

**COUNCIL
CITY OF PRAIRIE VILLAGE
April 3, 2000
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, April 3, 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, Laura Wassmer, John Kemp, Nancy Vennard, Steve Carman, Diana Ewy Lamberson and Patty Markley.

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

PRESENTATION OF KANSAS DEPARTMENT OF WILDLIFE AND PARKS GRANT

A representative of the Kansas Department of Wildlife and Parks, presented a check in the amount of \$4,000 for the award of a grant for improvements to the City's playgrounds. Mr. Pryzby explained the grant is a matching fund grant applied for by the City. The funds will be used to replace the existing mulch found beneath swings with a rubberized surface which meets ADA guidelines.

PUBLIC PARTICIPATION

Mayor Shaffer acknowledged the presence of two Boy Scouts from Troop 98, who were in attendance working on their citizenship badges.

Kelly Bax, 7728 Fontana, who addressed the parking problem that residents on Fontana were experiencing at the last meeting, has similar concerns from the residents on 78th Street. However, she was not aware that they needed to be specifically addressed on the petition.

Don Moore, 4505 W. 77th Street, stated that unless action is taken, parking problems from student parking would affect all the streets between Roe and Fontana. Mr. Moore has submitted a petition for "no parking" signage on 77th Street.

Mary Ann Trinastich, 5716 West 81st Street, expressed concern with the lack of sidewalk between Nall and Lamar along 81st Street and presented a petition for the installation of a sidewalk. Mayor Shaffer confirmed with Mr. Pryzby that this was not

currently on a project list – this street was slurry sealed last year. Mayor Shaffer advised Mrs. Trinastich that the Policy/Services Committee would consider it and she would be notified of that meeting.

Mrs. Trinastich, also expressed concern with an ongoing property maintenance problem at 5716 West 81st Street where there are currently 9 cars parked.

Richard Oliver, 5815 West 81st Street, addressed the Council stating that he was currently working with the Codes Department regarding the parking of vehicles and also spoke in support of the requested sidewalk.

Doug Luther responded to a question on what the City regulations were with respect to the number of vehicles parked at a residence. The Code requires vehicles to be currently licensed, operable and parked on a hard surface. There is no regulation of the number of vehicles allowed to be parked in an area.

Mayor Shaffer noted that Fred Logan would be discussing this and other issues at the Council Committee of the Whole meeting on April 17th.

PRESENTATION OF COUNCIL CHECKS

Mayor Shaffer distributed laminated one-dollar checks to each Council member in recognition of their service to the City over the past year and acknowledging their total number of years of service. Council President Steve Carman presented Mayor Shaffer with his check.

CONSENT AGENDA

Steve Carman moved to approve the Consent Agenda for Monday, April 3, 2000:

1. Approve Regular Council Meeting Minutes – March 20, 2000
2. Approve Claims Ordinances #2156 and #2157
3. Approve a short term special use permit to Briarwood Elementary School for their school carnival to be held on Friday evening, May 5, 2000 with Fun Services providing a certificate of insurance covering the event
4. Ratify the appointment of Jan Marsh to the Prairie Village Arts Council for a three-year term ending April, 2003
5. Approval for the Mayor to execute a Proclamation declaring the week of April 9 – 15, 2000 as “National Crime Victim’s Week”
6. Approve an interlocal agreement and Resolution 2000-04 with the Kansas Department of Transportation for Project 191004: Federal Aid City Signing Program for an estimated cost of \$76,646 with KDOT paying \$68,981 and the City paying \$7,665 with funding from the 2000 Capital Expenditure Program
7. Approve Construction Agreement with Mega Industries for Project 190803: Nall Avenue – 63rd to 67th; Project 190804: Nall Avenue – 79th to 83rd; Project 190805: 79th Street – Lamar to Nall for \$587,202.40 with funding from the 2000 Capital Expenditure Program
8. Authorize the construction administration phase of the engineering services agreement with the Larkin Group for Project 191002: 2000 Concrete Repair Program in the amount of \$10,500 with funding from the 2000 Capital Expenditure Program

