

**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE  
December 7, 2009  
7:30 p.m.**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- 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 - November 16, 2009
- 2. Approve the recommendation of the United Community Services Board of Directors contained in the 2010 Human Service Fund recommendation report and approve a contribution to the 2010 Human Service Fund of \$6,500 from the 2010 Parks, Recreation & Community Services Budget.
- 3. Approve the recommendations of the Drug and Alcoholism Council of Johnson County contained in the United Community Services Fund Recommendations Report and approve a contribution to UCS of \$15,000 from the 2010 Parks, Recreation and Community Services budget.
- 4. Approve the issuance of Cereal Malt Beverage Licenses for the following businesses for 2010.
  - Sunshine Energy LLC DBA SE #156 - 3901 Tomahawk Rd
  - Sunshine Energy LLC DBA SE #67 - 8120 Mission Rd
  - Four B Corp DBA Hen House Market - 6950 Mission Rd
  - Four B Corp DBA Hen House Market - 4050 W 83<sup>rd</sup> St
  - Hy-Vee, Inc. - 7620 State Line Rd
  - PCF SaleCo DBA Circle K #6100 - 9440 Mission Rd
- 5. Approve the continuation multi-year agreements for 2010.
- 6. Approve the maintenance agreement with Blue Valley Public Safety Inc. for Maintenance of weather alert sirens for 2010.
- 7. Approve the renewal of the contract with the city's Public Defender, Robin A. Lewis.
- 8. Approve the agreement between the City of Westwood and the City of Prairie Village for multi-jurisdictional building inspection services.
- 9. Approve the continuation of on-going agreements in 2010.

**By Committee:**

- 10. Adopt Resolution No. 2009-21 establishing salary ranges for City positions for the calendar year 2010. (Council Committee of the Whole Minutes - November 16, 2009)
- 11. Approve an agreement with Silverstone Group to provide actuary services for the City's Police Pension Plan, pending review by the City Attorney. (Council Committee of the Whole Minutes - November 16, 2009)
- 12. Approve the revisions to the Prairie Village Fee Schedule effective January 1, 2010. (Council Committee of the Whole Minutes - November 16, 2009)
  - Conditional Use Permit \$600\*
  - Preliminary/Final Development Plan \$650\*

|  |        |
|--|--------|
| Administrative Site Plan Approval      | \$100  |
| Residential Building Line Modification | \$100  |
| Residential Site Plan Approval for     |        |
| Generator                              | \$100  |
| Fence/Retaining Wall                   | \$100  |
| Building Elevation                     | \$100  |
| Sign Standards Review                  | \$100  |
| Monument Sign Review                   | \$100  |
| Preliminary Plat                       | \$650  |
| Final Plat                             | \$650  |
| Short Term Special Use with            |        |
| Planning Commission Approval           | \$100* |

VI. PUBLIC HEARING - 2011-2012 Transportation Enhancement Funding from Kansas Department of Transportation

VII. MAYOR'S REPORT  
Consider Resolution of Support for Transportation Enhancement Funding from Kansas Department of Transportation

VIII. COMMITTEE REPORT  
Council Committee of the Whole  
COU2009-116 Consider Amendment to the 2010 Parks Design Contract with Indigo Design - Michael Kelly

COU2009-117 Consider Participating in Smart Lights for Smart Cities Energy Efficiency Conservation Block Grant application being submitted by MARC - Michael Kelly

COU2009-111 Consider Project 190653 El Monte Fountain Construction Change Order #1 - Michael Kelly

IX. STAFF REPORTS

X. OLD BUSINESS

XI. NEW BUSINESS

XII. ANNOUNCEMENTS

XIII. 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)

CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
December 7, 2009

The City Council of Prairie Village, Kansas, met in regular session on Monday, December 7, 2009, at 7:30 p.m. in the Council Chambers of the Municipal Building.

## **ROLL CALL**

Mayor Ron Shaffer called the meeting to order and roll call was taken with the following Council members present: Al Herrera, Dale Warman, Ruth Hopkins, Michael Kelly, Andrew Wang, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz.

