

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, June 17, 2002
7:30 p.m.**

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC HEARING

2003 Community Development Block Grant Request for YMCA Scholarship Program – Council Action Required

IV. 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 – June 3, 2002
2. Approve Claims Ordinances #2340 through #2342
3. Approve the renewal agreement with Animal Medical Center for animal care services for 2002-2003
4. Approve a contract with Dennis Johnson Construction Company in the amount of \$796,979 for Project 190710: 2002 Storm Drainage Program using funds from the Capital Infrastructure Program
5. Approve a short-term special use permit for the Villagefest 2002 Celebration to be held on July 4, 2002 on the Municipal Campus including signage, the placement of a tent and approval of special activities.
6. Approve the following contracts:
 - Chris Cakes - \$3.10 per plate, \$30.80 travel expenses and a 20% gratuity
 - The Wilders - \$800
 - Miller-Marley School of Dance – No Charge
 - Hiccup Production (Jim Cosgrove) - \$300
 - United Entertainment Productions (Sound) - \$1300
 - All Seasons Party and Tent Rental (Stage) - \$1000
 - Wacky Banana - \$1220
 - The Rain Dogs - \$400
 - Jerry and Janet Aswegan (Petting Zoo) - \$650
 - Jerry and Janet Aswegan (Pony Rides) - \$500
7. Approve contract for sponsorship by US concepts (Old Navy) – Pay city \$500 and provide \$100 gift certificates to selected volunteer.
8. Approve contract for sponsorship by HyVee – Pay city \$175

By Committee:

9. Approve Construction Change Order #2 to Wiedenmann & Godfrey Construction for Project 190705: 2001 Storm Drainage Repair Program for a decrease of \$60,169.00, bringing the new contract total to \$744,025.00 (Policy/Services Committee Minutes – June 3, 2002)
10. Approve an Engineering Agreement with The Larkin Group for Project 190713: 2003 Storm Drainage Repair in the amount of \$45,000 with funding from the Capital Expenditure Program (Policy/Services Committee Minutes – June 3, 2002)
11. Adopt Ordinance 2032 amending Chapter 15 of the Prairie Village Municipal Code, entitled “Water and Sewers” by adding a new Section 15.20 entitled “Floodplain Management”. (Policy/Services Committee Minutes – June 3, 2002)

V. COMMITTEE REPORTS

Legislative/Finance Committee - Ruth Hopkins

LEG2002-13 Consider rezoning of 5201 West 75th Street (Old Mission Lodge) from R-1a (Single Family Residential) to C-0 (office Building District)

Roll-call Vote

Required

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
June 17, 2002
Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, June 17, 2002, 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, Bob Pierson, Roy True, Laura Wassmer, Jerry Kelso, Jeff Anthony and Kay Wolf.

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

PUBLIC HEARING

Mayor Shaffer opened the Public Hearing on the presentation of the proposed 2003 Community Development Block Grant Application request and called upon Ms Pam Nickols with the YMCA to present the application.

Ms Nickols acknowledged the City's past support in acquiring grant funds for their childcare programs. The YMCA of Greater Kansas City school age programs provide a necessary and essential function in providing communities with quality school childcare programs.

The grant will provide assistance to approximately 50 families to participate in the YMCA before and after school childcare program. The program operates from 3:00 p.m. to 6:00 p.m. from August through May. Y's Kids clubs serve approximately 2100 children at 75 before and after school sites in Johnson County. The YMCA is seeking a grant of \$30,000 and will match the requested grant funds.

Bill Griffith confirmed the YMCA must apply through the City for Community Development Block Grant Funds.

With no others present to speak on the proposed 2003 Community Development Block Grant application, Mayor Shaffer closed the public hearing at 7:40.

Laura Wassmer moved the Council authorize the submittal of an application for 2003 Community Development Block Grant Funding in the amount of \$30,000 by the City of Prairie Village on behalf of the YMCA of Greater Kansas City to provide

scholarships to low/moderate income residents for daycare services. The motion was seconded by Al Herrera and passed unanimously.

PUBLIC PARTICIPATION

Cathy Peterson, 7526 Aberdeen, addressed the Council in support of the creation of a skate park within the City and advised the Council of a recent donation of approximately \$5,500 bringing the total amount of donated funds for a skate park to more than \$10,000. She noted that several donations were received during the recent Prairie Village Art Fair.

