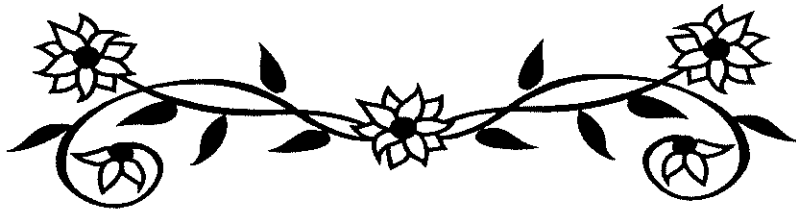


City Council Meeting

February 6, 2006



Dinner will be provided by:

Johnny's Tavern

Individual Meal Choice

POLICY / SERVICES COMMITTEE
Monday, February 6, 2006
Agenda
6:00 P.M.
Council Chambers

<u>Al Herrera</u>		<u>Page #</u>
POL2005-35	Consider Project 190717: 2006 Storm Drainage Program Bob Pryzby	1 - 3
POL2004-15	Consider Project 190709: 83rd Street Somerset Drive, Delmar Street, Fontana Street Bob Pryzby	4 - 9
POL2006-02	Consider 2007-2011 Cars Application Bob Pryzby	10
POL2005-35	Consider Municipal Code Section 16-535 Water Discharge Bob Pryzby	11
POL2004-14	Consider City Council Policy 372 Water Discharges to City Lands Bob Pryzby	12-15
POL2006-03	Consider City Council Policy No. 410 Traffic Control Devices Bob Pryzby	16 - 34
POL2005-33	Consider City Policy Establishing Guidelines for the Placement of School Crossing Guards Chief Grover	35 -37
POL2006-01	Consider Council Policy on Enforcement of No Smoking Ordinance Chief Grover	38 - 42
POL2006-04	Consider Public Defender for Municipal Court Doug Luther	43 - 44

POLICY/SERVICES

- POL2003-14 Consider Project 190845: Mission Road – 75th St to 79th St (CARS) (assigned 7/3/2003)
- POL2004-06 Consider Project 190715: 2005 Storm Drainage Repair Program (assigned 2/25/2004)
- POL2004-08 Consider Project 190841: Mission Road – 71st to 75th (CARS) (assigned 2/25/2004)
- POL2004-09 Consider Project 190848: Mission Rd – Somerset to 83rd (CARS) (assigned 2/25/2004)
- POL2004-10 Consider Project: 190847: 2005 Street Paving Program (assigned 2/25/2004)
- POL2004-15 Consider Project 190709: Somerset, Delmar to Fontana Street (assigned 8/26/2004)
- POL2004-16 Consider Project 190708: Tomahawk Road Nall to Roe (assigned 8/26/2004)
- POL2004-18 Consider Sidewalk Policy (assigned 9/18/2004)
- POL2005-02 Consider Project 190616: Harmon Park Skate Facility (assigned 1/31/2005)
- POL2005-03 Consider Project 190850: Reeds Street – 69th to 71st St. (assigned 1/31/2005)
- POL2005-04 Consider Project 190809: 75th Street and State Line Road (assigned 2/1/2005)
- POL2005-11 Consider Project 190715: 2005 Storm Drainage Repair Program (assigned 6/2/2005)
- POL2005-12 Consider Project 190854: 2005 Pavement Repair Program (assigned 6/2/2005)
- POL2005-13 Consider Project 191012: 2005 Concrete Repair Program (assigned 6/2/2005)
- POL2005-14 Consider Project 190852: 2005 Crack/Slurry Seal Program (assigned 6/2/2005)
- POL2005-21 Consider Project 190851: 2006 Paving Program - Sidewalks (assigned 8/30/2005)
- POL2005-23 Consider Project 190857: Roe Avenue – 95th to 91st Street (CARS) (assigned 8/28/2005)
- POL2005-28 Consider Charter Ordinance No. 12 “Public Improvements” (assigned 11/1/2005)
- POL2005-29 Consider Council Policy No. 041 “Selection of Professional Consulting Services (assigned 11/1/2005)
- POL2005-30 Consider Project 190855: Tomahawk Road Bridge (assigned 11/1/2005)
- POL2005-31 Consider Canterbury Street Sidewalk Petition (assigned 11/1/2005)
- POL2005-33 Consider establishment of school crossing guard policy (assigned 11/14/2005)
- POL2005-34 Consider Project 190717: 2006 Storm Drainage Repair Program (assigned 11/20/2005)
- POL2005-35 Consider illicit water discharge (assigned 11/30/2005)
- POL2005-37 Consider Council Policy 042 entitled “Construction Estimate” (assigned 12/21/2005)*
- POL2006-01 Consider Policy on the enforcement of the “No Smoking” Ordinance (assigned 1/20/2006)**
- POL2006-02 Consider 2007-2011 CARS Application (assigned 1/31/2006)**
- POL2006-03 Consider Council Policy #410 “Traffic Control Devices” (assigned 1/31/2006)**
- POL2006-04 Consider Public Defender for Municipal Court (assigned 2/1/2006)**

POL2005-35 CONSIDER PROJECT 190717: 2006 STORM DRAINAGE PROGRAM

Background:

The consultant, URS Corporation, has completed the concept phase of this project. Engineering Change Order #1 is to begin phases for preliminary design, final design and bidding services.

Financial Impact:

The engineering change order is for an increase of \$59,299.00. Funds are available in the Capital Infrastructure Program project allocation.

Recommendation:

Public Works staff recommends City Council approval of Engineering Change Order #1 for an increase of \$59,299.00 to the agreement with URS Corporation.

CITY OF PRAIRIE VILLAGE

PUBLIC WORKS DEPARTMENT

DESIGN ENGINEERING CHANGE ORDER NO. 1

Consultant's Name: URS Corporation

Project Title: 2006 Storm Drainage Repair Program Owner's Project No. 190717

Date Requested: 30 January 2006 Consultant's Project No. 16530105

Contract Date: 6 December 2005

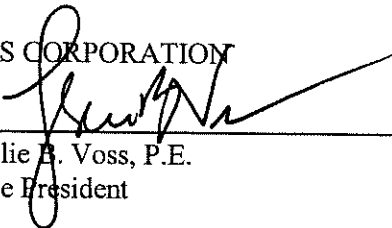
The scope of work in the above Engineering Services Agreement has been modified as follows:

A requested increase in the Engineering Agreement to provide preliminary design, final design and bidding services. A schedule is attached. The scope of work is included in the original contract. Project 190717 -06 (Pedestrian Bridge) has been eliminated by the Dept. of Public Works.

Original Agreement Amount:	<u>\$16,700</u>
Net Previous Change Orders:	<u>\$0</u>
Subtotal:	<u>\$16,700</u>
Net Increase/ Decrease this change Order:	<u>\$59,299</u>
New Agreement Amount:	<u>\$75,999</u>

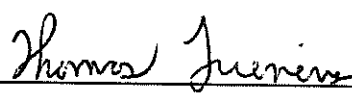
The Engineering Consultant (~~does~~) (does not) anticipate a related Construction Change Order No. X in the amount of \$0

URS CORPORATION

By 
 Leslie B. Voss, P.E.
 Vice President

CITY OF PRAIRIE VILLAGE, KANSAS

By _____
 Ronald Shaffer
 Mayor

By 
 Thomas Trienens, P.E.
 Manager of Engineer Services

SCHEDULE

PRELIMINARY DESIGN PHASE	7 WEEKS FROM NTP
PRELIMINARY DESIGN REVIEW	2 WEEKS FROM RECEIPT OF DRAFT
FINAL DESIGN PHASE	5 WEEKS FROM RECEIPT OF DRAFT COMMENTS
FINAL DESIGN REVIEW	2 WEEKS FROM RECEIPT OF FINAL
BIDDING SERVICES PHASE END	8 WEEKS* FROM RECEIPT OF FINAL COMMENTS

* Assumes 45 day bid period

TOTAL 24 WEEKS

IF NTP RECEIVED ON FEBRUARY 6 THEN FINAL DESIGN COMPLETE BY MAY 29 AND
CONSTRUCTION CONTRACTOR SELECTED BY JULY 24

**POL2004-15 CONSIDER PROJECT 190709: 83RD STREET,
SOMERSET DRIVE, DELMAR STREET, FONTANA STREET**

Background:

This engineering change order is for design services. Additional scope of services for Preliminary Design, Final Design and Bidding are being added to the original Design Agreement with The Larkin Group, Inc.

