

**\*\*AMENDED\*\***  
**COUNCIL MEETING AGENDA**  
**CITY OF PRAIRIE VILLAGE**

**Monday, October 2, 2000**  
**7:30 p.m.**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PUBLIC HEARING**  
**Unsafe Structure at 4507 West 70<sup>th</sup> Street**
- IV. PUBLIC PARTICIPATION**
- 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 – September 18, 2000
2. Approve Claims Ordinances #2195 through #2197
3. Approve a short term special use permit to the Prairie Village Lions Club for a Christmas Tree sale at 8200 Mission Road from November 18, 2000 through December 23, 2000 between the hours of 9 a.m. and 9 p.m. with authorization to waive the application fee
4. Approve a short-term special use permit for a community party/dance to be held on Saturday, October 7<sup>th</sup> from 7 p.m. to 10 p.m. at Harmon Park with authorization to waive Council Policy #640 for an Art Sale to be held in conjunction with the event.
5. Approve a short-term special use permit to Shawnee Mission East High School for a garage sale, silent auction and car wash on Saturday, October 28<sup>th</sup> in the school parking lot between the hours of 8 a.m. and 3 p.m. with authorization for a banner to be placed at the entrance of the parking lot advertising the event from September 29<sup>th</sup> through October 28<sup>th</sup> and authorization to waive the application fee
6. Approval of a food vendor agreement with R. P. Kelly, d.b.a. Wunda Dog to provide food at the Prairie Village Arts Council “Party in the Park” on October 7<sup>th</sup> at Harmon Park.
7. Approve the 2001 Public Safety Agreement with the City of Mission Hills
8. Approve the agreement with Johnson County for the use of the Prairie Village Community Center as a senior nutrition program site for the period of October 1, 2000 through September 30, 2001
9. **Approve a short-term special use permit to Mitch McGillicuddy with Luminous Neon for the placement of two 3’ x 8’ banners reading “Now Open” on the northwest corner of The Mission Bank located at Mission Road and Somerset from October 10<sup>th</sup> to November 10<sup>th</sup>.**
10. Approve a short-term special use permit to Shawnee Mission East High School authorizing the temporary placement of portable toilets in Harmon Park for use during the Kansas State Girls Tennis Tournament, October 13<sup>th</sup> and 14<sup>th</sup>
11. Ratify the Mayor’s approval of a short-term special use permit for the reservation of the soccer fields at Franklin Park on Saturday, September 30<sup>th</sup> from noon to 7 p.m. for a fund raising Frisbee Tournament with Council Policy #640 and the application fee being waived.
12. **Ratify the Mayor’s appointment of Robert W. Pierson to complete the unexpired term of Terry Frederick as Council Representative for Ward 3.**

**By Change Order**

13. Approve Construction Change Order #1 with K & K Concrete for Project 190812: Mission Road Sidewalk (CARS) for a reduction of \$28,428.39 bringing the new contract total to \$219,118.50
14. Approve Construction Change Order #3 with McAnnany Construction for Project 190801: Nall Avenue – 83<sup>rd</sup> to 95<sup>th</sup> (CARS) for a decrease of \$6,000 bringing the new contract total to \$580,350.25
15. Approve Engineering Change Order #2 to The Larkin Group for Project 190801: Nall Avenue – 83<sup>rd</sup> to 95<sup>th</sup> (CARS) for an increase of \$6,000 bringing the new contract total to \$107,000 with funding from the Capital Expenditure Program.

