

**COUNCIL  
CITY OF PRAIRIE VILLAGE  
August 7, 2000  
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, August 7, 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, Steve Noll, Ruth Hopkins, 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 Grover, Chief of Police; Bob Pryzby, Director of Public Works; Doug Luther, Assistant City Administrator and Lori Draves, Administrative Assistant.

**PUBLIC PARTICIPATION**

Marc Hall, 6747 Granada Road, informed the Council regarding the conditions of the home located at 6807 Granada Road. He indicated that the house is not being maintained and he believes it is a clear violation of health hazards. He explained that for weeks there has been trash with dirty diapers in the front yard. He said that he and his neighbors have made several calls to the Codes Enforcement department, but nothing is ever done. He stated that the problem is the owner of the home, not the Prairie Village residents. He is willing to work with the City to find a solution.

Susan Hall, 6747 Granada Road, also informed the Council regarding the conditions of the home located at 6807 Granada Road. She gave Councilmembers pictures she had taken of the home. She stated that she had called the Roeland Park Mayor and spoke with her regarding their City's code enforcement. She said that Roeland Park did not have to amend their codes, but just became more aggressive in enforcing the codes as they exist.

Steve Eberlein, 6718 Granada Road, also informed the Council regarding the conditions of the home located at 6807 Granada Road. He explained how complaints have been filed with the City regarding piles of trash in the front yard and cracks in the foundation. He expressed the importance of preserving the older neighborhoods.

Don Church, 7462 Village Drive, also expressed his concern regarding the home at 6807 Granada Road.

Hope Johnson, 6801 Granada Road, explained to the Council that she lives next door to the home located at 6807 Granada Road. She expressed her concern living next door to a house that is not maintained. She fears that children will get sick or hurt.

Lee Green, 4506 W. 70<sup>th</sup> Street, expressed his feelings regarding a house located in his neighborhood that has not been maintained for six years. He voiced that he had made complaints to the City.

Brett Frazier, 6800 Granada, expressed his opinion that there is a problem with the code enforcement department. He stated that the codes process does not make sense to him.

Annie Haines, 3402 W. 73<sup>rd</sup> Terrace, would like to know what the code enforcement worker does. She said there is a house on Cherokee that has no garage door. She also said that there is trash that is kept in the back of a truck in the drive-way at that location.

Carol Cochran, 4921 W. 77<sup>th</sup> Street, President of the Prairie Ridge Homes Association, expressed what a great job the Public Works department did on the last ice storm. She did have a concern about work done by Public Works after the strong winds today. There was a huge branch that had fallen in the street. Three vehicles and six City employees came out and cut the branch into large pieces, but did not take it away, they moved it back to the curb. She questioned why it took that many employees to do such a small job and why they did not remove the branch. She's concerned that maybe tax money is being wasted. She also stated that she was confused regarding how records were kept of repeat code violations on a home.

Mayor Shaffer stated that the home located at 6807 Granada Road would be on the Hot Docket Tuesday, August 08, 2000 at 5:00 p.m.

## **PUBLIC HEARING**

Mayor Shaffer announced that the public hearing on the proposed 2001 budget for the City of Prairie Village. The Mayor opened the public hearing. Barbara Vernon presented an overview of the 2001 Budget for the City of Prairie Village to the Council.

Laura Wassmer wanted to know if the extra money in the budget should be used for another Code Enforcement officer.

Barbara Vernon stated that the extra money would be used for an administrative person in that department to help the Code Enforcement officer with paperwork so he

could spend more time in the field. Ms. Wassmer inquired to how much of his time is spent in the office. Doug Luther stated that close to one-half of his time was in the office doing paperwork and responding to phone calls.

Bill Griffith stated he did not think this was the issue.

Ruth Hopkins stated that she would not support another Code Enforcement officer if the same process continued.

Terry Frederick stated that this issue should be brought back to the Council at a later date.

Nancy Vennard moved to adopt the annual budget for 2001 with total expenditures of \$21,800,300. The motion was seconded by Herrera and passed with a unanimous vote.

Mayor Shaffer closed the hearing at 8:35 p.m.