Financial Impact:

The change order for these additional services is \$245,700.00. The cost will be shared with Johnson County – 75% County and 25% City. Funding is available in the Capital Infrastructure Program Project.

Recommendation:

Public Works staff recommends the City Council approval of Engineering Change Order #1 for an increase of \$245,700.00 in Project 190709 with The Larkin Group, Inc.

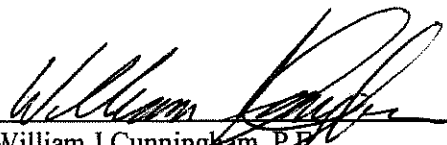
CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT
ENGINEERING CHANGE ORDER NO. 1

Consultant's Name The Larkin Group, Inc.
Project Title 83Rd Street and Delmar, SMAC No. DB-11-001 Owner's Project No. 190709
Date Requested 1/10/06 Consultant's Project No. KC05-0001.0300
Contract Date 6/20/05

The scope of work in the above Engineering Services Agreement has been modified as follows:
As requested an increase in the Engineering agreement to provide final design services. The scope is attached.

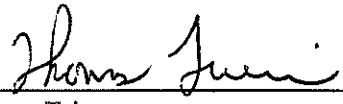
Original Agreement Amount	\$ <u>76,000.00</u>
Net Previous Change Orders	\$ <u>0.00</u>
Subtotal	\$ <u>76,000.00</u>
Net Increase or Decrease this Change Order	\$ <u>245,700.00</u>
New Agreement Amount	\$ <u>321,700.00</u>

The Engineering Consultant (~~does~~) (does not) anticipate a related Construction Change Order No. X in the amount of \$ 0.00.



William J. Cunningham, P.E.
Principal for Consultant

CITY OF PRAIRIE VILLAGE, KANSAS
By _____
Ronald Shaffer
Mayor

By 

Thomas Trienens
Manager of Engineering Services

SCOPE OF CONSULTANT SERVICES

The Consultant shall perform all consulting services in a timely manner necessary for the design and construction of the "Project," including, but not limited to, the following specific items:

1.0 Preliminary Design

After the City issues a notice to proceed, the Consultant shall proceed to provide these services:

- 1.1 Conduct field reconnaissance to evaluate and identify:
 - 1.1.1 Utility conflicts
 - 1.1.1.1 Determine location and scope of relocation
 - 1.1.1.2 Identify test pit locations of potential utility conflicts
 - 1.1.2 Location of bench marks and section markers
- 1.2 Prepare preliminary construction plans, including title sheet, site plan, plans profiles, cross-sections as appropriate, standard and special detail sheets, easement plan, erosion control plan and traffic control plan.
- 1.3 Easements
 - 1.3.1 Obtain Ownership and Easement (O&E) on project properties to determine existing easements.
 - 1.3.2 Prepare project related easement documents.
- 1.4 Office Check
 - 1.4.1 Participate in a project office check with City staff.
 - 1.4.2 Present one set of preliminary plans to City for review.
 - 1.4.3 Participate in office review with City staff.
- 1.5 Participate in a public meeting to present project intentions
- 1.6 Publish minutes of all meetings and disperse to City representative and all other attendees within five working days.
- 1.7 Present Preliminary plans to City for review.
 - 1.7.1 Conduct a field check of plans with City Staff.
 - 1.7.2 Draft project manual with specifications and general provisions.
 - 1.7.3 Present a detailed opinion of probable construction cost including a compilation of typical and non-typical construction pay items with quantities and current unit costs. Add to the total construction cost, a contingency of 15 percent.
 - 1.7.4 Submit one paper copy and one electronic copy in Microsoft Office, Microsoft Project, or AutoCAD of all documents for review by the City.

2.0 Final Design

Following review and approval of preliminary design phase by the City and after the City issues a notice to proceed with this phase, the Consultant shall proceed to provide these services:

- 2.1 Review preliminary design documents.
- 2.2 Address comments from preliminary review.
- 2.3 Prepare final plans and contract documents.
- 2.4 Prepare standard and special detail sheets.
- 2.5 Submit final plans and specifications to the City and Utilities.
- 2.6 Request utility comments and schedule.
- 2.7 Finalize permanent drainage and temporary construction easement documents and submit to the City.
- 2.8 Prepare final itemized estimate of probable cost.
- 2.9 Prepare final bid documents
- 2.10 Keep minutes of meetings and distribute.
- 2.11 Provide hard copy and electronic copy in AutoCAD or Microsoft Office of all documents for review by the City.

3.0 Bidding Phase

Following final review by City staff and approval to proceed to bidding phase the consultant shall undertake the following bid services.

- 3.1 Bid Preparation
 - 3.1.1 Provide the City a Notice to Bid for publication.
 - 3.1.2 Mail Notice to Bid provided by the City to potential contractors.
 - 3.1.3 Provide plans, bid documents, and specifications for potential bidders to purchase to purchase from electronic plan room.
 - 3.1.4 Provide all utilities with bid set of plans and request attendance at pre-bid meeting.
 - 3.1.5 Conduct a pre-bid meeting and answer any questions as addenda to the contract bid.
 - 3.1.6 Provide to the City a Consultant's opinion of probable construction cost and bid tab sheet.
- 3.2 Bid Opening
 - 3.2.1 Attend bid opening and check all bids for accuracy.
 - 3.2.2 Evaluate the bidders and make a recommendation of award to the City.
- 3.3 Contract Preparation
 - 3.3.1 Assemble five construction documents, including bonds for execution by the contractor and the City.
 - 3.3.2 Submit contractor signed contract documents to the City for execution and award.
 - 3.3.3 Submit one paper copy and one electronic copy in Microsoft Office, Microsoft Project, or AutoCAD of all documents for review by the City
- 3.4 Prepare agreement for construction administration.

DATE: 9/11/10		Project Estimating Sheet - Design Services										TOTAL			
CLIENT: Prairie Village, Kansas		PRINCIPAL	ASSOCIATE	ASSOCIATE	ASST. ENGR.	CADD TECHNICIAN	CLERICAL	SURVEYOR MANAGER	PROJECT SURVEYOR	SURVEY TECHNICIAN	2 MAN SURVEY CREW	ITEM	OTHER DIRECT COSTS	COST	TOTAL COST
PROJECT 1707E: 83 rd & Chimer Street DB-11-001		HRLY FEE													
LARKIN GROUP, INC 9200 Ward Parkway, Suite 400 Kansas City, Missouri 64114		\$175.00	\$125.00	\$105.00	\$84.00	\$84.00	\$58.00	\$60.00	\$65.00	\$65.00	\$125.00				
PHASE/TASK		EST. HRS													
1 Preliminary Design and Record		4	18	24	24										
1.1 Preliminary construction plans and details		72	80	80	240	280		4	4	8	6				\$7,238.00
1.2 Easements		4	8	12	8	8	24	4	4	16					\$1,488.00
1.3.1 Prepare project related assessment documents		6	18	24	24	32	8	4	16	32					\$1,872.00
1.3.2 Obtain O&E's		10	20	36	40	40	32	6	6	24					\$1,872.00
1.4 Office Check		4	12	16	16	16	16								\$6,152.00
1.4.1 Present one set of prelim. plans to appropriate agencies and utilities		2	16	16	16	16	16								\$4,452.00
1.4.2 Present one set of plans to City for review		12	12	12	12	12	12	16	16	32	40				\$13,008.00
1.5 Participate in office review with City staff		18	36	36	36	36	36	20	16	32	40				\$23,718.00
1.6 Participate in public hearing		2	4	4	4	4	4								\$2,718.00
1.6.1 Publish minutes of all meetings		2	4	4	4	4	4								\$2,718.00
1.7 Present Preliminary Plans to City		12	8	8	8	8	8								\$3,948.00
1.7.1 Conduct field review		4	2	12	4	16	16								\$3,948.00
1.7.2 Draft project manual with specifications and general provisions		6	2	12	2	2	2								\$4,098.00
1.7.3 Detailed opinion of probable cost		2	2	2	2	2	2								\$2,428.00
1.7.4 Submit one paper and electronic copy of plans to the City		24	10	32	6	18	18								\$11,810.00
Subtotal															\$11,810.00
1.8 Direct Costs															
1.8.1 Survey Station															\$1,500.00
1.8.2 GPS															\$1,500.00
1.8.3 Utility Prospecting															\$1,500.00
1.8.4 O&E's 10/8/2000															\$2,000.00
1.8.5 Misc															\$150.00
1.8.6 Reproduction Costs															\$350.00
Subtotal															\$6,800.00
Total Preliminary Design		158	172	216	368	338	318	180	22	41	6				\$43,782.00
2 Final Design															
2.1 Review preliminary design documents		16	16	12	24										\$8,076.00
2.2 Address comments from preliminary review		10	16	12	16	100	8	4							\$8,728.00
2.3 Prepare final plans and contract documents		10	80	16	80	32	8								\$30,418.00
2.4 Prepare bid/award and special detail sheets		10	33	16	32	16	8								\$12,168.00
2.5 Submit final plans and specs to city and utilities		4	2	2	2	16	0								\$2,382.00
2.6 Request utility comments and schedule		4	2	2	2	16	0								\$700.00
2.7 Finalize permanent drainage and temporary construction assessment documents and submit to city		8	12	8	18	20	20	0							\$7,824.00
2.8 Prepare final bid/award construction cost estimate		6	6	6	12		8								\$3,648.00
2.9 Prepare final bid/award construction cost estimate		6	6	6	12		8								\$3,648.00
2.10 Keep minutes of meetings and distribute		2	2	2	2	2	2	0							\$760.00
2.11 Provide hard copy and electronic copy of reports and AUTOCAD plans to city		2	2	2	2	2	2	0							\$760.00
2.12 Direct Costs															
2.12.1 Message															\$150.00
2.12.2 Reproduction costs															\$210.00
Subtotal															\$4,770.00
Total		174	190	232	388	358	318	180	22	41	6				\$48,552.00