**By Committee:**

16. Accept the recommendation of the Planning Commission and adopt Ordinance 1988 amending Chapter 19.06 of the Prairie Village Municipal Code, entitled

“District R-1a Single Family Residential District” by amending Section 19.06.030 entitled “Side Yard” and Ordinance 1989 amending Chapter 19.08 of the Prairie Village Municipal Code, entitled “District R-1b single Family Residential District” by amending Section 19.08.025 entitled “Side Yards” (Council Committee of the Whole Minutes – September 18, 2000)

17. Concur with the findings of the Planning Commission as contained in the minutes of the Planning Commission meeting of September 5, 2000, relating to the application for a Special Use Permit docketed as PC2000-05 and adopt Ordinance 1990 granting a Special Use Permit for the installation of wireless communications antennas and equipment to General Dynamics for Metricom, Inc. on the existing communications tower at 7700 Mission Road subject to the eight conditions recommended by the Planning Commission with the stipulation that the Ordinance not be published until an agreement has been executed between the City and Metricom, Inc. for the use of the tower (Council Committee of the Whole Minutes – September 18, 2000)

**VI. OATH OF OFFICE**

**Robert W. Pierson – Council Representative Ward 3**

**VII. COMMITTEE REPORTS**

**VIII. OLD BUSINESS**

**Santa Fe/Oregon Trail Signs – Bob Pryzby**

**IX. NEW BUSINESS**

**X. ANNOUNCEMENTS**

**XI. ADJOURNMENT**

**COUNCIL  
CITY OF PRAIRIE VILLAGE  
October 2, 2000  
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, October 2, 2000, 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, Steve Noll, Ruth Hopkins, Roy True, Laura Wassmer, Jerry Kelso, Nancy Vennard, Kay Wolf, and Diana Ewy Lamberson.

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

**PUBLIC HEARING**

Mayor Shaffer opened the Public Hearing scheduled for proceedings on an unsafe structure on the property located at 4507 West 70<sup>th</sup> Street. The City has been notified that the owner of this property has a contract for the sale on this property. The Assistant City Attorney has requested that the City Council continue the hearing to October 16, 2000 at 7:30 p.m. to give Ms Eckinger and her buyer an opportunity to present a renovation plan to City officials.

Steve Noll moved the Public Hearing for unsafe structure proceedings on 4507 West 70<sup>th</sup> Street be continued until Monday, October 16<sup>th</sup> at 7:30 p.m. The motion was seconded by Laura Wassmer and passed unanimously.

**PUBLIC PARTICIPATION**

Richard Moore, 4400 West 91<sup>st</sup> Street, asked if there had been any significant developments on the KCP&L power line issue and requested an update on what has taken place. Mayor Shaffer stated that the City had met with Mr. Porter. City staff has also met with representatives of KCP&L and requested that no action be taken on the relocation of power lines until this issue is resolved. He noted that a copy of the written letter from KCP&L agreeing to not take action without first notifying the City has been made available to residents. He assured those present that no public action will be taken without their knowledge. At this time it has not been determined what the City's role can

be based on the Kansas statutes. The City Attorney is continuing to investigate this issue.

Sally Pfeffer, 4308 West 91<sup>st</sup> Street, questioned how the residents would be notified. She stated there is currently work being done by public works crews that she had no notification of. Mr. Pryzby explained that all public works projects have informational meetings prior to their approval. Mrs. Vennard advised Mrs. Pfeffer that these would have been held prior to her moving into her home. Mayor Shaffer stated that the City has a listing of all residents who have attended and spoken to Council in regard to this issue that will be used in notifying individuals. He further stated that residents are encouraged to call City Hall for information and attend meetings.

### **CONSENT AGENDA**

Laura Wassmer requested that item #8 “Approve the agreement with Johnson County for the use of the Prairie Village Community Center as a senior nutrition program site for the period of October 1, 2000 through September 30, 2001” be removed from the Consent Agenda.

Nancy Vennard moved to approve the Consent Agenda for Monday, October 2, 2000 as amended.