9. Approve the first three phases of the engineering services agreement for Project 190705: 20001 Storm Drainage Repair with The Larkin Group in the amount of \$78,000 with funding from the 2000 Capital Expenditure Program
10. Approve the first three phases of the engineering services agreement with The Larkin Group for Project 190814: 2001 Mill & Overlay/Reconstruction Program for \$230,000 with funding from the 2000 Capital Expenditure Program
11. Approve the engineering services agreement with The Larkin Group for Project 190820: Belinder Avenue – North city limits to Somerset Drive for a total of \$53,100 with funding from the 2000 Capital Expenditure Program
12. Approve engineering services agreement for Project 191006: 2000 Pavement Marking Program with The Larkin Group in the amount of \$3,560 with funding from the 2000 Operating Budget
13. Approve the first three phases of the engineering agreement with The Larkin Group for Project 191003: 2001 Concrete Repair Program for a total of \$18,000 with funding from the 2000 Capital Expenditure Program
14. Approve the engineering services agreement with The Larkin Group for Project 190817: 2002-2006 CARS Application Report with a maximum fee of \$22,500 with funding from the 2000 Capital Expenditure Program
15. Approve the purchase of a dump truck including front snow plow, wing plow and trade-in for \$89,694 from KCR International; a ¾ ton pickup truck low bid for \$19,244 from Midway Ford; the ¾ ton crew cab pickup truck low bid for \$22,676.80 from Midway Ford; and the 126-in mower low bid for \$27,900 from Turf Technology using funds in the 2000 Public Works Operating Budget.
16. Approve the addition of six 100-watt high pressure sodium cut-off light fixtures mounted on a six-foot arm on steel poles at an annual cost of \$1,182.52 with funding from the Public Works Operating Budget
17. Adopt Resolution 2000-03 supporting the protection of state and local taxing authority over all remote sales including goods sold via the internet, mail order and telephone through legislation

A roll call vote was taken with the following members voting “aye”: Herrera, Griffith, Noll, Hopkins, Frederick (No on #17), Wassmer, Kemp, Vennard, Carman, Ewy Lamberson and Markley.

COMMITTEE REPORTS

Council Committee of the Whole

COU2000-10 Consider rezoning of Lots 21, 22, 23 and 24 of Sunset Hill Acres from C-2 to R-1a and C-0

Steve Carman noted that earlier in the evening the Council in committee had discussed a request for financial assistance through the issuance of Industrial Revenue Bonds for the development of this project. The City has received a written request from the applicant that this rezoning application be tabled until a final determination has been made on the applicant’s Industrial Revenue Bond Request. The applicant feels that the project will not be financially feasible unless tax abatement is approved by the City; and therefore, does not want to go through with the rezoning until the financing issue is resolved.

Steve Carman moved the City Council table application of the request for the rezoning of Lots 21, 22, 23 and 24 of Sunset Hill Acres from C-2 to R-1a and C-0 until a final determination has been made on the applicant’s Industrial Revenue Bond request. The motion was seconded by Terry Frederick and passed unanimously.

COU 2000-11 & 12 Consider petition for parking restrictions

Residents on Fontana have petitioned the City for parking restrictions to be placed on Fontana from 76th to 78th Street as were previously approved by the Council for 77th Street, 77th Terrace and 77th Place. Since the placement of signs on these streets the student parking problems have moved to Fontana.

In anticipation of similar problems developing if Fontana is granted the requested parking restrictions, the residents on 77th Street from Fontana to Roe have also petitioned to receive the same parking restrictions as previously approved.

Ruth Hopkins noted that during public participation the residents along 78th Street from Delmar to Fontana have also expressed the desire for parking restrictions, although no formal petition has been presented.

Laura Wassmer expressed support of the requested parking restrictions, noting that it is not an ideal situation and she feels pressure should continue to be put on the school district to take appropriate action to correct the situation. Patty Markley questioned what incentive the school district has to take action when the City continues to respond to the residents' requests for signs.

Ruth Hopkins moved the Council approve the posting of No Parking signs on the west side of Fontana and the south side of 77th Street which bans on-street parking for more than two hours between 8 a.m. and 3 p.m. – School Days. No Parking signs also be placed on the east side of Fontana and north side of 77th Street, which bans on-street parking from 8 a.m. to 3 p.m. – School Days. She further moved that the same parking sign be installed on 78th Street between Delmar and Fontana. John Kemp seconded the motion.

Chief Grover advised the Council that Council Policy #410 requires that a petition for parking restrictions to be placed on City streets.

Ruth Hopkins moved to amend the motion by adding “contingent upon the receipt of a formal petition from the residents on 78th Street requesting the parking within 30 days”. John Kemp accepted the amendment. The motions as amended were voted on and passed by a majority vote with Bill Griffith voting “nay”.

COU2000-12 Consider Parking Restrictions in Harmon Park

Since other parking restrictions have been placed on streets off Delmar, adjacent to the high school, vehicles have been parked in Harmon Park during the school day in areas that restrict the free flow of traffic through the Park. Vehicles are being parked

around the traffic island by the pavilion and on the roadway, which prohibits the contracted refuse company from accessing the park's trash container.

The temporary remedy was to have the Police Department place a chain across the entrance to Harmon Park at closing and the Public Works Department to remove the chain in the morning. This reduced the problem but is labor intensive. The parking in the pool lot, which is also part of Harmon Park, is posted with "No Parking" signs in all areas that do not have stalls painted on the roadway surface. Staff is recommending that similar signs be posted near the pavilion. Chief Grover stated that this would need to be written and approved as an ordinance to enable the officers to ticket violators.

Steve Carman moved the Council approve the posting of "No Parking" signs along all roadway areas within Harmon Park that do not currently have stall parking. Ruth Hopkins seconded the motion.

