

**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE**

**Monday, September 18, 2000  
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 – September 5, 2000
2. Approve Claims Ordinances #2192 through #2194
3. Approve a short term special use permit to Faith Lutheran Church for a 50<sup>th</sup> anniversary celebration on Sunday, October 1<sup>st</sup> with authorization to place two 2' x 3' signs on their property, one facing Roe and the other facing 67<sup>th</sup> Street, announcing the celebration from September 24<sup>th</sup> through October 1<sup>st</sup>.
4. Approve a short term special use permit to Shawnee Mission East High School for a pep rally and bonfire on Wednesday, October 25<sup>th</sup> from 6 p.m. to 9 p.m. in the school's parking lot at 75000 Mission Road contingent upon the receipt of written confirmation from the Fire District that they will be present during the bonfire and receipt of a certificate of insurance from the School District.
5. Approve a short term special use permit to Asbury United Methodist Church for a pumpkin sale to be held October 1<sup>st</sup> through October 31<sup>st</sup> at 5400 West 75<sup>th</sup> Street with permission to have sale banners on their property
6. Ratify the appointment of Michelle McElroy to the Animal Control Committee for an at-large position expiring April, 2001
7. Approve a short term special use permit to St. Ann's Church for their annual October Fall Festival on Saturday, October 14<sup>th</sup> from 5:30 p.m. to midnight and on Sunday, October 15<sup>th</sup> from noon to 6 p.m. contingent upon the receipt of a temporary liquor license
8. Authorize the Mayor to execute the following Proclamation  
Constitution Week – September 17 – September 23

**By Change Order**

9. Approve Construction Change Order #2 for Project 190704: 1999 Storm Drainage Repair Program for a decrease of \$45,517.80 to the contract with Wilson Plumbing, bringing the new contract total to \$723,500.25 and authorization to transfer \$37,493.64 into the unallocated 2000 Storm Drainage Repair Program
10. Approve Engineering Change Order #3 to Project 190704: 1999 Storm Drainage Repair Program for an increase of \$8,024.16, to the agreement with The Larkin Group, bringing the new contract total to \$134,849.16 with funding from the 1999 Capital Expenditure Fund.
11. Approve Construction Change Orders #32 through #34 for a total of \$33,880.00 and twenty-seven additional construction days to Carrothers Construction Company, Inc. using funds in the project contingency

**By Committee:**

12. Approve the placement of historic trail signs marking the Santa Fe/Oregon Trail in Prairie Village contingent on Mr. Pryzby and Mr. Donovan showing the Council the locations of the signs (Council Committee of the Whole Minutes – September 5, 2000)
13. Adopt Resolution 2000-09 designating the City Clerk as the Freedom of Information Officer (Council Committee of the Whole Minutes – September 5, 2000)
14. Approve the construction agreement phase of the engineering services agreement with The Larkin Group for Project 190701: 2000 Storm Drainage Repair Program for \$53,2000 with funding from the 2000 Capital Expenditure Program (Council Committee of the Whole Minutes – September 5, 2000)
15. Approve Construction Change Order #1 for Project 190701: 2000 Storm Drainage Repair Program for an increase of \$90,000 to the contract with Site Rite Construction, bringing the new contract amount to \$779,300 with funding from the 2000 Storm Drainage Repair Program (Council Committee of the Whole Minutes – September 5, 2000)

16. Approve the engineering services agreement with The Larkin Group for Project 190819: 2001 Crack/Slurry Seal Program in the amount of \$21,000 with funding from the 2000 Capital Expenditure Program (Council Committee of the Whole Minutes – September 5,2000)

**V. COMMITTEE REPORTS**

**Planning Commission**

**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.**

**COUNCIL  
CITY OF PRAIRIE VILLAGE  
September 18, 2000  
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, September 18, 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: Al Herrera, Bill Griffith, Ruth Hopkins, Steve Noll, Terry Frederick, 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; Lt. Gary Pruitt; Bob Pryzby, Director of Public Works; Doug Luther, Assistant City Administrator and Joyce Hagen Mundy, City Clerk.

**PUBLIC PARTICIPATION**

Mayor Shaffer acknowledged the presence of two Scouts in the audience. Paul Akers, with Troop 189 was present working on his Citizenship Badge and James Meed, with Troop 91 was also present.

