expired. Mr. Pryzby stated that he has had contact with the contractor, but the issue of responsibility has not been resolved and he anticipates that it will be a long process to determine fault and resolution.

The primary problem is finding a solution. He does not feel the pool can be opened in its current condition. At this time he has no feel for the estimated cost, it could be \$25,000 or \$60,000 and funding will have to come from the contingency fund. Each piece of tile will need to be repaired. He plans to advertise for bids this week, for the repair, with the bids to open March 21st. Because of the essence of time required to complete the repairs and allow the pool to open on time, Mr. Pryzby does not want to lose two weeks waiting until the April 6th meeting of the City Council to accept and award the bid. This would only allow four to five weeks for completion of the work, if the weather is good.

Steve Noll asked who had the pool contract. Mr. Pryzby responded that Carrouters Construction was the general contractor, but the tile work was subcontracted from a subcontractor to Carrouters. Mr. Noll asked what the cost was for the recent pipe replacement at the pool. Mr. Pryzby responded \$30,000.

Mr. Noll expressed concern with a possible \$100,000 expenditure on repair of the pool that is only three years old with the pipe repair and tile repair.

Mr. Pryzby responded that he does not see a trend and that these two repairs are separate events. He is documenting his findings to build a strong foundation for a potential case against the contractor as advised by the City Attorney.

Bill Griffith suggested that a date for a special meeting be set at the March 17th meeting of the City Council. Mayor Shaffer asked what Council members would be present for the March 17th meeting, noting that he was aware of several members who would be gone as it is Spring Break for the schools. Mrs. Hopkins, Mrs. Wolf, Mrs. Ewy Lamberson, Mrs. Markely, Mr. Kelso, Mr. True and Mr. Noll stated they would be present. Mayor Shaffer noted that the ordinance requires 8 members for a quorum and noted that Mrs. Ewy Lamberson would need to serve as acting Mayor in his and Ms Wassmer's absence. If a quorum cannot be attained, the next regular meeting of the City Council would be April 6th.

Mayor Shaffer stated that he would call a special meeting of the Council for Tuesday, March 25th at 5:30 p.m. for the Council to take action on the bid for pool repairs and verified that a quorum could be present at that time.

Council participation at Conferences

Ruth Hopkins shared a recent experience in which she was able to share valuable knowledge on the proposed religious freedom bill gained from the attendance of NLC events and communication with other cities through NLC events. She noted the need for greater communication and shared knowledge among city leaders has never been greater as cities face difficult economic issues.

Kay Wolf encouraged Council members to attend Wednesday, March 5th State of the Cities Luncheon.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Joint Planning Commission/Council meeting	03/04/2003	5:30 p.m.
BZA Appeals	03/04/2003	7:00 p.m.
Planning Commission	03/04/2003	7:30 p.m.
Environmental Recycle Committee	03/04/2003	7:00 p.m.
Tree Board	03/05/2003	6:00 p.m.
Sister City Committee	03/10/2003	7:00 p.m.
Park and Recreation Committee	03/12/2003	7:00 p.m.
Council Committee	03/17/2003	6:00 p.m.
City Council	03/17/2003	730 p.m.

The Prairie Village Arts Council is pleased to feature an exhibit of Abstracts from Johnson County Developmental Services in the R.G. Endres Gallery during the month of March. The opening reception for the show will be on Friday, March 7th from 6:30 to 7:30 p.m.

The National League of Cities Congressional Conference will be held March 7-11 in Washington, D.C.

The date has been set for the City's Annual Large Item Pick-up. Mark your calendars for Saturday, March 29th.

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