### **CONSENT AGENDA**

Nancy Vennard moved to approve the Consent Agenda for Monday, August 7, 2000:

1. Approve Regular Council Meeting Minutes – July 17, 2000
2. Approve the Special Council Meeting Minutes – July 27, 2000
3. Approve Claims Ordinances #2181 through #2185
4. Approve a short term special use permit for the placement of a “Going out of Business” banner for The French Room at 8219 Corinth Mall from August 28<sup>th</sup> to September 26<sup>th</sup>
5. Approve a short term special use permit for the placement of two 3’ x 8’ banners on the building on the northwest corner for 83<sup>rd</sup> & Mission Road from September 15<sup>th</sup> to October 15<sup>th</sup> announcing the upcoming opening of a branch office for The Mission Bank
6. Ratify the appointment of Mary Beth Smith to the Park & Recreation Committee for a two-year term expiring in April, 2002
7. Authorization to execute a Proclamation declaring the week of September 17 through 23, 2000 as Constitution Week

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 that the Planning Commission meeting was held Tuesday, August 1, 2000 and the following actions were approved.

PC2000-105 – approved parking changes for Tatsu’s. PC2000-106 – amended the sign standards for Corinth Shopping Center. PC2000-107 – continued the request for amendments to the sign standards for the Prairie Village Shopping Center. A public

hearing was authorized for September 5, 2000 to discuss proposed revisions to side yard setback regulations. The Planning Consultant was directed to investigate the possible regulations on residential infill development.

## **OLD BUSINESS**

### **LEG98-24 Consider Shawnee Mission East Parking**

In July, the Mayor, Councilmembers Laura Wassmer and Nancy Vennard, Chief Grover, and Barbara Vernon met with School Board member Donna Bysfield, Bill Frick, and Principal Angelo Coucolis regarding the new parking policy. The district representatives plan to issue parking permits to seniors and juniors only. Sophomores and freshman will be notified that all available parking will be reserved by upperclassmen. The plan will make 513 spaces available for seniors and junior students. These spaces include those on school grounds, the City's swimming pool parking lot, East side of Delmar and the church lot. It is believed that if they enforce this requirement by fining students without permits who park in these designated areas, they will begin changing the culture of underclassmen. In order to implement the plan, school officials will ticket cars of students who do not qualify for a parking permit who park in these area. This will be a citation that is internal to the school disciplinary system and does not require police or court action on the part of the City. The school district's goal is to encourage carpools and increase the utilization of buses by sending a message to underclassmen that parking is restricted to seniors and juniors only.

Nancy Vennard moved to request the Mayor to write a letter to the principal of Shawnee Mission East High School encouraging him to implement the proposed plan for restricting parking at and around the school. The City will cooperate fully in this effort.

Ms. Vennard also explained that the school district is changing where the school buses pull-in to drop off students. It will be less dangerous.

Diana Lamberson questioned if we sent them a letter regarding our concerns after the last Council Committee action.

Mayor Shaffer said they were aware of the City's concerns which were addressed at the meeting.

Diana Lamberson questioned why the school district needed a letter from the City in support of their plan. Mayor Shaffer explained that they would be restricting public parking on City streets.

Terry Frederick expressed concern on how they will identify the cars parked on the street. Ms. Vennard explained that they would have parking permits.

Kay Wolf asked who is enforcing the parking.

Mayor Shaffer explained that the school district will be enforcing the parking and the tickets students receive will be a high school ticket and not from the City.

Ruth Hopkins asked if the letter would be from the Council or Mayor. Ms. Vennard replied that the letter would be from the Mayor.

The motion was seconded by Steve Noll.

A vote was taken on the motion with it passing by a majority vote with four opposing votes.

Nancy Vennard moved, pursuant to KSA 75-4319(b)(2), that the Governing Body recess into executive session for a period not to exceed one hour for the purpose of discussing with the attorney, a legal matter pertaining to the status of litigation.

The motion was seconded by Bill Griffith

A vote was taken on the motion with it passing by a majority vote.

Mayor Shaffer reconvened the Council meeting at 10:00 p.m.

## **NEW BUSINESS**

The Mayor asked Bob Pryzby to report on removal of debris from the storm in July and to update Council on information about the effects of the storms earlier today and this evening.

### Storm Report

Byb Pryzby began his presentation by explaining the situation which led to the critical comments made by Ms. Carol Cochran during the open portion of the meeting. He said the storm two weeks ago began around 2 p.m. The rain and lightening made it impossible for crews to work during the storm. At 3 p.m. he sent full crews to drive the streets with the instruction to do what was necessary to make them passable. The crew Ms. Cochran saw was composed of six people and three trucks. They worked as a team moving through the City. Bob said in this type of condition, before a complete inventory is done to determine who is needed where, this is the most effective and efficient use of personnel. The situation observed by Ms. Cochran took only a few minutes and seemed to her to be a waste of personnel. It is unfortunate that she did not continue to observe what they accomplished working as a team in other locations in the City.