POL2006-02 CONSIDER 2007-2011 CARS APPLICATION

Background:

In order to receive CARS funds, the City must annually submit an application containing a list of streets and the estimated costs. The following streets are recommended for the five-year CARS program, 2007-2011. The Public Works Department compiled the list based on the pavement condition. The work will include where necessary full depth pavement repair, curb and gutter replacement, sidewalk repair, and milling/overlaying the pavement.

Program Year	Street Segment	Limits	Total Estimated Construction Cost	Prairie Village Cost
2007	75 th Street	Nall Avenue to Mission Road	\$1,322,000	\$661,000
		Total	\$1,322,000	\$661,000
2008	75 th Street	Belinder Avenue to Stateline Road	\$625,000	\$312,500
2008	Roe Avenue	83 rd Street to Somerset Drive	\$583,000	\$291,500
		Total	\$1,208,000	\$604,000
2009	Mission Road	63 rd Street to 67 th Street	*\$481,500	\$120,375
2009	Somerset Drive	Roe Avenue to Nall Avenue	\$648,000	\$324,000
2009	Mission Road	67 th Street to Tomahawk Road	\$234,000	\$117,000
		Total	\$1,363,500	\$561,375
2010	75 th Street	Belinder Avenue to Mission Road	\$927,000	\$463,500
2010	83 rd Street	Mission Road to Somerset Drive	\$351,000	\$175,500
		Total	\$1,278,000	\$639,000
2011	Roe Avenue	91 st Street to Somerset Drive	\$426,000	\$213,000
2011	83 rd Street	Somerset Drive to Nall Avenue	\$535,500	\$267,750
		Total	\$961,000	\$480,750

It should be noted that the City submits an application annually and can revise future year requests. Design costs are not shown.

*City of Mission Hills to participate 50%.

Financial Impact:

Funding for the 2007 Program will be presented in the 2007 Budget Request.

Recommendation:

Staff recommends that the City Council approve the 2007-2011 CARS Application.

POL2005-35 CONSIDER MUNICIPAL CODE SECTION 16-535
WATER DISCHARGES

Background:

For City Council Policy 372 *Water Discharge to City Lands* to be effective, Public Works is requesting City Council consideration a new section 16-535 for Municipal Code Chapter XVI *ZONING AND PLANNING*, Article 5 *Stormwater Management*. The suggested code is:

16-535 WATER DISCHARGES. No person shall discharge any water that is polluted, as determined by appropriate Federal, State or City laws, onto City property. No person shall discharge non-polluted water from any private property onto any City property without first obtaining a City drainage permit. No person who discharges non-polluted water shall cause a hazard, such as, but not limited to, ice, slipperiness, debris, or deterioration of any City sidewalk or City street. Any person found guilty of a violation of this section shall be subject to a penalty in accordance with City of Prairie Village Municipal Code 1-116.

The purpose of the new code is to permit discharge of non-polluted water on private property or from private property to City drainage system. The new code provides for the prevention of polluted water discharges onto city lands. Currently, there is no language in the Municipal Code relative to discharging of water or penalties for violation of these water discharges.

As part of the Municipal Code, enforcement with penalties is provided in Section 1-115 and 1-116. Section 1-116 provides for a fine of not more than \$1,000; or, imprisonment in jail for not more that 179 days; or, both such fine and imprisonment not to exceed \$1,000 or 179 days.

Financial Impact:

Any financial impact would be the receipt of any fines assessed by the City Municipal Court.

Recommendation:

Public Works staff recommends City Council approval of Section 16-535 to Municipal Code Chapter XVI *ZONING AND PLANNING*, Article 5 *Stormwater Management*.

CONSIDER CITY COUNCIL POLICY 372 WATER DISCHARGES TO CITY LANDS

Background:

The City of Prairie Village residents and Public Works frequently experiences many problems with discharge of water from sump pumps, roof drains, and swimming pools. Because of the heavy clay soils in this region of the country, the clay soil does not allow water to leach into the ground so it must often be collected and directed to a specified location.

Consequently, much of this water is discharged to the City right-of-way and causing:

1. Increased deterioration of curbs and gutters and asphalt pavement
2. Creating safety issues from water and silt on sidewalks
3. Icing of sidewalk areas in the winter
4. Icing of streets during the winter
5. Deposit of quantities of water on City right-of-way, such as park areas, thus prohibiting grass growth and potentially creating breeding areas for mosquitoes
6. Growth of fungus and attracting mosquitoes from constant water being in the gutter areas

Sump pumps are probably the biggest cause of the above problems. They are utilized by many property owners to remove the ground water that may be entering their basement areas. In some locations in the City, the sump pumps operate throughout the year, regardless of the amount of rainfall. Due to the amount of water being pumped, many property owners cannot discharge it in their yard, but have chosen to pipe it to the City right-of-way and outlet it at the back of sidewalk, curb and gutter or sometimes even cut the curb to outlet it directly to the gutter and street surface.

Additionally, some property owners have piped their down spouts to the City right-of-way. This is often done because their yard cannot handle this channelized flow. Roof drains are not as much of a problem in the City right-of-way as sump pumps, because they are only discharging water during rain events when everything is wet. However, sometimes roof drains are combined with sump pumps into one pipe that outlets in the right-of-way.

Finally, there are property owners who have piped their swimming pool drains and backwash to the City right-of-way or public lands. This has caused standing pools of water, which prevent use of the area and a potential breeding ground for mosquitoes.

Currently the City does not have a city code regulating the placement of private drainage outlets or the preventing of flow onto City right-of-way. There is City Council Policy No.380 *Sump Pump Discharge*. (Attached) Due to the continuous flow or large amount of water, City Council Policy No.380 does not work with the clay soils in the city. Without a City code or Policy, there is currently little that Public Works and Codes can do to remove these illicit discharges. Public Works has counseled property owners on how to resolve the problem with those discharges that are causing a hazard on public lands or right-of-way.

The ideal solution would be for property owners to pipe their sump pumps, roof drains and swimming pools into the City's storm water system. Some residents have asked to have their sump pumps connected to the existing sanitary sewer system. This is strictly prohibited by Johnson County Wastewater. The only other choice is the City storm drain system. Unfortunately most property owners do not have storm drain systems on their street or are a long distance from the nearest system for them to utilize. To solve this problem it would be possible to install small drainage pipe at the back of the curb/gutter and connect to a storm drain or creek outlet.