Rev Christina Zito, with Asbury Methodist Church, addressed the Council in support of the skate park. She noted the need for recreational facilities for the area youth and expressed the support of Church for this endeavor.

Karen Wulfkuhle, representing United Community Services, addressed the Council for the City's continued participation and support of the Human Services Fund and the Alcohol Tax Fund coordinated by UCS. She noted that they are asking all area jurisdictions to continue partnering with UCS and to date she is not aware of any other Cities that are considering withdrawing their support. She noted the City has participated in the Human Services Fund since 1990 and the Alcohol Tax Fund since 1980.

Greg Gladish, 2113 West 74th Street, reviewed the background on the recent petition for parking restrictions along the east side of Eaton and south side of 74th Street along the Lock\line Building during business hours. He reminded the Council of the several pictures that had been presented documenting parking problems, he stated that he had five pages of parking violations issued by the City to individuals for parking infractions in the area, and noted that he recently received his property appraisal which reflected a decrease in property value caused by the parking situation in this area.

Mr. Gladish questioned Chief Grover's interpretation that the proposed petition would conflict with the existing Residential District.

Laura Wassmer asked Mr. Gladish for a report on their recent meetings with Lock\line representatives. Mr. Gladish responded that they had met and requested that a privacy fence be installed to screen lights from adjacent residential properties and that they gate the exit on Eaton during the evening hours. They have not had any answer. However, he noted that Capitol Federal Savings has agreed to gate their exit on Eaton in the evening. Mr. Gladish noted that he had spoken with representatives of the Fire District who did not have any objection to the gated exit as long as it met their guidelines.

Several residents have left the area because of the parking problems. He feels the neighbors have compromised significantly in an attempt to reach a solution to this problem; however, he does not feel Lock\line has made or will make any significant efforts to solve this problem. He urged the Council to support the petition for parking restrictions presented to the City.

CONSENT AGENDA

Laura Wassmer moved the approval of the amended Consent Agenda for Monday, June 17, 2002:

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2. Approve Claims Ordinances #2340 through #2342
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10. Approve an Engineering Agreement with The Larkin Group for Project 190713: 2003 Storm Drainage Repair in the amount of \$45,000 with funding from the Capital Expenditure Program
11. Adopt Ordinance 2032 amending Chapter 15 of the Prairie Village Municipal Code, entitled “Water and Sewers” by adding a new Section 15.20 entitled “Floodplain Management”

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

COMMITTEE REPORTS

Legislative/Finance Committee

LEG2002-13 Consider rezoning of 5201 West 75th Street from R-1a to C-0

Ruth Hopkins reported that the Old Mission Masonic Lodge at 5201 West 75th Street has requested to be rezoned from a single family district (R1-a) to an office building district (C-0). The rezoning is for the existing site plan and any redevelopment of the property would require notification of the neighboring property owners and

Planning Commission approval. The Planning Commission recommends the Council approve the rezoning subject to several conditions.

Ruth Hopkins moved the Council adopt an ordinance granting the requested Zoning change from single family residential (R-1a) to Office Building District (C-0) for the property located at 5201 West 75th Street subject to the following conditions: 1) The property must be re-platted prior to the publication of the ordinance authorizing the rezoning. 2) In the event any changes are proposed to the parking configurations, building design or redevelopment or circulation that a site plan be brought before the Planning Commission for review and approval. 3) The applicant install a 6-foot fence along the east property line adjacent to the DeVille Condominiums to provide screening for those residences. Laura Wassmer seconded the motion.

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

COU2002-11 Consider request for “No Parking” signs

Bill Griffith advised the Council that due a recent employment change, he has a professional conflict of interest and would be leaving the room during the discussion of this item. Mr. Griffith left the room.

Ruth Hopkins reviewed the discussion of the Legislative/Finance Committee in considering this issue stating that the committee was unable to bring forth a recommendation to the Council.

Laura Wassmer stated she felt Lock\line, should as a good neighbor, work to solve this problem without further intervention by the City. She has not seen any evidence of movement by Lock\line towards solving this problem and supports the proposed parking petition.

Ruth Hopkins spoke in opposition to the petition. She does not feel there is a solution that will satisfy both parties. She noted that Lock\line had purchased additional property for off-site parking and educated their employees on appropriate parking. The City has compromised in the creation of a residential parking district to meet the needs of the residents. Just as the property owners have the right to park on the street adjacent to their homes, the business has the right to park on the street adjacent to their building. She feels that it is now between the neighbors and Lock\line to resolve the problem.