1. Approve Regular Council Meeting Minutes – September 18, 2000
2. Approve Claims Ordinances #2195 through #2197
3. Approve a short-term special use permit to the Prairie Village Lions Club for a Christmas Tree sale at 8200 Mission Road from November 18, 2000 through December 23, 2000 between the hours of 9 a.m. and 9 p.m. with authorization to waive the application fee
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5. Approve a short-term special use permit to Shawnee Mission East High School for a garage sale, silent auction and car wash on Saturday, October 28<sup>th</sup> in the school parking lot between the hours of 8 a.m. and 3 p.m. with authorization for a banner to be placed at the entrance of the parking lot advertising the event from September 29<sup>th</sup> through October 28<sup>th</sup> and authorization to waive the application fee
6. Approve a food vendor agreement with R. P. Kelly, d.b.a. Wunda Dog to provide food at the Prairie Village Arts Council “Party in the Park” on October 7<sup>th</sup> at Harmon Park.
7. Approve the 2001 Public Safety Agreement with the City of Mission Hills
8. (removed)
9. Neon for the placement of two 3’ x 8’ banners reading “Now Open” on the northwest corner of The Mission Bank located at Mission Road and Somerset from October 10<sup>th</sup> to November 10<sup>th</sup>.
10. Approve a short-term special use permit to Shawnee Mission East High School authorizing the temporary placement of portable toilets in Harmon Park for use during the Kansas State Girls Tennis Tournament, October 13 and 14, 2000
11. Ratify the Mayor’s approval of a short-term special use permit for the reservation of the soccer fields at Franklin Park on Saturday, September 30<sup>th</sup> from noon to 7 p.m. for a fund raising Frisbee Tournament with Council Policy #640 and the application fee being waived.
12. Ratify the Mayor’s appointment of Robert W. Pierson to complete the unexpired term of Terry Frederick as Council Representative for Ward 3.

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16. Accept the recommendation of the Planning Commission and adopt Ordinance 1988 amending Chapter 19.06 of the Prairie Village Municipal Code, entitled “District R-1a Single Family Residential District” by amending Section 19.06.030 entitled “Side Yard” and Ordinance 1989 amending Chapter 19.08 of the Prairie Village Municipal Code, entitled “District R-1b single Family Residential District” by amending Section 19.08.025 entitled “Side Yards”
17. Concur with the findings of the Planning Commission as contained in the minutes of the Planning Commission meeting of September 5, 2000, relating to the application for a Special Use Permit docketed as PC2000-05 and adopt Ordinance 1990 granting a Special Use Permit for the installation of wireless communications antennas and equipment to General Dynamics for Metricom, Inc. on the existing communications tower at 7700 Mission Road subject to the eight conditions recommended by the Planning Commission with the stipulation that the Ordinance not be published until an agreement has been executed between the City and Metricom, Inc. for the use of the tower

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

Laura Wassmer questioned the fee paid by Johnson County for the use of the Community Center. She asked if the \$360 per quarter covered the cost of utilities and cleaning. Mr. Pryzby stated that he did not have the exact cost breakdown for utilities and cleaning of the Community Center. Steve Noll noted that several other groups use the Community Center in addition to the Nutrition Program.

Mrs. Wassmer questioned what fees are charged to other groups using the Community Center and how the \$360 per quarter fee was arrived upon. The City Clerk reviewed the fee structure for the rental of City facilities. She advised that the fee has been \$360 per quarter for the past several years, it was increased in 1997 by Johnson County. The agreement is created by Johnson County. Ruth Hopkins suggested that it may be a standard agreement and cost that is paid by the County for the use of facilities to other cities.

Laura Wassmer questioned if fees should be charged to all groups to cover the cost of the operation of the center.

Bob Pryzby questioned the extensive use of the Community Center by the Nutrition Program and other groups, noting that there are times when there is not available space to have city meetings in the municipal facilities. Bill Griffith suggested that the Council may need to look at the entire reservation of City facilities issue..

Council members agreed by consensus to continue consideration of the facility use agreement with Johnson County for the Community Center until the next meeting.

Mayor Shaffer asked the City Clerk to get additional information on the past use of the Community Center by the Nutrition Center, the fees paid and provide it at the next meeting.