Public Works has obtained cost estimates for installing a 4-inch PVC pipe behind the curb at a depth of 30-inches. The range of cost is from \$18.00 to \$21.00 per foot. The question is should the City or the property owner or both share the cost for the installation. There is the question of who pays for the connection tap to the 4-inch pipe.

In researching what other cities do, the possibilities are:

1. The property owner pays 100% of the installation cost with the City owning and maintaining the pipe.
2. The City pays 100% of the installation cost and maintains ownership and control of the pipe.
3. The City pays 100% of the installation cost and charges the property owner a connection fee.

If the City Council approves Policy 372, Public Works will be requesting in the 2007 Capital Infrastructure Program a project for construction of these drainage pipes by the City. This project will have an initial budget that will be supplemented each year by the connection fees. The amount of installation in any given year will be limited by the available project funds.

Public Works is also recommending the City Council Policy No.380 be deleted and a new City Council Policy No.371 *Water Discharges to City Lands* be approved.

Financial Impact:

A budget of \$50,000 to install the new 4-inch PVC pipes will be included in the 2007 Capital Infrastructure Program request. The project budget will be offset by revenue from a \$25.00 per property front foot assessment.

Recommendation:

Public Works staff recommends the approval of:

- The deletion of City Council Policy No.380;
- City Council Policy No.372 *Water Discharges to City Lands*;
- A Property Front Foot Fee of \$25.00.

City Council Policy No.372 WATER DISCHARGES TO CITY LANDS

Effective Date:

Amends: NEW POLICY

Approved By:

Page 1 of 2

I. Purpose:

1. To establish policy for water discharges to City lands.

II. Responsibility:

1. Public Works Director

III. Definition:

1. "City" shall mean the City of Prairie Village.
2. "City Clerk" shall mean the City Clerk employed by the City of Prairie Village or designee.
3. "City Lands" shall mean any land owned in fee by the City of Prairie Village such as, but limited to, grounds at City buildings, City parks and City right-of-ways.
4. "Connection Fee" shall mean the fee paid by the property owner for connecting to the City storm drain system.
5. "Front Feet" shall mean the total length of the property line at the City right-of-way where the proposed pipe will be installed.
6. "Public Works Director" shall mean the Director of Public Works employed by the City or that person's designee.
7. "Storm Drain System" shall mean any City owned pipe, structure, channel or other City drain facility.
8. "Water Discharge" shall mean any water from a sump pump system, roof drain, swimming pool or any other non-polluted water.

IV. Policy:

1. Polluted water will not be discharged onto any City land.
2. The City may install and maintain ownership of any pipe on City lands used to collect private property water discharges.
3. A Drainage Permit will be required to discharge water to the City storm drain system.

4. The City will charge a front foot fee as on file in the office of the City Clerk.
5. The Public Works Director may request an annual Capital Infrastructure Program budget amount for installation of the storm drain pipe.

V. Procedure:

1. A property owner must apply to the Public Work Director for a Drainage Permit to discharge water to the City storm drain system.
2. The property owner, prior to the issuance of a Drainage Permit, will pay the connection fee that is product of multiplying the front feet by the front fee.
3. The property owner will sign an agreement indemnifying, defending and holding the City harmless from any and all damage, loss, or liability of any kind occasioned by reason of injury to persons or damage to property which may occur as a result of the City permitting the property owner to attach their water discharge pipe into a pipe owned by the City.
4. The Public Works Director will determine the location and construction details of the pipe to collect the water discharge.
5. The Public Works Director will investigate reported water discharges and may request remedial action by the property owner for non-compliance with this policy. If the property owner fails to comply, the property owner may be issued a Code Violation citation by the City Code Enforcement Officer.

POL2006-03 CONSIDER CITY COUNCIL POLICY NO. 410
TRAFFIC CONTROL DEVICES

Background:

The current policy was approved on 4 September 1984. Since that time, there have been procedural changes practiced by the Chief of Police and Director of Public Works. Some of the changes are:

- Definition of duties between the Chief of Police and Director of Public Works
- Revisions to the Manual of Uniform Traffic Control Devices
- Technology improvements in data collection and mapping
- Procedures for adding, removing and modifying traffic control devices

As a result, both departments reviewed Council Policy 410 and are suggesting modifications. Copies of the existing policy and the modified policy are attached.

Financial Impact:

No financial impact will occur.

Recommendation:

Public Works and Public Safety staff recommends City Council approval of the modified City Council Policy 410.

**GENERAL GUIDE FOR USE OF
THE UNIFORM TRAFFIC CONTROL
ORDINANCES AND DEVICES IN
THE CITY**

I. PURPOSE

The following policies and procedures are adopted to serve as a general guide for the use of uniform traffic control ordinances and devices within the City.

II. RESPONSIBILITY:

Police Chief and Director of Public Works.

III. PROCEDURE:

The City of Prairie Village has adopted the 1991 Manual on Uniform Traffic Control Devices for Streets and Highways as official policy for posting and control of traffic throughout the City under the following guidelines:

1. Whenever the word SHALL is used in the manual, it is considered a MANDATORY condition and no control will be used in conflict with these conditions set forth unless on the bases of a traffic engineering study and then approval by the Prairie Village Council.
2. Whenever the word SHOULD is used in the manual, it is considered advisable, but not mandatory. The manual should be followed in these cases unless recommendation of a traffic engineering study, order of the City Council or known and documented safety conditions exist which require variance.
3. Whenever the word MAY is used in the manual, it is considered permissive and no requirements are set forth. When possible, the City will

establish a set of policy guidelines to be followed on a routine basis in these cases.

A. Policy for Existing Controls, Ordinances and Signal devices

The traffic control devices presently used within the City have been developed throughout the incorporated history of the City and many were acquired through annexation. An updated master plan is needed and the following procedures shall be completed.

1. The Chief of Police shall be responsible for compiling a complete inventory of ALL existing traffic control devices in place within the City.
2. Upon completion of the inventory a master index of all devices shall be made. Each device shall be listed by type of sign and location. An identification number shall be given to each device suitable for entry into a master computer index system.
3. A master map shall be prepared showing the location of each device in place within the City. The map shall be constructed so that each separate use (i.e., stop sign, speed limit sign, etc.). Shall have an identification symbol and color for easy identification.
4. Upon completion of Paragraphs 1, 2, and 3, the Chief of Police and the Director of Public Works shall make a complete study of the entire system to ensure standard compliance.
5. Upon Completion of the study, recommendation will be made to the Public Safety Committee of any changes that are needed to bring controls into compliance. The Public Safety committee will make final recommendations to the City Council for approval.
6. An ordinance will be prepared and presented to the City Council for approval to adopt all control devices as required by law and repealing all previous ordinances or council requirements.
7. From date passage of the new ordinance, all pre existing Conditions are void and from that day forth this shall serve as The official authorization and inventory of uniform traffic control devices.

8. Authorization of the purchase of software or minicomputer shall be requested and all traffic control devices shall be kept on inventory file within the approved computer system.
9. A change order system shall be developed which requires that for any change in location or type of traffic control device used to replace an existing traffic control device shall be identified by inventory number and same shall be removed from the computer.
10. Any device shall be assigned an inventory control number and shall be added to the computer system.
11. No change shall take place without completion of the Requirements set forth in Paragraphs i. And j.

B. Procedures and Processing Requests for traffic Control Regulations or devices

It is understood that requests will be received to change, add to, or alter the traffic controls within the City. It is necessary to develop a standard procedure to follow in these cases.

1. A. Standard request form shall be approved that will be filled out each time a request is made or received by the City.
2. The request form shall be given to the Mayor, through the office of the City Administrator, for assignment.
3. The City Administrator will forward a copy of the request to both the Chief of Police and the Director of Public Works. Each will be required to give written recommendations on the request, based on the requirements of the manual and City Policy.
4. The Mayor will review the request and recommendations and order that the request be:
 - a. Refused and the requesting party notified;
 - b. Handled administratively and completed by City personnel;

- c. Required to have council action and forwarded to the Public Safety Committee for action.