Nancy Vennard questioned if this addresses the problems experienced by tennis players and persons renting the pavilion with not being able to find parking. It is important that individuals using our parks and recreation facilities have sufficient parking.

Steve Carman moved to amend the motion by adding, "parking in marked parking stalls in this area shall be limited to 2-hours while school is in session. Ruth Hopkins accepted the amendment.

Nancy Vennard questioned how many parking areas are available near the tennis courts and pavilion. Mr. Pryzby responded that approximately twenty spaces are available.

The motion as amended was voted on and passed by a majority vote with Bill Griffith voting "nay".

COU2000-13 Consider restricting the parking to city business only on the Municipal Campus

Since the parking restrictions have been placed elsewhere adjacent to the high school, there have been students parking their vehicles in the City parking lot during school hours. City sponsored events, court sessions, senior nutrition program, employee parking and those conducting business at the Municipal Campus requires that all the spaces be utilized. This restriction had been in place prior to the expansion of the parking area, but was removed. It was suggested that signs be placed at the entrance to the municipal campus indicating that parking is for "City Business Only".

Steve Carman moved the Council approve the posting of signs at the entrance to the Municipal Campus that restrict parking to “City Business Only”. Ruth Hopkins seconded the motion.

Bill Griffith questioned if parking will be a problem once the area being used for pool construction equipment is made available for parking.

Nancy Vennard suggested that other wording be considered that may more clearly identify parking as available for approved users of the municipal campus to address groups that may be using our facilities but not conducting “city business”.

The motion was voted on and passed by a majority vote with Bill Griffith voting “nay”.

Diana Ewy Lamberson asked that another letter be written to the school district and high school administration sharing the concerns that have been raised both by the residents and by Council members. Mayor Shaffer stated such a letter would be sent.

OLD BUSINESS

It was noted that at one time the City of Mission Hills issued parking identification stickers that were used to identify residents parking on their streets. Chief Grover was asked if this would be feasible. Both Chief Grover and Charles Wetzler, stated they did not feel this could be done on public streets, however, Mr. Wetzler, will investigate it further.

Nancy Vennard advised residents to continue to take their concerns to the school district and administration through the School’s Advisory Council. Mr. Pryzby was asked when the approved signs would be available. He responded that with the wording requested, these are custom signs and it will take approximately six weeks to get the signs. Council members were concerned with the length of time and asked if there were other signs restricting parking that could be placed temporarily in these areas.

NEW BUSINESS

POL2000-13 Consider Municipal Code Section 2.62.010 “Public Improvements – Bid Procedure”

As part of the review of the Municipal Code, the City Council and staff discussed modifications to Section 2.62.010. This section pertains to the bidding of public improvements and the estimated construction costs. The issue is the requirement that the engineer’s estimated construction costs must be higher than the lowest responsible bid,

which leads the engineer to inflate the estimated costs. It was noted that the cities of Leawood and Overland Park recently modified this same provision.

Steve Carman moved the Council adopt Charter Ordinance No. 19 exempting the City of Prairie Village, Kansas, from the provisions of 13-1017 and providing substitute and additional provisions on the same subject, concerning estimated costs of public improvements, contracts, bids and related matters thereto. John Kemp seconded the motion.

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

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Board of Zoning Appeals	04/04/2000	6:30 p.m.
Planning Commission	04/04/2000	7:00 p.m.
Insurance Committee Meeting	04/05/2000	4:30 p.m.
Tree Board	04/05/2000	6:00 p.m.
50 th Anniversary Committee	04/06/2000	7:00 p.m.
Sister City Committee	04/10/2000	7:00 p.m.
Park & Recreation Committee	04/12/2000	7:00 p.m.
Council Committee of the Whole	04/17/2000	6:00 p.m.
Council Meeting	04/17/2000	7:30 p.m.

Remember to Vote! The General Election will be held throughout the City for the election of Council Representatives tomorrow, Tuesday, April 4th.

The Prairie Village Arts Council is sponsoring an exhibit of work by students from the Kansas City Art Institute. “The Secret of Success” exhibit will be featured in the R.G. Endres Gallery during the month of April, with the opening reception on Friday evening, April 7, from 6:30-8:00 p.m.

The Prairie Village Arts Council is sponsoring a concert by the Kansas City Civic Orchestra to be held on Saturday, April 8th at Shawnee Mission East High School at 7:30 p.m. The concert will feature Mayor Shaffer narrating “Tubby the Tuba”.

The time is getting close – Remember the City’s large item pickup will be held on Saturday, April 15, 2000.

The new Council Pictures will be taken on Monday, May 1st. All Council members should plan to be in attendance.

Steve Carman expressed congratulations and recognition to staff on the City’s achievement of the Certificate of Achievement for Excellence in Financial Report by the Government Finance Officers Association for the 1998 Comprehensive Annual Report.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:35 p.m.

Joyce Hagen Mundy
City Clerk

