

**\*\*AMENDED\*\***  
**COUNCIL MEETING AGENDA**  
**CITY OF PRAIRIE VILLAGE**  
**Tuesday, February 19, 2002**  
**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 – February 4, 2002
2. Approve Claims Ordinances #2312 and #2313
3. Authorize Wireless Service Agreements with Cingular Wireless to provide Cellular phone service to Code Administration Staff with funds from the 2002 Codes Administration Budget
4. Ratify the appointment of Gregory VanBooven to the Prairie Village Tree Board for a three-year term expiring in 2005
5. Adopt Ordinance 2028 repealing Ordinance 2009, revoking a Special Use Permit for the installation of wireless communications antenna and equipment; and rescind the City's approval of a communication facility lease with AT&T Fixed Wireless
6. Approve the continued participation and contract with the Kansas City Crime Commission for its TIPS Hotline Program with funding from the 2002 Public Safety Budget
7. Approve an agreement with Mid-America Regional Council to provide the training programs described in the agreement for a cost of \$1,500
8. **Authorize the Mayor to execute the easement agreement between Station Development Company, Inc. and the City of Prairie Village for 10' of right-of-way along 75<sup>th</sup> Street on the north side of Lots 22 & 23, Sunset Hill Acres**
9. **Ratify the appointment of Chris and Amelia DeVolder to the Prairie Village Environment/Recycle Committee for a three-year term expiring in 2005**

**By Committee:**

10. Approve the installation of a streetlight on the island adjacent to 5219 West 84<sup>th</sup> Terrace at an annual cost of \$196.92 (Council Committee of the Whole Minutes – February 4, 2002)
11. Approve Construction Change Order #1 for Project 190705: 2001 Storm Drainage Repair Program with Wiedenmann & Godfrey Construction, bringing the new contract total to \$804,194.00 with funding from the Capital Expenditure Program (Council Committee of the Whole Minutes – February 4, 2002)
12. Approve Construction Change Order #1 to TSC, Inc. for Project 190820: Belinder Avenue – North City limits to Somerset Drive and for Project 190815: 71<sup>st</sup> Street & Mission Road for an increase of \$10,272.94, with Johnson County paying \$5,136.47 and Prairie Village paying \$5,136.47, bringing the new contract total to \$860,996.49 with funding from unallocated funds in the street capital expenditure program (Council Committee of the Whole Minutes – February 4, 2002)
13. Approve Engineering Change Order #2 to the agreement with The Larkin Group for Project 190702: Brush Creek from 71<sup>st</sup> Street to Indian Lane, for an increase of \$10,500 with Johnson County paying \$7,875.00, the City of Mission Hills paying \$1,312.50 and the City of Prairie Village paying \$1,312.50 with funding from unallocated drainage capital expenditure funds (Council Committee of the Whole Minutes – February 4, 2002)

**V. COMMITTEE REPORTS**

**Council Committee of the Whole – Diana Ewy Lamberson**

COU2002-08 Consider Interlocal Agreement with the City of Mission Hills for limb disposal

Consider purchase orders for removal of tree debris from the ice storm

**Park & Recreation Committee – Nancy Vennard**

Consider Fountain at Tomahawk & Mission Road

**VI. OLD BUSINESS**

COU2001-23 Consider amendments to Zoning regulations - Utility Boxes

**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](mailto:cityclerk@PVKANSAS.COM)**

**COUNCIL  
CITY OF PRAIRIE VILLAGE  
February 19, 2002  
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, February 19, 2002, at 7:30 p.m. in the Council Chambers of 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, Nancy Vennard, 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 Boy Scout Tom Puckett from Troop 3383 who was present working toward his Citizenship Badge. Also present at the meeting were three Shawnee Mission East students attending for their American Government class.

No one was present to address the Council.

**CONSENT AGENDA**

The City Clerk noted the addition of items #8 and #9. Diana Ewy Lamberson moved the approval of the Consent Agenda for Tuesday, February 19, 2002 as amended:

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

## **COMMITTEE REPORTS**

### **Council Committee of the Whole**

#### **COU2002-08 Consider Interlocal Agreement with the City of Mission Hills for receiving tree debris**

During the earlier Council Committee of the Whole meeting the committee considered the request by the City of Mission Hills to deliver tree debris from the ice storm to Prairie Village for disposal. Diana Ewy Lamberson moved the Council approve the Interlocal Agreement with the City of Mission Hills to dispose of tree debris from the ice storm for a fee of \$3.00 per cubic yard. The motion was seconded by Bill Griffith and passed unanimously.

#### **Consider purchase orders for the removal of tree debris from the ice storm**

The Director of Public Works has requested approval of purchase orders for various rental equipment and services required for the removal of tree debris. The initial authorization was given to secure the necessary equipment and services during the Special Council meeting of January 30, 2002.