Also present were: Quinn Bennion, City Administrator; Katie Logan, City Attorney; Wes Jordan, Chief of Police; Captain Tim Schwartzkopf; Bob Pryzby, Director of Public Works; Keith Bredehoeft, Project Manager; Dennis Enslinger, Assistant City Administrator; Karen Kindle, Finance Director; Chris Engel, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

Mayor Shaffer led all those present in the Pledge of Allegiance.

## **PUBLIC PARTICIPATION**

Mayor Shaffer acknowledged the presence of two students from Rockhurst High School attending the meeting for their American Government class.

## **CONSENT AGENDA**

Michael Kelly moved the approval of the Consent Agenda for Monday, December 7, 2009:

1. Approve Regular Council Minutes - November 16, 2009
2. Approve the recommendation of the United Community Services Board of Directors contained in the 2010 Human Service Fund recommendation report and approve a contribution to the 2010 Human Service Fund of \$6,500 from the 2010 Parks, Recreation & Community Services budget.
3. Approve the recommendations of the Drug and Alcoholism Council of Johnson County contained in the United Community Services Fund Recommendations Report and approve a contribution to UCS of \$15,000 from the 2010 Parks, Recreation & Community Services budget.

4. Approve the issuance of Cereal Malt Beverage Licenses for the following businesses for 2010:
  - Sunshine Energy LLC DBA SE #156 - 3901 Tomahawk Rd
  - Sunshine Energy LLC DBA SE #67 - 8120 Mission Rd
  - Four B Corp DBA Hen House Market - 6950 Mission Rd
  - Four B Corp DBA Hen House Market - 4050 W 83<sup>rd</sup> St
  - Hy-Vee, Inc. - 7620 State Line Rd
  - PCF SaleCo DBA Circle K #6100 - 9440 Mission Rd
5. Approve the continuation of ongoing or multi-year agreements for 2010
6. Approve the maintenance agreement with Blue Valley Public Safety, Inc. for maintenance of weather alert sirens for 2010.
7. Approve the renewal of the contract with the City's Public Defender, Robin A. Lewis.
8. Approve the agreement between the City of Westwood and the City of Prairie Village for multi-jurisdictional building inspection services.
9. Approve the continuation of ongoing agreements for 2010.
10. Adopt Resolution No. 2009-21 establishing salary ranges for City positions for the calendar year 2010.
11. Approve an agreement with Silverstone Group to provide actuary services for the City's Police Pension Plan, pending review by the City Attorney.
12. Approve the following revisions to the Prairie Village Fee Schedule effective January 1, 2010:
 

|  |        |
|--|--------|
| Conditional Use Permit                 | \$600* |
| Preliminary/Final Development Plan     | \$650* |
| Administrative Site Plan Approval      | \$100  |
| Residential Building Line Modification | \$100  |
| Residential Site Plan Approval for     |        |
| Generator                              | \$100  |
| Fence/Retaining Wall                   | \$100  |
| Building Elevation                     | \$100  |
| Sign Standards Review                  | \$100  |
| Monument Sign Review                   | \$100  |
| Preliminary Plat                       | \$650  |
| Final Plat                             | \$650  |
| Short Term Special Use with            |        |
| Planning Commission Approval           | \$100* |

A roll call vote was taken with the following members voting "aye": Herrera, Warman, Hopkins, Kelly, Wang, Beckerman, Clark, Morrison, Ewy Sharp and Belz.

**PUBLIC HEARING - 2011-2012 Transportation Enhancement Funding from Kansas Department of Transportation**

Mayor Shaffer announced a public hearing to gather community input on the City's proposed grant application for 2011 -2012 Transportation Enhancement Funding from the Kansas Department of Transportation and called upon Chris Engel. Mr. Engel explained KDOT TE funds may be used to carry out eligible activities including, but not

limited to, site acquisition, preservation, scenic beautification or the provision of certain related facilities. All TE projects must meet the following three criteria: relate to surface transportation, include at least one TE activity from the Historic, Scenic/Environmental, or Bicycle/Pedestrian Facilities categories and be submitted by a local governing entity.