Karen Shannon, representing General Dynamics for Metricom, Inc. addressed the Council concerning the proposed wireless access equipment they are requesting to place in the City. She showed the Council an actual unit that would be placed on street lights. These units would work in conjunction with antennas which will be placed on the existing communications tower at 7700 Mission Road. The network within the City will require the placement of four to five units per square mile. Metricom has negotiated an agreement with KCP&L for the placement of the units on street light poles. They have not platted out where the specific units would be placed.

Ms Shannon stated that they currently have networks established in several major cities throughout the United States. She confirmed that reception is not impacted by weather conditions.

Mayor Shaffer confirmed that this would benefit the residents of Prairie Village. Ms Shannon stated it would provide service to residents as well as benefit the City

through the terms of the negotiated agreement with the City. These agreements usually provide for free subscriptions to the City as well as other monetary considerations.

Mr. Pryzby asked how the city would access their services through its internal LAN network. Ms Shannon responded that it would depend on the gateway. The equipment provides for immediate access to the internet through laptop computers. It would allow city personnel to use laptop computers inside their vehicles to access or record information. There is significant flexibility as no cabling is involved.

Jill Muller, 4927 West 78<sup>th</sup> Terrace, addressed the Council with concerns related to alleged property code violations on the property at 4933 West 78<sup>th</sup> Terrace. She shared pictures of the property with the Council. She said violations have been ongoing and are negatively impacting the property values of the neighborhood. The alleged violations include an unlicensed and unmoved vehicle, trash filled back porch & leaking roof, questionable compost pile, dead trees, cracked foundation, mice, falling shingles, peeling paint and unmaintained landscaping. Mrs. Muller questioned why this property has not been placed on the city's "hot docket" and asked for assistance in getting these problems addressed and corrected.

Lisa Hall, 7823 Juniper, stated that she has contacted the code enforcement officer at least twice this year regarding the dead tree and unmoved vehicle at 4933 West 78<sup>th</sup> Terrace. She has been told of the individual's private property rights, but questioned what happens when those rights infringe on adjacent property owner's rights. She is especially concerned with possible safety concerns from a possible gas leak caused by the crumbling foundation. She presented a petition from neighboring property owners stating the property maintenance violations they feel are present at 4933 West 78<sup>th</sup> Terrace as set forth in Chapter 16.12.010 of the Prairie Village Municipal Code.

Michael Dolley, 2106 West 71<sup>st</sup> Terrace, expressed frustration with the lack of code enforcement in his neighborhood. He has called the code enforcement officer on several issues. There is a vacant lot across the street from his property that has not been mowed all summer. He is concerned with a neighboring property owner who has two to three vehicles up on jacks in various stages of repair for several weeks at a time.

Pam Justice, 7627 Chadwick, addressed the Council regarding the condition of Chadwick. She also presented a petition from the residents on the 7600 block of Chadwick urging the City to reconstruct that street at the earliest possible date and not to install sidewalk on their block. She also expressed concern with a street light located in

front of 7336 Chadwick that stays on during the day and goes off in the evening. She has called KCP&L unsuccessfully 23 times.

Tyler Peters, 4404 West 91<sup>st</sup> Street, requested an update on the status of the request by 22 homeowners in Kenilworth subdivision for the City to resolve a three-way land use issue involving property owners of Kenilworth, Somerset Acres West and KCP&L. Residents are particularly concerned as contractors have been on site marking trees for destruction. Workmen have advised them that the project is proceeding.

Mayor Shaffer advised those present that the City Attorney has met with Mr. Boone Porter to discuss this issue. He will also be meeting the representatives of KCP&L to discuss the issue. The City has contacted KCP&L and been given assurances that project will not proceed until the City has concluded its investigation into the matter. City staff are continuing discussions and investigation into this matter.

Bernie McLaughlin, 4100 West 91<sup>st</sup> Street, stated the issue is the preservation of trees. He noted that trees along Mission between 89<sup>th</sup> Street and Corinth have been cut to accommodate power lines. The current power lines are already too close to trees and he does not feel KCP&L should be allowed to bring them any closer. Trees are being destroyed to accommodate power lines. Mr. McLaughlin feels the power lines should be placed underground.