Diana Ewy Lamberson moved the Council approve the removal of tree debris with the use of contingency funds and fund balance for the following purchase orders:

- \$400,000 to Kaw Valley Companies for various rental equipment
- \$400,000 to Shawnee Mission Tree for various rental equipment
- \$500,000 to Deffenbaugh for collection of tree debris
- \$16,000 to Murphy Equipment for wheel loader rental
- \$8,000 to Vermeer for chipper rental
- \$6,200 to K.C. Bobcat for skid loader rental

The motion was seconded by Bill Griffith and passed unanimously.

## **Park & Recreation Committee**

Nancy Vennard noted the Council received in their packet the results of the Park & Recreation Survey, which was distributed to all residents as part of the City's Newsletter, the Village Voice. More than 600 surveys were returned. The survey requested opinions and suggestions regarding Prairie Village Park & Recreation facilities and programs. The survey reflected active use of City Parks with Harmon Park being the most frequently used park. Ninety-three percent of the respondents rated the City parks and facilities as good to excellent. Approximately one-third of the respondents have participated in City recreational programs, and rated "neighborhood parks" as their highest priority.

### Consider design of Project 190611: Prairie Park fountain design

In April, 2000, the City Council approved an agreement for designing a fountain in Prairie Park at the intersection of Mission Road and Tomahawk Road. Over the past several months the Park Committee has accepted the basic design of the fountain. The location of the fountain, which had been considered in conjunction with the proposed roundabout for this intersection, has returned to its original placement in Prairie Park.

Bob Pryzby reviewed the location and design of the fountain. The location has been impacted by several existing utility lines in the area. A new sidewalk will be added to the area. The front of the Prairie Family will face the intersection. White/gray limestone will be used for facing on the fountain walls, with granite boulders placed at the base of the statue and the "City of Prairie Village" placed on the lower fountain wall using 10' or 12' bronze letters. There will be lighting for both the statue and the lettering. A landscape architect will provide a design surrounding the fountain. The fountain will not have water sprays, but will have running water that will recycle itself.

Mr. Pryzby noted that the statue will be moved on a pad to the location with the restoration being done at the new location. Diana Ewy Lamberson relayed concern expressed by Paul Benson with the Nelson Art Gallery that possible damage may be incurred with moving the statue. She suggested that the statue be inspected by professionals prior to moving. Mrs. Vennard stated that this could be done, but she did not feel it was necessary for the City to get someone's approval to move the statue.

Mr. Pryzby noted that the original artist who created the statue felt that the restoration could be done on site. He also expressed concern that if the statue was sent

out to be restored, it would not be returned for four to six months significantly delaying the project.

Bill Griffith confirmed that the City had previously authorized the Park Committee to proceed with the design of the statue and that \$180,000 had been included in the budget for its construction.

Mr. Pryzby stated the committee is seeking to update the Council on the changes to the design and receive approval of the design plans. After approval is given, Mr. Pryzby will bring the related contracts to the Council for approval.

Bill Griffith moved the Council approve the recommendation of the Park & Recreation Committee for the Prairie Park fountain design and associated features as presented. The motion was seconded by Laura Wassmer.

Diana Ewy Lamberson confirmed that the motion does not include the inspection of the statue prior to its being moved. The motion was voted on and passed by a vote of 10 to 1 with Ewy Lamberson voting “nay”.

#### Skate Park Meeting

Nancy Vennard advised the Council of an upcoming meeting with parents interested in pursuing the development of a skate park to be held on Thursday, February 21<sup>st</sup> at 7 p.m. in the Multi-purpose Room. She noted the strong support of some parents and local schools. The focus of the meeting will be discussion of the skate park issue, the funding, consideration of grants, consideration of possible resources, etc. The criteria for qualifying for a Federal Grant will be discussed. The pursuit of this issue will be turned over to the leadership of interested parents and individuals.

Ruth Hopkins noted that the results of the recent Park & Recreation survey did not indicate a high level of interest in a skate park.

#### **OLD BUSINESS**

##### COU2001-23 Consider amendments to Zoning Regulations – Utility Boxes

On January 7, 2002, the Council directed staff to meet with utility company representatives to resolve the issue of pad size in the proposed ordinance regulating the installation of utility boxes. A meeting was held with the Planning Consultant, the Public Works Director and representatives of KCP&L and Southwestern Bell with the following resolution:

- a. In Section 19.02.499, the maximum pad size will be two square feet.

- b. In Section 19.28.070G, the words “overhead utility lines that are less than 15kV” will be deleted. At this time in Prairie Village the lines are 12kV or 161kV and nothing in between.
- c. In Section 19.34.020k, the maximum pad size shall be not more than 2.5 times the area of the utility box footprint but not larger than 32 sq. feet.
- d. In Section 19.30.055G, utility boxes having a pad larger than 2.5 times the utility box footprint or 32 square feet will be required to obtain a conditional use permit.

Southwestern Bell needs a 32 square foot pad for its utility boxes but small boxes do not need this large of a pad. Therefore, using a ratio of 2.5 times the utility box footprint seemed to be a way to keep the pad in reasonable relationship to the utility box.