C. Normal Controls Requiring Council Approval

The following traffic controls or devices shall no be approved or altered except on the basis of a traffic engineering study and/or approval by the City Council:

1. Speed limits;
2. Automatic traffic control devices (traffic lights);
3. Truck routes or no-through-trucks provisions;
4. Safe school routes, school zones, school pedestrian crossings;
5. Emergency snow routes;
6. Four-or three-way stop signs;
7. Any time the work shall is used in the manual and the City desires to deviate from the requirements of the manual;
8. Special routes upon public roadways.

D. Through street Designation

The City Council hereby designates that any street within the City that carries a traffic volume in excess of 7,000 cars per 24-hour period will be considered a “through street” (major traffic artery). The following regulations will apply:

1. For every intersection with a through street by a minor street, a stop sign shall be placed on the minor street requiring all vehicles to stop prior to entry across or onto the through street.
2. When two through streets intersect, traffic movements shall be controlled by an automatic traffic control device (traffic light) as recommended by an authorized traffic engineer.
3. It shall be the policy of this city that four-way stop signs shall not be used at the intersection of two designated through streets except as a temporary traffic control device.

E. Verification for Manual compliance

The City Council hereby orders that an accounting system be developed to audit the traffic control used by the City on a regular basis for protection against civil suits, which might result, by omissions. The latest study was conducted by JBM in the year 1990. It shall be the policy of this city that every five years, money shall be budgeted for the purpose of hiring an engineer to update the study and report to the Council any variance from compliance, liabilities that exist or routine recommendations of the firm.

F. Council policy for street markings

The City Council hereby recognizes the importance placed on street markings by the federal standards. They serve as a very clear and useful means to inform motorists of required movements. To ensure that the City meets and uses those control devices, the following priority policy will be adopted:

1. For every street with more than one lane in the same direction, the centerline and individual lanes will be marked as designated in the manual.
2. For every street designated as arterial, major or minor collector street, it shall be the policy of this city that the centerline be clearly marked as required by the manual.
3. That the recommended material used shall be plastic material for long-term use. Paint shall not be used except as an emergency temporary measure.
4. That the City Council understands that placing of markings is restricted to warm weather conditions and therefore orders the following procedures to ensure that priority status is given to this work to provide continuous, clear readable markings:
 - a. That every spring the Chief of Police shall order an inspection of all markings. A list of all locations needing attention will be forwarded to the Director of Public Works.
 1. An inspection will take place in late summer or early fall by the Police Department. This list will be presented to the Director of Public Works.

2. The Director of Public Works is hereby directed to make the markings of the public streets a city priority item and shall keep material in stock and assign manpower to this function on a priority basis until markings are completed.
3. From time to time changes or improvements will be scheduled in streets, which will require future removal of street markings. When street markings become worn and this area is scheduled for change, plastic markings will be used. Paint will be used to properly mark the street until construction takes place.

G. Council Policy on No Parking Restrictions

To ensure a uniform policy and procedure for the placement of "No Parking" restrictions in the city, the following shall apply.

1. Any designated through street which carries a traffic volume in excess of 12,000 vehicles per day will be posted "No Parking at any time" in such a manner as is required by the manual.
2. Any designated through street which carries a traffic volume of between 7,000 and 12,000 vehicles in any 24-hour period, shall be posted, "No parking Between the Hours of 7-9 a.m. and 4-6 p.m." (consider 7 a.m. to 6 p.m.) – In a manner required by the manual.
3. Due to expense of construction and the priority placed on moving volumes of traffic, any and all four-lane streets shall be marked "No Parking Any Time" in a manner required in the manual, regardless of the volume of traffic present.
4. Streets carrying a volume of traffic between 4,000 and 7,000 will not be automatically posted with no parking restrictions. For those streets meeting this volume of traffic, and not now posted, the following yearly evaluation will be made:

In January of each year, the Chief of Police will prepare an accident summary of those streets carrying 4,000 to 7,000 vehicles in a 24-hour period. If within a one-mile distance on said streets, five or more accidents occur which have as a direct or contributing cause, parked vehicles, the Chief of Police shall order the street to be marked for no parking according to the time period in which the accidents occur. (For the purpose of this accident count, intersection

accidents will not be included unless a parked car is involved.).

5. For those streets carrying a volume of traffic of less than 4,000 vehicles, it shall be the general policy of the City not to restrict parking along or on either side of said street. Requests will be received from residents for no parking restrictions and the following guidelines shall apply:
 - a. Public Street Business Parking Areas - If a public street is adjacent to and a normal part of the parking area to be used by the general public for a commercial development, the City will authorize two-hour parking restrictions if it is requested by more than %50 of the merchants affected. (Example: Tomahawk Road in the 4000 block.)
 - b. Public streets adjacent to commercial developments. The inconvenience caused to the residential neighborhood around commercial developments is such that the City desires to provide protection when necessary to the residents. It is also required by zoning regulations for the commercial development to provide the necessary parking spaces required as “off street” parking. The City will post restricted time parking around commercial developments under the following conditions:
 1. The time restriction will be for the normal business hours of the affected area.
 2. No restrictions shall apply on Sundays.
 3. The request must come from a street that is adjacent to the commercial development.
 4. No restriction will be considered unless a distance of one half-city block is involved.
 5. A petition signed by more than 50% of the affected residents must be presented requesting such restrictions.
 6. All residents must understand the restrictions apply to them equally as well as to those not living in the area.
 7. This policy shall also apply to areas adjacent to public or private schools within the City.
- C. Parking restrictions in Residential Neighborhoods
Requests are received regularly from persons desiring no parking restrictions within a residential

neighborhood. The general policy of this city will be to allow parking on either side of all residential streets unless a public safety condition exists. If a request is received, the following policy will be followed:

1. The Chief of Police shall order a study to determine if an actual public safety condition exists. If the safety condition is severe, a work order will be prepared for the Mayor's approval.
2. A petition signed by more than 50% of the affected residents must be presented to the City requesting said restrictions.
3. When the conditions set forth in Paragraphs a. and b. are completed, a work order will be prepared for the Mayor's approval.

6. Stop Signs in Light Use Areas

The manual does not recommend the common use of stop signs at intersections with light vehicle use. "Stop signs cause a substantial inconvenience to motorists. They should be used only when warranted." K.S.A. 8-1526 and Prairie Village Ordinance 1517, Article 10, Section 57 clearly state the "right-of-way" provisions for uncontrolled intersections. There is no requirement that the City place stop signs at intersections unless required warrants are present. It shall be the general policy of this city:

- a. Stop signs shall not be used as a speed control device unless a public safety condition exists which cannot be corrected by selective traffic enforcement. A safety condition shall exist if five or more accidents occur within a one-mile distance during a 12-month period with speed listed as the cause or contributing factor of the accident.
- b. When a stop sign is placed at an intersection without through street classification, a 24-hour traffic count will be taken. The major street will be given priority over the minor street. To deviate from this standard shall require a traffic engineering study be made to identify a public safety condition, which requires priority to the minor street.

c. Routine requests for stop signs at minor intersections will be received. The policy of this city shall be:

1. The Chief of Police will conduct an accident survey. If at any time five or more accidents are reported within a 12-month period, a public safety condition does exist and a work order will be prepared by the Chief of Police and forwarded to the Mayor.
2. The Director of Public Works shall conduct a 24-hour traffic count survey. If neither street has a 24-hour traffic count of more than 1000 cars, signs will not be authorized, unless there is a sight restriction. There will be minor intersections that other wise would not warrant a stop sign. However, a sight restriction caused by curves, grade, etc. creates a hazard and stop signs shall be used. Unrestricted at the following speeds:
 - 20 mph 100 ft.
 - 25 mph 175 ft.
 - 30 mph 250 ft.
 - 35 mph 325 ft.

If a sight restriction is present, the Chief of Police shall prepare a work order and forward it to the Mayor for approval

I. Identification Signs

The Director of Public Works shall be responsible for seeing that every intersection within the City is identified with street identification signs placed as required in the manual.

1. Signs shall be blue background with white letters.
2. On streets with overhead light arms, a street identification sign shall be posted on the overhead arm as directed by the manual.
3. Presently the sign standards used in the City have been painted City Blue. This causes an expensive and unneeded cost to the City in keeping the standards repainted. It shall be the policy of this city that natural metal standards, not susceptible to corrosion, will be used for all future installations.