Morgan Shay, 4008 West 91<sup>st</sup> Street, agreed with Mr. McLaughlin and urged the City to seize this opportunity to benefit both Kenilworth and Somerset Acres West homeowners and make KCP&L bury the power lines.

Ruth Hopkins questioned if the two homes associations have met to work together to resolve the problem and get the lines buried. Nancy Vennard stated the Somerset Acres Homes Association has not gotten involved as they feel it is a private property owners issue, not a homes association issue. Laura Wassmer stated that in early discussion with KCP&L, they stated they would not bury the lines as it was too costly. Mrs. Hopkins does not feel that this is a City issue.

### **CONSENT AGENDA**

Nancy Vennard moved the approval of the Consent Agenda for Monday, September 18, 2000:

1. Approve Regular Council Meeting Minutes – September 5, 2000
2. Approve Claims Ordinances #2192 through #2194

3. Approve a short-term special use permit to Faith Lutheran Church for a 50<sup>th</sup> anniversary celebration on Sunday, October 1<sup>st</sup> with authorization to place two 2' x 3' signs on their property, one facing Roe and the other facing 67<sup>th</sup> Street, announcing the celebration from September 24<sup>th</sup> through October 1<sup>st</sup>.
4. Approve a short term special use permit to Shawnee Mission East High School for a pep rally and bonfire on Wednesday, October 25<sup>th</sup> from 6 p.m. to 9 p.m. in the school's parking lot at 75000 Mission Road contingent upon the receipt of written confirmation from the Fire District that they will be present during the bonfire and receipt of a certificate of insurance from the School District.
5. Approve a short term special use permit to Asbury United Methodist Church for a pumpkin sale to be held October 1<sup>st</sup> through October 31<sup>st</sup> at 5400 West 75<sup>th</sup> Street with permission to have sale banners on their property
6. Ratify the appointment of Michelle McElroy to the Animal Control Committee for an at-large position expiring April, 2001
7. Approve a short term special use permit to St. Ann's Church for their annual October Fall Festival on Saturday, October 14<sup>th</sup> from 5:30 p.m. to midnight and on Sunday, October 15<sup>th</sup> from noon to 6 p.m. contingent upon the receipt of a temporary liquor license
8. Authorize the Mayor to execute the following Proclamation  
Constitution Week – September 17 – September 23
9. Approve Construction Change Order #2 for Project 190704: 1999 Storm Drainage Repair Program for a decrease of \$45,517.80 to the contract with Wilson Plumbing, bringing the new contract total to \$723,500.25 and authorization to transfer \$37,493.64 into the unallocated 2000 Storm Drainage Repair Program
10. Approve Engineering Change Order #3 to Project 190704: 1999 Storm Drainage Repair Program for an increase of \$8,024.16, to the agreement with The Larkin Group, bringing the new contract total to \$134,849.16 with funding from the 1999 Capital Expenditure Fund.
11. Approve Construction Change Orders #32 through #34 for a total of \$33,880.00 and twenty-seven additional construction days to Carrothers Construction Company, Inc. using funds in the project contingency
12. Approve the placement of historic trail signs marking the Santa Fe/Oregon Trail in Prairie Village contingent on Mr. Pryzby and Mr. Donovan showing the Council the locations of the signs
13. Adopt Resolution 2000-09 designating the City Clerk as the Freedom of Information Officer
14. Approve the construction agreement phase of the engineering services agreement with The Larkin Group for Project 190701: 2000 Storm Drainage Repair Program for \$53,200 with funding from the 2000 Capital Expenditure Program
15. Approve Construction Change Order #1 for Project 190701: 2000 Storm Drainage Repair Program for an increase of \$90,000 to the contract with Site Rite Construction, bringing the new contract amount to \$779,300 with funding from the 2000 Storm Drainage Repair Program
16. Approve the engineering services agreement with The Larkin Group for Project 190819: 2001 Crack/Slurry Seal Program in the amount of \$21,000 with funding from the 2000 Capital Expenditure Program.