Bill Griffith questioned the proposed changes, noting that under the original ordinance, the utility companies had the option to come before the Planning Commission or the Council to request the larger pads. He is concerned that the revisions lessen the effectiveness of the ordinance. He questioned the utility companies’ interpretation of maintaining and restringing lines.

Bob Pryzby noted that under the Right-of-Way ordinance the City still has control of any utility action taking place within City right-of-way. The only area where the City would not have control is the placement of utility boxes and/or lines outside of City right-of-way such as in residents’ backyards.

Diana Ewy Lamberson moved the Council adopt Ordinance 2029 amending Title 19 of the Prairie Village Municipal Code, 1973, entitled “Zoning” by adding the following new Section 19.02.499 entitled “Utility Box” and amending Sections 19.28.070 entitled “Specifically Listed Special Use Permits” and 19.34.020 entitled “Other Accessory Uses” and Section 19.30.055 entitled “Specifically Listed Conditional Uses”. The motion was seconded by Jerry Kelso.

A roll call vote was taken with the following members voting “aye” Herrera, Hopkins, Noll, Kelso, Vennard, Ewy Lamberson & Markley and the following members voting “nay” Griffith, Pierson, True & Wassmer. The motion passed with a 7 to 4 vote.

## **NEW BUSINESS**

### **Sound System**

Ruth Hopkins expressed her continued frustration with the Council Chamber Sound System. She noted that particularly those individuals speaking from the podium drifted in and out, making it difficult for them to be heard. Nancy Vennard agreed the sound transmission from the podium was poor this evening.

Bob Pryzby stated there is a plate coming for the podium which will allow it to be permanently placed and will allow for the vertical adjustment of the podium. He noted that the podium which is currently being moved has resulted in broken speaker connections.

Bill Griffith stated that the problems experienced in the past with the Council member microphones seems to have been addressed by the proper use of the microphones. However, he questioned, if a higher level broadcast microphone could be used on the podium, as that is not performing as presented.

Mrs. Hopkins expressed concern with the ability of those in the audience to hear what is being said and stated the sound systems' current level of performance is unacceptable.

Mr. Pryzby stated he would continue to investigate solutions to the existing sound system problems.

#### FEMA

Mr. Pryzby reported that he would be meeting with FEMA representatives on Wednesday. He has video and photographs of the City's actions and has been completing the accounting forms requested by FEMA. He is confident that the City has met the criteria for funding. However, he advised the Council that funding will be provided as reimbursement once payment is actually made for services. FEMA funding will cover 70% of specified related storm costs. State funding is usually 10 – 15%, however, there has not been any indication of the State providing additional funding.

Diana Ewy Lamberson expressed concern with the lack of funding from the State and suggested that this be further investigated. She feels that they should fulfill their responsibilities to its residents. Mayor Shaffer asked Assistant City Administrator Doug Luther to investigate this and report back to the Council.

#### Possible Unsafe Condition

Laura Wassmer noted that there is a very large tree at 8121 Granada that is split down the center and the split continues to widen. She expressed concern that if the tree continues to break and fall it could create an unsafe condition similar to one addressed by the Council a couple of years ago. Mr. Pryzby will monitor the condition of the tree.

#### Police Update

Mayor Shaffer noted the most recent edition of the Kansas Government Journal recognized Detective Jim Carney's receipt of the Bronze Award of Valor. Bill Griffith



questioned the number of recent bank robberies. Chief Grover responded there has been a significant increase in bank robberies over the past five years nationwide and in the metropolitan area. His staff is continuing to monitor and investigate area bank robberies.

**ANNOUNCEMENTS**

**Committee meetings scheduled for the next two weeks include:**

Prairie Village Arts Council	02/20/2002	7:00 p.m.
Council Worksession	02/25/2002	6:00 p.m.
Villagefest 2002 Committee	02/28/2002	7:00 p.m.
Policy/Services Committee	03/04/2002	6:00 p.m.
Legislative/Finance Committee	03/04/2002	6:00 p.m.
Council Meeting	03/04/2002	7:30 p.m.

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The Prairie Village Arts Council is pleased to feature the work of Jim Hamil during the months of January & February in the R.G. Endres Gallery.

**President’s Day, Monday, February 18<sup>th</sup> is NOT a recognized holiday for Deffenbaugh. Trash Service will be the regular pick-up schedule the week of February 18 – 22.**

The date has been set for the City’s Annual Large Item Pick-up. Mark your calendars for Saturday, May 18<sup>th</sup>.

The Prairie Village Arts Council is sponsoring a performance by the Kansas City Civic Orchestra on Saturday, March 2<sup>nd</sup> at Shawnee Mission East High School beginning at 7:30 p.m.

The National League of Cities Congressional Conference will be held March 8<sup>th</sup> – 12<sup>th</sup> in Washington, D.C.

**The FINAL limb pick-up will begin on March 4<sup>th</sup>. ALL LIMBS MUST BE AT THE CURB AT THAT TIME – NO ADDITIONS WILL BE ACCEPTED.**

**ADJOURNMENT**

With no further business to come before the Council, the meeting was adjourned at 8:38 p.m.

Joyce Hagen Mundy  
City Clerk