Bob Pierson noted the initial approval of the site plan for this building was for a professional office building with regular business hours and limited employees, not for

the current call center operations with extended hours and significantly more employees. He supports the approval of the parking petition. Mr. Pierson expressed surprise that no representatives from Lock\line were present at the meeting to address this issue.

Jerry Kelso doesn't feel that Lock\line has worked as hard as it could to resolve this problem.

Al Herrera noted that as a business they have the right to park on the street adjacent to their facility just as other businesses in the City can park on the streets adjacent to their buildings.

Roy True noted that the City spent a great deal of time creating the residential parking area. He doesn't feel Lock\line has been successful in policing and educating its employees' parking based on the number of parking tickets that have been written. He feels Lock\line has made it clear that they will not take any action until they are forced to do so.

Ruth Hopkins moved to deny the parking petition to install "No Parking" signs on the south side of 74th Street and the East side of Eaton prohibiting parking from 8 a.m. to 6 p.m. Monday through Saturday. Al Herrera seconded the motion.

Roy True stated that he does not support the motion and feels it is against the best interests of the City's residents.

Chief Grover clarified his position for the Council. The residential parking district was created to address public safety issues. He feels the issue now facing the Council is not a public safety issue but an equal protection issue. It is his opinion that if the petition were approved, the Council would need to rescind its residential parking district ordinance as, in his opinion, the two are contradictory and follow only Council Policy 410.

Roy True disagreed with the Chief's interpretation. He does not see a conflict, nor does Steve Braun, an attorney residing in the area. He feels the one situation is clearly covered by the residential parking district and the other under Council Policy 410.

Doug Luther read the proposed petition for clarification. "...request that a NO PARKING area be made, from 8 a.m. to 6 p.m. Monday through Saturday for the following area: East side of Eaton, starting from the North side of Capitol Federal Saving's west driveway, north to 74th Street and the South side of 74th Street between Eaton and State Line".

Roy True stated that the requested “No Parking” would equally address all individuals; thereby providing equal protection.

Mayor Shaffer called for a vote on the motion to deny the requested parking petition. The motion was approved by a vote of 6 to 3 with the following votes cast: “aye” Herrera, Hopkins, Noll, Kelso, Anthony and Wolf; “nay” Pierson, True and Wassmer.

OLD BUSINESS

There was no Old Business to come before the Council.

NEW BUSINESS

Doug Luther presented a request received earlier in the day from the City of Roeland Park to participate in a 20-minute area fireworks display to be held at Bishop Miege High School on Friday, July 6th at dusk. The City of Roeland Park is requesting funding support for the event. Mr. Luther stated that the City of Mission has agreed to participate with funding and that other cities were considering the request.

Ruth Hopkins questioned if the City of Roeland Park would be absorbing all of the liability for the event if jointly sponsored. Mr. Luther stated that he feels if the City chooses to participate, it would require hold harmless language in the agreement.

Steve Noll feels that if the City were a financial underwriter of the event, the City would be held liable regardless of any hold harmless language.

Al Herrera confirmed that no funds were available for participation in the event and any sponsorship funding would have to come from the Contingency Fund.

It was the consensus of the Council that the City would not participate in the event.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Environment/Recycle Committee	06/18/2002	7:00 p.m.
Prairie Village Arts Council	06/19/2002	7:00 p.m.
Budget Worksession	06/24/2002	6:00 p.m.
Prairie Village Ice Storm	06/25/2002	7:00 p.m.
Prairie Village Municipal Foundation	06/26/2002	5:30 p.m.
Villagefest Committee	06/27/2002	7:00 p.m.
Policy/Services Committee	07/01/2002	6:00 p.m.
Legislative/Finance Committee	07/01/2002	6:00 p.m.
Council Committee of the Whole	07/01/2002	6:45 p.m.
Council Meeting	07/01/2002	7:30 p.m.

The Prairie Village Arts Council is pleased to feature the work of Jack O’Neal during the month of June in the R. G. Endres Gallery.

The Prairie Village Pool is open for its 2002 season. Swimming Pool and other recreational program memberships are now on sale in the Municipal Building. Mail-in registrations are also being accepted and encouraged for those individuals wishing to use last year's photo ID.

The first Moonlight swim will be held on Friday, June 28th from 8:30 to 10:00 p.m.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:30 p.m.

Joyce Hagen Mundy
City Clerk