

**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE**

**Monday, June 18, 2001  
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 – June 4, 2001
2. Approve Claims Ordinances #2255 through #2257
3. Approve Resolution 2001-02 authorizing individuals to act on behalf of the City for the purpose of banking transactions with Capitol Federal Savings & Loan
4. Approve a short-term special use permit to The Missouri Bank at 4140 West 71<sup>st</sup> Street for their grand opening celebration on Saturday, June 23<sup>rd</sup> with the installation of a 30' x 60' frame tent from June 22<sup>nd</sup> to June 25<sup>th</sup> provided the tent meets the Uniform Fire Code for tents and membrane structures
5. Approve a short-term special use permit to the Swim Team for placement of a banner on the north fence of the pool complex on June 21<sup>st</sup> and again July 17<sup>th</sup> through July 24<sup>th</sup> and to the Synchronized Swim Team for the placement of a banner from July 23<sup>rd</sup> to July 29<sup>th</sup> with the application fee waived.
6. Approve a short-term special use permit to the Prairie Village Homes Association to hold their annual picnic at Porter Park on Saturday, August 18<sup>th</sup> from 4 p.m. to 9 p.m.
7. Approve the following contracts for entertainment at Villagefest 2001 –
  - Kansas City Chiefs - \$550
  - Chris Cakes - \$3.10 per plate
  - Anne Bender - \$140
  - Jerry Aswegan - \$724.20
8. Authorize the Mayor to execute the Proclamation declaring June 22, 2001 as National Small Cities “Investing in Communities Day”
9. Adopt an Ordinance amending Chapter 13.16 entitled “Right-of-Way Ordinance” of the Prairie Village Municipal Code by amending Section 13.16.18 entitled “Right-of-Way Permit Fees” by adding a new Section 13.16.184 and amending Chapter 13.16.19 Entitled “Issuance of Permit” by adding a new Section 13.16.196.
10. Authorize staff to proceed with the construction administration phase of the engineering agreement with The Larkin Group for Project 190815: 71<sup>st</sup> Street & Mission Road intersection with \$4825 in City funds and establish CARS funds of \$4825 for a total of \$9,650.

**By Committee:**

11. Deny the petition to replace the traffic signs at 87<sup>th</sup> Street and Delmar identifying the street as “not a through street” and “Street ends in 900 feet” and keep the current signage (Policy/Services Committee Minutes – June 4, 2001)
12. Approve a five-year lease of the T1 telephone line with Southwestern Bell at a cost of \$220 per month with funding from the Public Works Operating Budget (Policy/Services Committee Minutes – June 4, 2001)
13. Remove Strategic Action Item 7.g. as completed with the recommendation that no changes be made to the left turn phases of the traffic signal at 95<sup>th</sup> Street and Roe Avenue (Policy/Services Committee Minutes – June 4, 2001)
14. Approve the amendment with Johnson County Automatic Information Mapping System (AIMS) for the use of digital ortho photos at a cost of \$366 with funding from the Public Works Operating Budget (Policy/Services Committee Minutes – June 4, 2001)
15. Approve the agreement with Camp Dresser & McKee, Inc. to provide GIS Consulting Services on a task order basis with funding from the Public Works Operating Budget (Policy/Services Committee Minutes – June 4, 2001)

**V. COMMITTEE REPORTS**

**Council Committee of the Whole – Diana Ewy Lamberson  
Consider DUI Ordinance**

**Legislative/Finance Committee – Ruth Hopkins  
Ordinance to amend Mayoral Succession  
Code Enforcement Report**

**Planning Commission – Kay Wolf**

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

**COUNCIL  
CITY OF PRAIRIE VILLAGE  
June 18, 2001  
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, June 18, 2001, at 7:30 p.m. in the Municipal Building.

**ROLL CALL**

Mayor Ron Shaffer called the meeting to order with the following Council members responding to roll call: Bill Griffith, Ruth Hopkins, Steve Noll, Bob Pierson, Roy True, Laura Wassmer, Jerry Kelso, Nancy Vennard, 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**

No one was present to address the Council.

**CONSENT AGENDA**

Bob Pierson requested the removal of Consent Agenda Item #10 and Roy True requested the removal of Consent Agenda Item #11. Diana Ewy Lamberson moved the approval of the Consent Agenda for Monday, June 18, 2001 as amended:

1. Approve Regular Council Meeting Minutes – June 4, 2001
2. Approve Claims Ordinances #2255 through #2257
3. Approve Resolution 2001-02 authorizing individuals to act on behalf of the City for the purpose of banking transactions with Capitol Federal Savings & Loan
4. Approve a short-term special use permit to The Missouri Bank at 4140 West 71<sup>st</sup> Street for their grand opening celebration on Saturday, June 23<sup>rd</sup> with the installation of a 30' x 60' frame tent from June 22<sup>nd</sup> to June 25<sup>th</sup> provided the tent meets the Uniform Fire Code for tents and membrane structures
5. Approve a short-term special use permit to the Swim Team for placement of a banner on the north fence of the pool complex on June 21<sup>st</sup> and again July 17<sup>th</sup> through July 24<sup>th</sup> and to the Synchronized Swim Team for the placement of a banner from July 23<sup>rd</sup> to July 29<sup>th</sup> with the application fee waived.
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7. Approve the following contracts for entertainment at Villagefest 2001 –
  - Kansas City Chiefs - \$550
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8. Authorize the Mayor to execute a Proclamation declaring June 22, 2001 as National Small Cities “Investing in Communities Day”
9. Adopt an Ordinance amending Chapter 13.16 entitled “Right-of-Way Ordinance” of the Prairie Village Municipal Code by amending Section 13.16.18 entitled “Right-of-Way Permit Fees” by adding a new Section 13.16.184 and amending Chapter 13.16.19 Entitled “Issuance of Permit” by adding a new Section 13.16.196.
10. Removed

11. Removed
12. Approve a five-year lease of the T1 telephone line with Southwestern Bell at a cost of \$220 per month with funding from the Public Works Operating Budget
13. Remove Strategic Action Item 7.g. as completed with the recommendation that no changes be made to the left turn phases of the traffic signal at 95<sup>th</sup> Street and Roe Avenue
14. Approve the amendment with Johnson County Automatic Information Mapping System (AIMS) for the use of digital ortho photos at a cost of \$366 with funding from the Public Works Operating Budget
15. Approve the agreement with Camp Dresser & McKee, Inc. to provide GIS Consulting Services on a task order basis with funding from the Public Works Operating Budget

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

Bob Pierson requested clarification on the requested action on Project 190815. 71<sup>st</sup> Street & Mission Road Intersection. Bob Pryzby explained that the action listed on the Consent Agenda is authorization to proceed to the next phase of the engineering agreement which was approved in April. This is different from the intersection discussion on the roundabout that is on the Council Committee agenda.

Bob Pierson moved the Council authorize staff to proceed with the construction administration phase of the engineering agreement with The Larkin Group for Project 190815: 71<sup>st</sup> Street & Mission Road Intersection at a cost to the City of \$4825 and establish CARS funds of \$4825 for a total of \$9,650. Steve Noll seconded the motion, which passed unanimously.

Roy True asked for clarification on the denial of the petition to replace the traffic signs at 87<sup>th</sup> Street and Delmar. Nancy Vennard explained that the petition was submitted by a homeowner living at the intersection where the sign is located. Prior to the meeting a second petition was submitted from the homeowners who live on the 87<sup>th</sup> Street cul-de-sac and are impacted by the traffic, many of whom had signed the original petition rescinding their support and requesting that there be no change in the existing signage. This left only two signatures on the initial petition. The committee members tried unsuccessfully to get agreement between the parties for a compromise solution. Patty Markley explained that the committee saw it as an issue of safety over aesthetics.

Nancy Vennard moved the Council deny the petition to replace the traffic signs at 87<sup>th</sup> Street and Delmar identifying the street as “not a through street” and “street ends in 900 feet” and keep the current signage. The motion was seconded by Patty Markley and passed by a majority vote with True voting “nay”.

## **COMMITTEE REPORTS**

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

#### **COU2001-13 Consider DUI Ordinance**

Diana Ewy Lamberson stated that at the earlier Committee meeting Police Chief Charles Grover reviewed changes to the state law governing the prosecution of driving under the influence as stated in K.S.A. 8-157. The penalties were increased significantly.

The legislation specifically authorized municipalities to continue to prosecute the crime of driving under the influence so long as “the minimum penalty prescribed by any such ordinance or resolution” is not less than set forth in K.S.A. 8-1567, and the maximum penalty is not greater than set forth in K.S.A. 8-1567.

The legislation amends the driving under the influence (DUI) law to increase criminal penalties including jail or prison time and fines; to increase driver’s license lengths of suspensions and to increase reinstatement fees; to provide for lifetime driver’s license revocation administrative hearings; to amend the zero tolerance law regarding driver’s license suspensions; to amend the underage drinking and possession statute to require driver’s license suspensions of 30 days for violations; and to make other changes.

Any person convicted of a DUI who has child under 14 years of age as a passenger shall have the person’s punishment enhanced by one month of imprisonment.

Diana Ewy Lamberson moved the Council adopt Ordinance 2002 amending Title 11 of the Prairie Village Municipal Code, 1973 entitled “Vehicles and Traffic,” by amending the “Standard Traffic Ordinance,” incorporated by reference in the Prairie Village Municipal Code at Section 11.04.010 by amending Section 30, entitled “Driving under the Influence of Intoxicating Liquor or Drugs; Penalties.” The motion was seconded by Kay Wolf.

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

## **Legislative/Finance Committee**

### Consider ordinance to amend Mayor Succession

Ruth Hopkins stated that under the current City ordinances, the President of the City council becomes Mayor upon the Mayor's resignation and serves as Mayor until the next Mayoral election. The Legislative/Finance Committee discussed this issue and reviewed mayoral succession ordinances from other cities.