### **OATH OF OFFICE**

The City Clerk administered the Oath of Office to Robert W. Pierson as Council Representative for Ward 3. Mr. Pierson will complete the term of office for the Council seat vacated by the resignation of Terry Frederick. Mayor Shaffer welcomed Bob Pierson to the Council. He stated that Mr. Pierson's background and experience would be a strong asset to the Council. Mayor Shaffer noted that he interviewed four excellent candidates for the vacant seat and thanked the Council for their input and recommendations of possible candidates.

### **COMMITTEE REPORTS**

#### **Communications Committee**

Laura Wassmer advised the Council on the status of the television station. In July, the computer, which provides the bulletin board on PVTV, was damaged by a power surge. The estimated cost for repair is \$300 to \$500. To date, the City has not received any telephone calls from residents regarding the loss of programming. At their August meeting, the Communications Committee decided not to invest additional money in the station for the repair of the equipment.

The School District currently uses the channel from 8 a.m. to 4:30 p.m. on weekdays, except for Monday, Wednesday and Thursday when programming is extended to 6:30 p.m. They have requested permission to expand programming as follows: Monday-Friday --8 a.m. to 6:30 p.m.; Saturday – 9 a.m. to noon and Sunday 4:30 p.m. to 6:30 p.m.

The Communications committee recommends the City Council grant the request for expanded hours by the School District for the remainder of this year. If at the beginning of next year, based on resident response, the committee feels television programming should be resumed it will forward a recommendation to the City Council.

Bill Griffith confirmed that the City retains all rights to the channel.

Laura Wassmer moved the Council authorize the expanded hours of operation by the Shawnee Mission School District on the City's television channel for the remainder of this year. Bill Griffith seconded the motion, which passed unanimously.

Laura Wassmer was pleased to announce that during the first month of operation the City's Web Site had nearly 3,000 hits.

## **OLD BUSINESS**

### **Santa Fe/Oregon Trail signs**

Bob Pryzby noted that the Council's approval of the placement of Santa Fe/Oregon Trail signs throughout the City was contingent upon the Council seeing the actual locations of the signs. Mr. Pryzby showed the Council pictures of the proposed locations of each of the signs. Mr. Pryzby is recommending single faced signs on both sides of the street where signs are to be placed. The following sign locations were proposed:

2409 West 71<sup>st</sup> Street - The west faced mounted sign would be placed on an existing street light pole. The sign on the east faced sign would need to be mounted on a new sign pole.

7621 Mission Road – The east mounted sign would be placed on an existing telephone pole across from the entrance to the high school. The sign on the west would need to be mounted on a new sign pole placed between the school & municipal campus.

4704 West 79<sup>th</sup> Street – The sign would be mounted on a telephone pole east of the entrance to Kansas City Christian School. The sign on the other side of the street would be mounted on an existing light pole.

8235 Nall – The sign would be mounted on an existing wooden pole on one side and on an existing telephone pole near the 83<sup>rd</sup> Street intersection.

Laura Wassmer stated she wanted resident approval before any sign was placed on residential property.

Bill Griffith stated that he would like to see all signs placed on existing poles. Mr. Pryzby noted that this could not be done on one side for the 71<sup>st</sup> Street and Mission Road locations.

Diana Ewy Lamberson stated that she felt the signs should only be placed on one side of the street. Bob Pierson agreed.

Nancy Vennard stated that she felt signs on both sides of the street were appropriate, however, she would prefer that they be placed on existing poles.

Bill Griffith moved the Council approve the location of Santa Fe/Oregon Trail historical marker signs at the proposed locations where the signs can be placed on

existing poles, causing only one sign to be placed at the 71<sup>st</sup> Street and Mission Road locations. The motion was seconded by Laura Wassmer and passed by a majority vote with Diana Ewy Lamberson voting “nay”.