J. Traffic Controls for Street and Highway Construction and Maintenance

Part IV of the manual sets forth requirements for the proper signing and marking of streets under construction and repair. It shall be the general policy to this city that

no construction or maintenance shall take place upon a public street within this city until such time as requirements of the manual are met. In addition, the following policies shall be followed:

1. Public Contracts for Street Construction or maintenance

Every contract entered into by the City shall detail the contractor's responsibility to provide signs, cones, flagmen, or any other material necessary to meet the requirements of the manual. If Public Works is to provide service, it shall be stated in the contract. It is not the general policy of this city that the Police Department control traffic around street construction sites.

2. Proper Signing, Markings and Safety Devices for City Employees I

In order to protect the City from liability and provide safety for City employees, the following requirements shall be followed for all City Employees working within the public roadway:

- a. All Public Works vehicles shall be equipped with a yellow rotating light mounted as high as possible on the vehicle. Any time such vehicle is stopped upon a public roadway, the yellow warning light shall be working.
- b. All Public Works trucks shall be equipped at all times with traffic cones. Any time a Public Works vehicle is parked within a roadway for repairs or construction, traffic cones will be placed at an angle across the lane of traffic to be blocked, a sufficient distance from the truck properly warn motorists of the closed lane and allow sufficient distance to change lanes. This will be in addition to the yellow warning lights on vehicles.
- c. If emergency repairs are to be made at night, barricades with flashing yellow lights shall be required in place of traffic cones.
- d. Any City employee assigned to direct traffic or as a flagman shall wear a reflective vest of bright orange or yellow at all times while standing upon the roadway.
- e. Due to the heavy volume of traffic on all four-lane streets, any time a lane of traffic upon a four-lane street is to be closed for more than a one-hour period, in addition to the requirements set forth in Paragraph a. through d., an automatic light arrow board shall be placed in the roadway to warn motorists of the lane being closed ahead.

3. Enforcement Responsibilities

It shall be the duty of the Director of Public Works to inspect all contracts entered into by the City for street construction and maintenance to ensure that proper signing and traffic control is provided for. A traffic control-signing plan shall be the responsibility of the contractor and shall be furnished to the City prior to work authorization. In addition, the Director of Public Works shall make an inspection of the construction site, prior to the beginning of any work, to ensure proper markings are in place and traffic controls are

present to warn, direct and safeguard all motorists passing the place of construction in accordance with the approved traffic control plan. The Director of Public Works shall order all construction to stop until such time as the requirements of this policy are met.

4. Public Utilities Working Within a Roadway

All public utilities working within a public roadway shall meet all requirements of proper warnings and signal devices required by the manual and this policy. Any public utility found working within the roadway without proper signing will be ordered to provide the required signing, or be removed until such time as it is provided.

5. Private Companies or Citizens Within the Roadway

All private companies providing a necessary service (i.e., tree trimming, driveway construction, etc.) shall be required to meet the same requirements as public contractors. City employees and public utilities. At no time shall the city provide Police or Public Works employee to direct traffic for the benefit of a private contractor. Any shall be ordered to provide the required signing, flagman, cones or barricades or remove themselves from the roadway. The Police Department shall have as its normal district patrol responsibility the enforcement of policy.

5. Police Department responsibility

Emergency traffic control shall be the responsibility of the Police Department. Emergency traffic control examples would be accident scenes, power lines down, broken water or gas lines, etc. The Police Department shall provide emergency traffic direction until such time as the proper agency has been notified and can respond to the scene. It shall then become their responsibility to provide signing required by the manual and this policy.

- a. It shall be the general policy of this city that the Police Department will not provide traffic direction at road construction or maintenance sites.
- b. No police officer shall stand upon a public roadway to direct traffic without wearing a bright orange or yellow reflective vest, a protective helmet, and at night a red traffic baton.
- c. All police officers shall have as their normal police duties the inspection of all public roadways for any public safety conditions which require immediate action to protect the motoring public. This includes all requirements set forth in this policy.

CITY COUNCIL POLICY No.410 TRAFFIC CONTROL DEVICES

Effective Date:

Amends: Council Policy No.410 General Guide for Use of the Uniform Traffic Control Ordinances and Devices in the City.

Approved By:

Page 1 of 7

I. Purpose:

- A. The U.S. Secretary of Transportation, under authority granted by the Highway Safety Act of 1966, decreed that traffic control devices on all streets and highways open to public travel in accordance with 23 U.S.C. 109(d) and 402(a) in each State shall be in substantial conformance with the Standards issued or endorsed by the FHWA.
- B. Traffic control devices shall be defined as all signs, signals, markings, and other devices used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, pedestrian facility, or bikeway by authority of a public agency having jurisdiction.
- C. This policy and procedure are adopted for the use of traffic control devices within the City.

II. RESPONSIBILITY:

- A. The Chief of Police shall be responsible for:
 1. Regulatory traffic control devices
- B. The Director of Public Works shall be responsible for:
 1. Non-regulatory traffic control devices.
 2. Reviewing contracts entered into by the City for construction and maintenance to ensure that proper signing and traffic control is provided.
 3. Reviewing work of private companies including utility entities to provide construction signing and control in accordance with the MUTCD at no cost to the City.
- C. The Chief of Police and Director of Public Works will both be responsible for complying with:
 1. Standards:
 - a. The most current edition of the Uniform Traffic Control Devices (MUTCD) as issued or endorsed by the FHWA shall be the standard for used on traffic control devices throughout the City under the following guidelines:
 - i. Whenever the word SHALL is used in the MUTCD, it is considered a MANDATORY condition and no control will be used in conflict with these conditions set forth.
 - ii. Whenever the word SHOULD is used in the MUTCD, it is considered advisable, but not mandatory. The MUTCD should be

followed in these cases unless the governing body shall consider the recommendations of City Staff and of a professional traffic engineer.

- iii. Whenever the word MAY is used in the MUTCD, it is considered permissive and no requirements are set forth. When possible, the City will establish a set of policy guidelines to be followed on a routine basis in these cases.

2. Law:
 - b. United States Code
 - c. State of Kansas Statutes
 - d. City of Prairie Village Ordinances

III. EXISTING CONTROLS, ORDINANCES AND SIGNAL DEVICES

- A. The traffic control devices presently used within the City have been developed throughout the incorporated history of the City and many were acquired through annexation.
- B. The Director of Public Works shall be responsible for compiling a complete inventory of all City traffic control devices. The inventory will list each device by type, condition and location. A map shall be maintained showing the location of each City traffic control device.
- C. The Chief of Police and the Director of Public Works shall periodically review the City traffic control devices to ensure compliance to standard and law.
- D. The Director of Public Works will make a recommendation to the City Council for any changes that are needed to bring non-regulatory traffic control devices into compliance with current laws, regulations and standards.
- E. The Chief of Police will prepare an ordinance for presentation to the City Council for approval to adopt all regulatory traffic control devices and repealing all previous ordinances or council requirements.
- F. An audit of accidents and traffic control devices in the City shall be conducted every five years by a professional traffic engineer.

IV. PROCEDURES AND PROCESSING REQUESTS FOR TRAFFIC DEVICES

- A. Requests received to change, add to, or alter the traffic controls within the City will follow this procedure:
 1. The Chief of Police will receive any request pertaining to regulatory traffic control devices.
 2. The Director of Public Works will receive any request pertaining to non-regulatory traffic control devices.
 3. The Chief of Police and the Director of Public Works will be required to give written recommendations on the request, based on the requirements of the Laws, MUTCD and City Policy.
 4. The request may be either:

- a. Refused and the requesting party notified
 - b. Handled administratively and completed by City personnel
 - c. Forwarded to the City Council Policy Services Committee for City Council approval
- B. The following traffic controls or devices shall not be approved or altered except on the basis of a traffic engineering study and approval by the City Council:
1. Speed limits
 2. Automatic traffic control devices (traffic signals)
 3. Truck routes or no-through-trucks provisions
 4. Safe school routes, school zones, school pedestrian crossings
 5. Emergency snow routes
 6. Stop signs

V. STREET DESIGNATION

- A. Any street within the City that carries an average daily traffic volume in excess of 7,000 cars per 24-hour period will be classified as an arterial street.
- B. Any street that carries an average daily traffic volume in excess of 3,500 cars per 24-hour period will be classified as a collector street.
- C. All other streets will be classified as local streets.