The storm today created blocked streets again. At least twenty-five streets will be closed until the Public Works crews are able to clear them. Crews are working on overtime to clear the streets. The City has received complaints like those of Ms. Cochran, because trees and branches are just moved from the street to the yard; however, Pryzby believes that is the best method for clearing streets in a short period of time.

Today there was damage to two cars from falling limbs and at least one house was damaged by a tree.

Pryzby said it is important to clear streets as quickly as possible after a storm so emergency vehicles can use the street if needed. If power lines are in a tree, Public Works crews will surround it with yellow "caution" tape but will not touch it until the wires are removed by Kansas City Power and Light personnel. Dangerous hanging limbs will be removed by the City's contractor, Shawnee Mission Tree.

Residents have been told that the City will pick up limbs at the curb if they are prepared as required for general trash collection. City trees are being handled by Public Works crews but the question is what to do with trees that are on the property line owned by both the City and a homeowner. According to the current code the homeowner is responsible for that type of tree. Pryzby has taken the position that the City is responsible only if the tree is on the City side of the property line.

Pryzby said additional damage from the storms today make it necessary to continue the collection started last week. He had hoped to finish collection of debris by the end of this week; however, today's storm events will make it necessary to work at least one more week. At this point Pryzby estimates the collection cost to be \$60,000 - \$75,000 for labor and equipment. Since crews have not been working overtime, the labor is budgeted but additional cost is approximately \$35,000. He said he thinks this can be handled within the normal operating budget. His concern at this time is that crews have not mowed in over a week, he plans to shift some personnel from debris removal to mowing.

### Code Enforcement

Ruth Hopkins asked Mayor Shaffer how he planned to respond to neighbors who expressed concern about code violations in their neighborhoods. Mayor Shaffer said one of the houses discussed by the residents earlier in the evening is scheduled for Hot Docket

on Tuesday, August 08, 2000. He said he will talk to Fred Logan about this property and the neighbors' concerns. Ruth Hopkins said shortly after she was elected to the Council in 1992 she received a complaint about this property, it has been an ongoing problem.

Council members requested information about the house which neighbors said has been vacant for six years. They expressed a need to understand more about code enforcement, about documentation and the perception that the City's procedures are ineffective. Doug Luther explained that even if neighbors say a house is bad inside, the City cannot go inside without owner or occupant permission or a court order. He said when a house is vacant, if maintained to the minimum standard, the City cannot enter. The City has been unable to make a contact to verify condition of the interior of the property which was discussed earlier.

Council members asked about the Hot Docket remedy after the hearing. Luther said the Public Officer can order that a violation be removed within a certain period of time and, if it is not, he can order the City to do the work and charge the cost to the owner.

Council members expressed a concern that neighbors complain but, if the City does not respond, they feel shut down by the system, become discouraged and give up. Several council members suggested the City pursue a few priority cases, those that are the worst violations, to make certain they are brought into compliance with the code.

There was general discussion about issuing citations in code cases, whether the Hot Docket is still effective, eliminating some of the waiting periods in code cases, requiring more aggressive enforcement and other possibilities for providing an effective deterrent to violators. Council members agreed that they owe the residents a commitment to improving the system. They agreed to meet in a work session to thoroughly discuss the issues with the Code Enforcement Officer, Prosecutor, City Attorney and Judges.

## **ANNOUNCEMENTS**

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

|                                |            |           |
|--------------------------------|------------|-----------|
| Hot Docket                     | 08/08/2000 | 5:00 p.m. |
| Park & Recreation Committee    | 08/09/2000 | 7:00 p.m. |
| Sister City Committee          | 08/14/2000 | 7:00 p.m. |
| Communications Committee       | 08/22/2000 | 7:00 p.m. |
| Council Committee of the Whole | 08/21/2000 | 6:30 p.m. |
| Council Meeting                | 08/21/2000 | 7:30 p.m. |

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The Prairie Village Arts Council is pleased to feature the work of the Senior Arts Council for the month of July. An opening reception was held on Friday, August 4<sup>th</sup> from 6:30 p.m. to 7:30 p.m.

The final moonlight swim will be held on Friday, August 11<sup>th</sup> with the pools remaining open until 10:00 p.m.

Swimming Pool and other recreational program memberships are on sale in the municipal building between 8 a.m. and 7 p.m. Monday through Thursday and 8 a.m. to 5 p.m. on Friday.

### **ADJOURNMENT**

Bill Griffith moved for adjournment.

With no further business to come before the Council, the meeting was adjourned at 10:45 p. m.

Lori Draves  
Administrative Assistant