City staff is recommending the construction of a bicycle/pedestrian trail that traverses Tomahawk Road from Porter Park to Mission Road with a spur that follows 71<sup>st</sup> Street from Tomahawk across Mission Road and down to Windsor Park. Mr. Engel noted the submittal deadline for the application is December 30<sup>th</sup>. Transportation Enhancement projects allow a maximum reimbursement of 80% of eligible project costs. Preliminary cost estimates for this project indicate the City portion could be approximately \$356,000. Mr. Engel noted although the plan is not funded, there is currently \$305,000 included in the Parks CIP for trails in 2012.

Mayor Shaffer opened the hearing to public comment. With no one present to address the Council the public hearing was closed at 7:40 p.m.

## **MAYOR'S REPORT**

### **Consider 2011-2012 Transportation Enhancement Grant**

Al Herrera moved the Governing Body authorize staff to submit an application for 2011-2012 Transportation Enhancement Funding from the Kansas Department of Transportation for the project discussed during the public hearing. The motion was seconded by Ruth Hopkins and passed unanimously.

Diana Ewy Sharp reminded the Council that there is not funding in the current Park CIP.

- Mayor Shaffer reviewed the several meetings and events he had attended in the past weeks representing the City.

## **COMMITTEE REPORTS**

## **Council Committee of the Whole**

### COU2009-116 Consider Amendment to the 2010 Parks Design Contract with Indigo Design

On behalf of the Council Committee of the Whole, Michael Kelly moved the Governing Body approve the amendment identified as "Attachment A" to the 2010 Parks Design contract with Indigo Design in the amount of \$10,440 with direction to include in the design the placement of underground piping for the channel. The motion was seconded by Dale Beckerman by a majority vote.

### COU2009-117 Consider Participating in Smart Lights for Smart Cities Energy Efficiency Conservation Block Grant application being submitted by MARC

On behalf of the Council Committee of the Whole, Michael Kelly moved the Governing Body authorize the Mayor to sign a Letter of Commitment to participate in the Smart Lights for Smart Cities EECGC being submitted by Mid America Regional Council (MARC). The motion was seconded by Dale Warman and passed unanimously.

### COU2009-111 Consider Project 190653 El Monte Fountain Construction Change Order #1 -

On behalf of the Council Committee of the Whole, Michael Kelly moved the Governing Body approve Change Order #1 to Project 190653: El Monte Fountain Improvements to Mega Industries for an increase of \$1,265.00 bringing the cost of the project to \$52,274.00. The motion was seconded by Ruth Hopkins and passed unanimously.

## **Communications Committee**

Michael Kelly announced the Communications Committee would be meeting on December 15<sup>th</sup> to interview vendors for the City's website. The committee will bring a recommendation forward to the City Council at the December 21<sup>st</sup> meeting.

## **STAFF REPORTS**

## **PUBLIC SAFETY**

- Chief Jordan announced the memorial service for former Chief of Police Louis LeManske will be held on Friday, December 11<sup>th</sup> at 3:00. Chief LeManske served the City for more than 32 years prior to retiring in 1990.

## **PUBLIC WORKS**

- Bids for the 2010 bond projects will be opened on Friday. Ten contractors picked up bid packets. A recommendation will be brought before the Council on the 21<sup>st</sup>.
- Work continues on the El Monte Fountain
- The contractor will begin installing the new park signs on Tuesday, December 15<sup>th</sup>

## **ADMINISTRATION**

- The Sister City will be hosting four visitors from Dolyna, Ukraine in January
- 7578 High Drive, which was declared a public nuisance by the Council, is in the process of being cleaned by the property owner
- Representatives from the City of Mission will be at the next meeting to discuss proposed improvements to Nall Avenue from Martway to 67<sup>th</sup> Street - the improvements include the narrowing of Nall from 4 lanes to 3 lanes of traffic to allow for the addition of a trail on the west side of Nall. Mr. Enslinger distributed a handout with additional information
- City Attorney Katie Logan reported the judge ruled the protest petition submitted against Charter Ordinance 25 was invalid on November 30. The petitioner has 30 days to appeal the ruling.
- Quinn Bennion reported on the most recent meeting with representatives of Lane4. Mr. Bennion, Mr. Enslinger and Mayor Shaffer are holding quarterly meetings with Lane4. Lane4 has indicated that they will be filing an application for CID funding for improvements to both Prairie Village and Corinth Square Shopping Centers.
- He and Mayor Shaffer also met with area legislators to discuss both state and City issues.