VI. STANDARDS

- A. Street markings
 1. The City Council recognizes the importance placed on street markings in accordance with the MUTCD. To ensure that the City meets and uses those control devices, the following standards will be adopted:
 - a. For every street designated as arterial or collector street, shall have the centerline be clearly marked as required by the MUTCD
 - b. For every street with more than one lane in the same direction, the centerline and individual lanes will be marked as designated in the MUTCD
 - c. That the Director of Public Works shall use material that is effective and appropriate for long-term use
 - d. That every spring the Director of Public Works shall order an inspection of all markings for maintenance
- B. No Parking Restrictions
 1. To ensure a uniform policy and procedure for the placement of "No Parking" restrictions in the city, the following shall apply.
 - a. Any designated street, which carries a traffic volume in excess of 12,000 vehicles per day, will be posted "No Parking at Any Time".

- b. All four-lane streets shall be marked "No Parking at Any Time" in a manner required in the MUTCD, regardless of the volume of traffic present.
- c. Any designated street, which carries a traffic volume of between 7,000 and 12,000 vehicles in any 24-hour period, shall be posted, "No Parking Between the Hours of 7-9 a.m. and 4-6 p.m."
- d. Streets carrying a volume of traffic between 3,500 and less than 7,000 will be posted with "No Parking" restrictions after City Council approval. For those streets meeting this volume of traffic, and are not now posted, the following yearly evaluation will be made:
 - i. In January of each year, the Chief of Police will prepare an accident summary of those streets carrying 3,500 to 7,000 vehicles in a 24-hour period. Those streets with five or more accidents, which have as a direct or contributing cause with parked vehicles, the Chief of Police shall request no parking restrictions for the street to be marked according to the time in which the accidents occur. (For the purpose of this accident count, intersection accidents will not be included unless a parked car is involved.)
 - ii. For those streets carrying a volume of traffic of less than 3,500 vehicles, it shall be the general policy of the City not to restrict parking along or on either side of said street. Requests received from residents for no parking restrictions will be presented to the City Council for approval.

C. Public Street Parking in Commercial Areas

- 1. If a public street is adjacent to and a normal part of the parking area to be used by the general public for a commercial development, the City will authorize two-hour parking restrictions if more than 50% of the merchants affected request the restriction.
- 2. When the inconvenience caused to the residential neighborhood around commercial developments is such that the City desires to provide protection to the residents, the City will post restricted time parking around commercial developments under the following conditions:
 - a. The time restriction will be for the normal business hours of the affected area.
 - b. No restrictions shall apply on Sundays.
 - c. The request must come from a street that is adjacent to the commercial development.
 - d. No restriction will be considered unless a distance of one half-city block is involved.
 - e. A petition signed by more than 50% of the affected residents must be presented requesting such restrictions.
 - f. All residents must understand the restrictions apply to them equally as well as to those not living in the area.

- g. This policy shall also apply to areas adjacent to public or private schools within the City.

D. Parking Restrictions in Residential Neighborhoods

1. The general policy of the city will be to allow parking on either side of all residential streets unless a public safety condition exists. When requests are received from persons desiring no parking restrictions within a residential neighborhood, the following procedure will be followed:
 - a. A petition signed by more than 50% of the affected residents must be presented to the City requesting said restrictions.
 - b. The Chief of Police shall order a study to determine if an actual public safety condition exists.
 - c. If the safety condition is severe, an ordinance for a restriction will be presented to the City Council for approval.

E. Stop Signs and Traffic Signals

1. For every intersection with an arterial street by a collector or local street, a stop sign shall be considered on the collector or local street requiring all vehicles to stop prior to entry across or onto the arterial street.
2. When two arterial streets intersect, traffic movements shall be considered for control by an automatic traffic control device (traffic signal).
3. Stop signs and traffic signals for all streets will be reviewed against the warrants in the MUTCD.
 - a. The MUTCD does not recommend the common use of stop signs at intersections with light vehicle use. Stop Signs should be used only when warranted." K.S.A. 8-1526 and Prairie Village Ordinance 1517, Article 10, Section 57 clearly state the "right-of-way" provisions for uncontrolled intersections.
 - b. There is no requirement that the City place stop signs at intersections unless required warrants are met.
 - c. It shall be the general policy of this city:
 - i. Stop signs shall not be used as a speed control device unless a public safety condition exists which cannot be corrected by selective traffic enforcement. A safety condition shall exist if five or more accidents occur within a one-mile distance during a 12-month period with speed listed as the cause or contributing factor of the accident.
 - ii. When a stop sign is approved at an intersection without an arterial street classification, a 24-hour traffic count will be taken. The higher traffic count street will be given priority over the lesser traffic count street. To deviate from this standard shall require a traffic engineering study be made to identify a public safety condition.
4. The Chief of Police will receive requests for stop signs.
 - a. The Chief of Police will conduct an accident survey. If at any time five or more accidents are reported within a 12-month period, a public safety

condition does exist and the Chief of Police will prepare a recommendation for the Council Policy Services Committee.

- b. The Chief of Police shall conduct a 24-hour traffic count survey. If neither street has a 24-hour traffic count of more than 1,000 cars, signs will not be recommended to the Council Policy Services Committee, unless there is a sight restriction caused by curves, grade, etc. creates a hazard. The sight restriction will be determined within the following distances for these speeds:
 - i. 20 mph 100 feet
 - ii. 25 mph 175 feet
 - iii. 30 mph 250 feet
 - iv. 35 mph 325 feet
5. If a sight restriction is present that can be removed, the Chief of Police shall advise the Public Works Department.

F. Identification Signs

1. The Director of Public Works shall be responsible for seeing that every intersection within the City is identified with street identification signs placed as required in the MUTCD.
2. Signs shall be blue background with white letters with the City logo.
3. On streets with overhead light arms, a street identification sign shall be posted on the overhead arm as directed by the MUTCD.
4. Metal posts will be used for all installations.

VII. TRAFFIC CONTROLS FOR CONSTRUCTION

- A. The MUTCD sets forth requirements for the proper signing and marking of streets under construction and repair.
- B. No construction or maintenance shall take place upon a public street within this city until the requirements of the MUTCD are met.
- C. Every contract entered into by the City shall detail the contractor's responsibility to provide signs, cones, flagmen, or any other material necessary to meet the requirements of the MUTCD.
 1. A traffic control plan shall be the responsibility of the contractor and shall be furnished to the Director of Public Works prior to work authorization.
 2. The Police Department shall not control traffic around street construction sites.
- D. Any time a lane of traffic upon a four-lane street is to be closed for more than a one-hour period, a light arrow board shall be placed in the roadway to warn motorists of the lane being closed ahead.
- E. A Police or Public Works Employee may provide emergency traffic control until the private contractor or utility has been notified and assume traffic control.

VIII. CITY EMPLOYEE PROTECTION

- A. In order to protect the City from liability and provide safety for City employees, the following requirements shall be followed for all City Employees working within the public roadway:
- B. All City vehicles shall be equipped with flashing warning lights any time the vehicle is stopped upon a public roadway.
- C. All City vehicles shall be equipped with traffic cones and placed into use in accordance with the MUTCD.
- D. Any City employee working in the public roadway shall wear a reflective safety vest.

CITY POLICY THAT ESTABLISHES GUIDELINES FOR THE PLACEMENT OF SCHOOL CROSSING GUARDS

POL2005-33

Policy/Services Committee

Issue:

Should the City of Prairie Village establish a policy that provides guidelines on where school-crossing guards should be placed?

Background:

On December 5, 2005, the Department provided the Committee with information regarding whether the City of Prairie Village should establish a city policy on where school-crossing guards should be placed. The Committee requested the Police Department move forward with the project.

The Department recently reviewed School Crossing Guard policies from Overland Park, Kansas; Olathe, Kansas; Thunder Bay, Canada; Province of British Columbia, Canada; Los Angeles, California Unified School District and Carrollton, Texas.