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

## **COMMITTEE REPORTS**

### **Planning Commission**

Terry Frederick reported on the actions taken by the Planning Commission at their September 5<sup>th</sup> meeting. A public hearing was held on recommended zoning regulation changes and a proposed Special Use Permit with both being forwarded to the City Council with the recommendation for approval. Amended sign standards for the Prairie Village Shopping center were approved. A building line modification of the platted

setback from 40' to 37' was granted for 8600 Juniper pending approval of the Town & Country Homes Association. An amended site plan was approved for the changeout of existing communications equipment cabinet at 7801 Delmar by Nextel pending the review and approval of the landscape plan by the Park & Recreation Committee and City staff.

### **Prairie Village Arts Council**

Patty Markley encouraged Council members to attend the upcoming "Party in the Park" sponsored by the Arts Council to take place on Saturday, October 7<sup>th</sup> beginning at 7 p.m. There will be food, dancing and music provided by Michael McGraw.

### **Communications Committee**

Laura Wassmer advised the Council that City Magnets have arrived and are available at no charge to committees or groups wanting them. Each Council member has been given a magnet. Additional magnets can be obtained at the City Clerk's office. The City License plates have also arrived, but are being returned due to a printing error.

### **OLD BUSINESS**

Mr. Wetzler advised the Council that he did meet with Mr. Porter and will be meeting with representatives of KCP&L. Staff has also spent significant time discussing this issue. The City's jurisdiction in this matter has not yet been determined. Mayor Shaffer stated that he will again talk with KCP&L regarding holding off on the project; however, he was advised initially that they want to start in October.

Mr. Griffith asked for a status report on the Code case on Cherokee and the unsafe structure at 4507 West 70<sup>th</sup> Street. Mr. Luther advised that a garage door has been put on the dwelling on Cherokee. The property owner has a court date on the violation and will need to appear before the judge. There has been no direct contact with the property owner on 70<sup>th</sup> Street and the hearing has been published and is still set for October 2<sup>nd</sup>.

Laura Wassmer questioned what the next step will be by the City on the complaint issued earlier in the meeting regarding the property at 4933 West 78<sup>th</sup> Terrace. Mr. Luther stated that he will be investigating past complaints on that property and will follow-up on the current claims and report back to the Council and Mrs. Muller.

Council members commended Mr. Wetzler on the draft of the letter to the Attorney General requesting clarification on the Kansas Open Meetings Act and authorized him to send the letter.

**NEW BUSINESS**

Terry Frederick submitted his resignation as Councilmember of Ward 3 effective October 1, 2000. Mr. Frederick has been appointed to the Board of Water District #1 of Johnson County and is resigning to avoid any appearance of a conflict of interest.

Mayor Shaffer accepted with regret the resignation and commended Mr. Frederick for his service to the City during the past three years. He stated that he has had contact with individuals interested in filling Mr. Frederick’s term and will be interviewing candidates during the next few weeks.

**ANNOUNCEMENTS**

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

Communications Committee	09/19/2000	5:30 p.m.
Citizens Advisory Committee	09/19/2000	7:00 p.m.
50 <sup>th</sup> Anniversary Committee	09/20/2000	7:00 p.m.
Hot Docket	09/26/2000	5:00 p.m.
Council Meeting on Strategic Plan (meeting in the MPR)	09/26/2000	6:00 p.m.
Prairie Village Arts Council	09/28/2000	7:00 p.m.
Policy/Services Committee	10/02/2000	6:00 p.m.
Legislative/Finance Committee	10/02/2000	6:00 p.m.
Council	10/02/2000	7:30 p.m.

The Prairie Village Arts Council is pleased to feature the sketches of Dean Mitchell during the month of September.

This is Prairie Village Peanut Butter Week – Show your support by bringing a jar of peanut butter to the Council meeting. This is the City’s 16<sup>th</sup> annual peanut butter campaign in support of Harvesters Community Food Network. Barrels are located at the Municipal Building, Hen House , Hy-Vee, and area schools and churches.

Plan to attend the Brenizer Park Dedication on Sunday, October 1<sup>st</sup> at 2 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.

**ADJOURNMENT**

With no further business to come before the Council, the meeting was adjourned at 8:45 p.m.

Joyce Hagen Mundy  
City Clerk