The committee recommends the City change its mayoral succession ordinance. The amendment would state that upon the resignation of the Mayor, the President of the Council would assume the office of Mayor. Within 30 days, City Council members would hold an election amongst themselves to select a Mayor. The winner of this election would serve as Mayor until the next scheduled City election.

Ruth Hopkins moved the Council adopt a Charter Ordinance exempting the City of Prairie Village, Kansas, from the provisions of K.S.A. 13-304 and K.S.A. 13-513, and providing substitute provisions on the same subjects; and repealing and amending Section 3 of Charter Ordinance 13 relating to a vacancy in the Office of Mayor. The motion was seconded by Patty Markley.

Steve Noll confirmed that the Mayor would be elected at the next City election – not necessarily the Mayoral election.

Council members discussed how the election by Council would be handled. Concern was expressed with the possibility of multiple nominations and questioned if the individual would be selected by a plurality of the vote or a majority. Nancy Vennard stated that she feels this should be clarified in the ordinance.

Charles Wetzler, city attorney, advised the Council that they can decide on the election procedures to follow and noted that they must follow Roberts Rules of Order. Ruth Hopkins stated that she felt the procedure could be addressed in a policy and was not necessary in the ordinance.

Nancy Vennard moved to amend the proposed ordinance by adding the following language in the second sentence of paragraph 2 of Section I to read as follows: “The Council shall elect, **by a majority of those Council members present**, a new Mayor from those Council Members serving at the time of the vacancy within thirty (30) days of the vacancy to serve until the next regularly scheduled City election.” The motion was seconded by Kay Wolf and passed by a unanimous vote.

Mayor Shaffer called for the vote on the adoption of Charter Ordinance 20 as amended.

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

#### Consider Code Enforcement Report

Bill Griffith reviewed the progress of the Legislative/Finance Committee over the past several months in their examination of the City’s Code Enforcement policies and procedures. Five areas of concern were identified and six preliminary recommendations were presented for Council input.

Nancy Vennard questioned having deadlines for compliance specifically defined by the City Council for each code violation. Steve Noll asked if there is a baseline or minimum period in which a violation must be corrected. Mrs. Hopkins advised that a minimum would be established.

Mayor Shaffer questioned if the committee had met with the City Prosecutor and Municipal Judges. Mr. Griffith responded that they had not yet met. Mayor Shaffer recommended that they meet with them in the near future.

Bill Griffith noted the importance of getting all involved parties on the same page.

Laura Wassmer questioned the elimination of the “Hot Docket”. Some Council members felt the “Hot Docket” was effective others felt it was not.

Questions were raised regarding the definition of a “repeat offender”. Mr. Griffith stated that the City would follow the definition of “repeat offender” used by the Municipal Court. Nancy noted that in the past some individuals were considered by residents to be repeat offenders; however, because their violation was eventually corrected, the City did not consider them to be a repeat offender. Ruth Hopkins noted that working through the Municipal Court System would provide a history on offenders and the judges would review this history.

Nancy Vennard commended the committee for their work and encouraged them to place in the forefront the overall goal of the City. Mr. Griffith advised Council members that they would be kept advised on progress.

**Planning Commission**

Kay Wolf reviewed the actions of the Planning Commission at their June 6<sup>th</sup> meeting. The Council considered in committee earlier recommended zoning changes and the issuance of a special use permit for wireless antenna. In addition, the Planning Commission approved the site plan for an expansion of The Village Church and approval for permanent banners to be placed on the church property for a period of three years.

**Golden Anniversary**

Diana Ewy Lamberson announced that applications are available for block party kits and encouraged Council members to participate in block parties. There are 75 kits available to be distributed on a first-come basis. The kits are designed to accommodate parties of 50 individuals. The date for the block party must be set before getting the kit.

**OLD BUSINESS**

There was No Old Business to come before the Council.

**NEW BUSINESS**

There was No New Business to come before the Council.

**ANNOUNCEMENTS**

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

Communications Committee	06/19/01	5:30 p.m.
Villagefest Committee	06/20/01	7:00 p.m.
Prairie Village Arts Council	06/20/01	7:00 p.m.
50 <sup>th</sup> Anniversary Parade Committee	06/25/01	7:00 p.m.
50 <sup>th</sup> Anniversary Book Committee	06/25/01	5:00 p.m.
Prairie Village Municipal Foundation	06/27/01	5:45 p.m.
Policy/Services Committee	07/02/01	6:00 p.m.
Legislative/Finance Committee	07/02/01	6:00 p.m.
Council	07/02/01	7:30 p.m.

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The Prairie Village Arts Council is pleased to feature the work of Mark Mohr during the month of June. The exhibit will include watercolors of local and regional landscapes, cityscapes and people.

The first Moonlight Swim will be held on Friday, June 29<sup>th</sup> from 8:30 p.m. to 10 p.m.

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.

Steve Noll encouraged Council members to attend the Grand Opening celebration of The Missouri Bank on Saturday, June 23<sup>rd</sup>.



**ADJOURNMENT**

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

Joyce Hagen Mundy  
City Clerk