#### Code Enforcement Procedures

Bill Griffith stated that several months ago Fred Logan presented three ordinances dealing with code enforcement procedures to the Council. Mr. Griffith asked for clarification as to if these ordinances have been assigned to the Legislative/Finance Committee or to the Council Committee of the Whole and encouraged the Mayor to place them on an agenda for action as soon as possible.

Mayor Shaffer responded that Fred Logan is making revisions to the proposed ordinances based on comments from Council members. He felt the revisions should be presented to the Council Committee of the Whole because of the broad impact of the issue.

It was noted that in the past any review of codes and ordinances came through the Legislative/Finance Committee. Mayor Shaffer stated that he would return the issue to the Legislative/Finance Committee for review and recommendation.

Laura Wassmer questioned the status of a possible worksession for Council members on the creation of ordinances and the limitations/impact of state statutes on City ordinances, particularly those related to property maintenance. Doug Luther stated that a possible two-hour worksession could be conducted on this. He would work on setting up a worksession if Council members wish to conduct one.

#### 6843 Granada Road

Nancy Vennard requested an update on the letter of complaint regarding the parking of a trailer in the driveway at 6843 Granada Road. Mr. Luther responded that the property owner has been notified of the need to move the trailer and has inquired into the possibility of requesting a variance from the Board of Zoning Appeals. However, no formal application has yet been filed. Regarding the additional complaint of multiple commercial yard sales, code enforcement has removed improperly placed sale signs. The ordinance allows for only two garage sales per year; however, no permit is required so it is difficult to determine when multiple sales are being held.

#### 4933 West 78<sup>th</sup> Terrace

Laura Wassmer requested an update on this property. Mr. Luther advised that a letter was sent to the residents submitting the petition advising them that the resident had



been issued violation notices addressing several violations at this property at the time the petition was filed. The owner has been given deadlines for correcting the violations and if they are not corrected they will be processed through the public officer hearing process or municipal court. Mr. Luther said this enforcement process is used for all code violations.

**NEW BUSINESS**

Diana Ewy Lamberson commended the Public Works crews for their maintenance of the City islands, particularly at the entrances to the City. Laura Wassmer commended those involved in the dedication of Brenizer Park and the crews for their preparation of the park area. Mayor Shaffer acknowledged that the routing file contained other letters of commendation for City employees.

**ANNOUNCEMENTS**

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

Planning Commission	10/03/2000	7:00 p.m.
Tree Board	10/04/2000	6:00 p.m.
Sister City Committee	10/09/2000	7:00 p.m.
Park & Recreation Committee (at PW)	10/11/2000	7:00 p.m.
Council Committee of the Whole	10/16/2000	6:00 p.m.
Council Meeting	10/16/2000	7:30 p.m.

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The Prairie Village Arts Council is pleased to feature the work of the Greater Kansas City Art Association featuring paintings in oil, watercolor, acrylic, pastel, mixed media and sculpture during the month of October. Council members are invited to an opening reception on Friday, October 6<sup>th</sup> from 6 p.m. to 8 p.m.

The Prairie Village Arts Council is sponsoring a “Party in the Park” Dance at Harmon Park on Saturday, October 7<sup>th</sup> beginning at 7 p.m. There will be food, dancing and music provided by Michael McGraw. Plan to attend.

The Annual League of Kansas Municipalities Conference will be held October 7<sup>th</sup> through 10<sup>th</sup> in Topeka.

The DRC 7<sup>th</sup> Annual Breakfast will be held on Thursday, October 12<sup>th</sup> at 7:30 a.m. at the Broadmoor Multi-Use Center. The speaker will be Bill Franklin on “The Proposed New Johnson County Charter”. Let Joyce know if your are interested in attending.

City employees will be holding their annual United Way Celebration Luncheon on Thursday, October 12<sup>th</sup> at noon in the Council Chambers. Mark your calendar to join city employees.

**ADJOURNMENT**

With no further business to come before the Council, the meeting was adjourned at 8:25 p.m.

Joyce Hagen Mundy  
City Clerk