## **OLD BUSINESS**

There was no Old Business to come before the City Council.

## **NEW BUSINESS**

Diana Ewy Sharp expressed concern with the references made in the minutes of the Environment/Recycle Committee to letters sent to area legislators. She feels these letters should be reviewed by the Governing Body before being sent as they could be construed as representing the City's position.

Dennis Enslinger responded the letters go out under individual signatures and are not written on City letterhead and do not indicate that they are from the committee or the City. Ruth Hopkins noted members of the committee were asked to send letters of support by Ed Peterson.

Michael Kelly agreed with Mrs. Ewy Sharp that these could easily be seen as having the backing of the City or the Governing Body and thus present the appearance of impropriety.

David Belz stated if the letters are going out under individual signature without reference to the committee or the City so the person receiving the letter has no reason to make a "Prairie Village" association, he does not see any reason to involve the Council.

Al Herrera expressed concern with the committee overstepping its authority and position. He felt that the City Council should receive copies of these letters prior to them being sent. Mr. Enslinger stated he would forward copies of the letters to Council members.

Diana Ewy Sharp also encouraged the Council to read the Parks & Recreation Report on summer programs prepared by Chris Engel. The report is well written and gives a solid overview of the City's summer recreation programming. She also announced that she and Suzanne Lownes will be coordinating the retirement party for Bob Pryzby and announced the tentative date is Friday, January 8<sup>th</sup>.

## **ANNOUNCEMENTS**

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

|                                |            |           |
|--------------------------------|------------|-----------|
| Planning Commission            | 12/08/2009 | 7:00 p.m. |
| Sister City Committee          | 12/14/2009 | 7:00 p.m. |
| Prairie Village Arts Council   | 12/16/2009 | 7:00 p.m. |
| Council Committee of the Whole | 12/21/2009 | 6:00 p.m. |
| City Council                   | 12/21/2009 | 7:30 p.m. |

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The Prairie Village Arts Council is pleased to announce an oils exhibit by Mimi Pettigrew during the month of December. The reception will be held on December 11th from 6:30 - 8:00 p.m.

Flu shots have been rescheduled again for **December 9, 2009** from 7:00 - 9:00 am at Public Works or 2:00 - 4:00 pm at City Hall. Flu Shots are available to Council Members for \$10.

**The Employee Appreciation Holiday lunch will be held Tuesday, December 8<sup>th</sup> from noon until 2 p.m. in the Council Chambers. This year's meal will be catered by Zio's.**

The Municipal Foundation will be hosting a Gingerbread House Decorating Party on Sunday, December 13<sup>th</sup> at the Community Center at 2:00pm and 4:00 pm.

The City offices will be closed on Friday, December 25, 2009 in observance of the Christmas holiday. Deffenbaugh also observes this holiday and trash service will be on Saturday, December 26, 2009.

Donations to the Holiday Tree Fund are being accepted. The funds will be used to assist Prairie Village families and Senior Citizens needing help to pay their heating and electric bills during the cold winter months, as well as with home maintenance throughout the year. Your tax deductible contributions are appreciated.

The City will once again have Holiday Tree Recycling available for Prairie Village residents. You may take your holiday tree to the designated areas of Porter, Franklin, and Meadowlake Parks, and in the Harmon Park parking lot near the water tower between December 26<sup>th</sup> and January 17<sup>th</sup>.

The City Clerk's office has a new style of ceramic coffee mug for sale. They are \$5.00 each.

The 50<sup>th</sup> Anniversary books, Prairie Village Our Story, are being sold to the public.

## **ADJOURNMENT**

With no further business to come before the Council, the meeting was adjourned at 9:10 p.m.

Joyce Hagen Mundy  
City Clerk