Although many of the policies were very similar, the report prepared by the subcommittee of the Public Safety Strategic Implementation Group for the City of Olathe was very impressive. Members of the committee, representing the City of Olathe Traffic Division, Police Department, crossing guard private contractor, Olathe School District, and parents participated in establishing the citywide school pedestrian safety program. The policy was prepared consistent with criteria established by the Manual on Uniform Traffic Control Devices (MUTCD), the American Association of State Highway and Transportation Officials (AASHTO) Green Book, and the Kansas Guidelines for School Crossing Guards.

The School Crossing section of the report lays out a criterion that stipulates what conditions need to be present for a location to obtain a crossing guard. Their report recommends that as conditions change so do the criteria to obtain a crossing guard. The attached pages demonstrate the recommended criteria and a flow chart that allows a better understanding of the policy.

Recommendation:

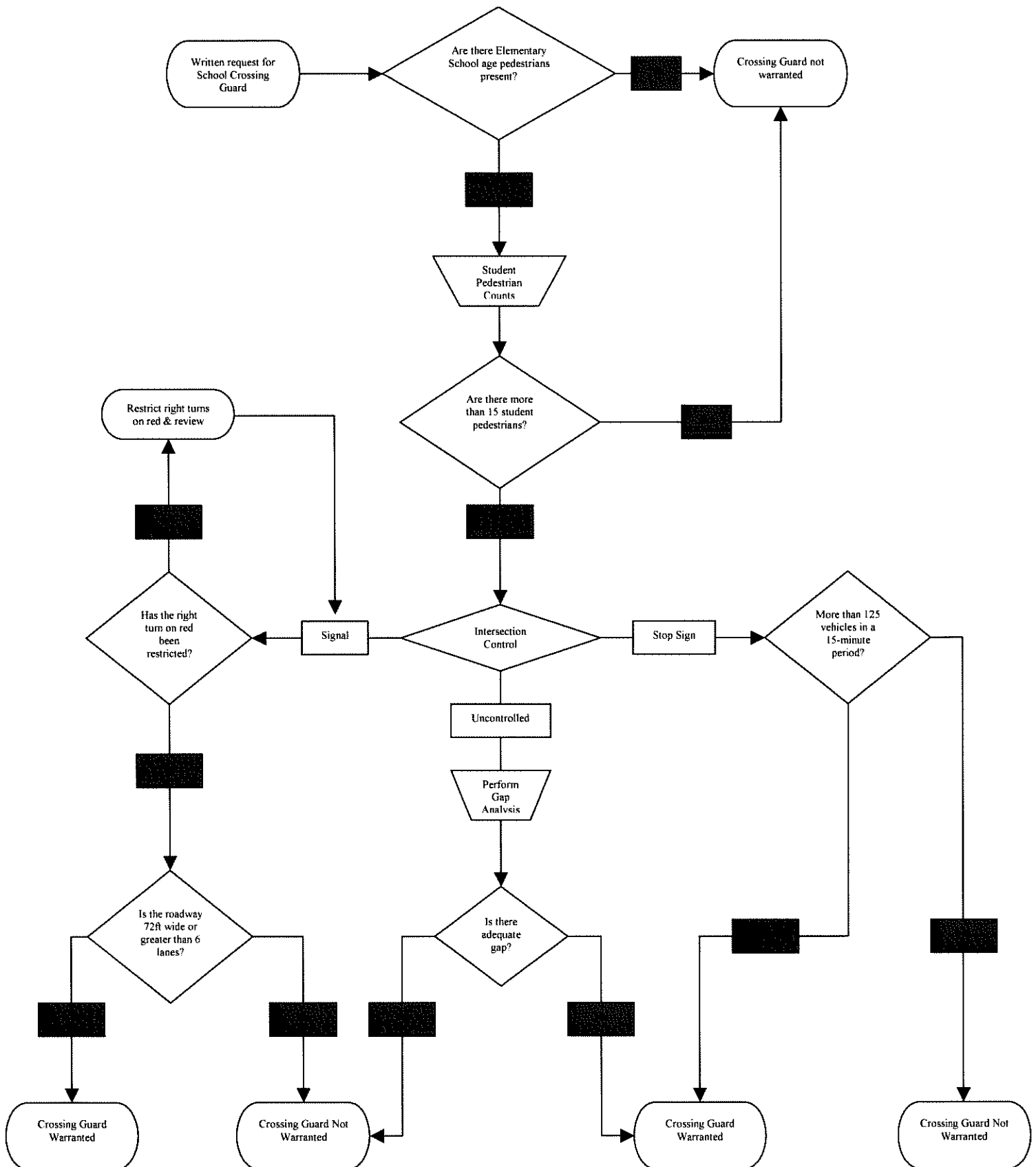
STAFF RECOMMENDS THAT THE POLICY/SERVICES COMMITTEE PROVIDE INPUT INTO THE ATTACHED CRITERIA. UPON COMPLETION OF THE DISCUSSION, THE DEPARTMENT WILL DEVELOP A CITY POLICY ON SCHOOL CROSSING GUARDS AND RETURN TO THE COMMITTEE WITH THAT DOCUMENT.

COUCROSSGUARD/L/

School Crossing Guard Criteria

1. Written request for a School Crossing Guard received by the Chief of Police that includes the names of parents whose children use the requested location.
2. Intersections must be where elementary school children cross or locations specific to elementary schools.
3. A minimum number of children present at the identified location during school crossing periods must be an average of 15 students.
4. Traffic engineering study to determine pedestrian group size, vehicle gap time, and vehicle volume at identified location.
 - a. Pedestrian group size study to determine the adequate gap time required for the 85th percentile group size for students to cross the street at a specified width at a given time.
 - b. Vehicle gap study to determine the percentage of time during the school crossing periods when adequate gaps for safe crossing exist.
 - c. Measure the volume of vehicle traffic to determine if there are more than 125 vehicles in a 15-minute period or an average of eight vehicles per minute.
 - d. Review of traffic control devices at the identified location.
5. Are there alternatives to existing traffic control devices that can be implemented to increase gap times to allow for safe crossing.

School Crossing Guard Flow Chart



TO CONSIDER COUNCIL POLICY ON ENFORCEMENT OF NO SMOKING ORDINANCE

Policy/Services Committee

POL2006-01

Issue:

The enforcement process of any new ordinance requires a three-step process. The first of course is the passing of the ordinance by the governing body. This step was accomplished December of 2005. The second part is policy direction by the governing body on how the new ordinance will be enforced. Finally, the Department Head, based on the council policy direction, provides employees with enforcement operational guidelines.

The Department recently reviewed the new ordinance as it was preparing its operational plan of enforcement. During that operational review several policy questions appeared. The Chief of Police is requesting policy direction from the Policy/Services Committee on the enforcement of the newly enacted ordinance on the following issues.

- * 11-403 (b) The issue of enforcement of employers and/or business owners on violations committed by employees and customers?
- * 11-403 (c) The issue of enforcement of an employer who has not provided a written copy of the ordinance to employee(s)?
- * 11-405 (a) In a proprietor setting should the focus of enforcement be on the owner/manager, the party actually smoking or both parties?
- * 11-405 (b) What is the enforcement level of signage that proprietors are to conspicuously affix?
- * 11-406 (a)(b) Same question as regards to enforcement?
- * Is the ordinance tolerance to be one of voluntary compliance, no tolerance or an officer discretion issue?
- * 11-407 regarding non-retaliation appears to be both a criminal and civil issue. The active criminal investigation of this subsection would appear to be out of the Police Department's expertise. Rights are usually matters controlled by civil actions.

nosmoking/l/

ORDINANCE NO. 2109

AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 4 OF THE PRAIRIE VILLAGE CITY CODE ENTITLED "SMOKING."

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS:

Section 1: Chapter 11, Article 4 of the Code of the City of Prairie Village is hereby repealed.

Section 2: Chapter 11, Article 4 of the Code of Prairie Village is hereby amended to read as follows:

11-401 PURPOSE. The Governing Body of the City of Prairie Village, Kansas finds and declares that the smoking and carrying of any lighted smoking materials in certain areas accessible to the general public is hazardous to the health, safety, and general welfare of persons and property in such areas. The purpose of this Article is to regulate smoking and the carrying of lighted smoking materials in places of employment and all public places. By enactment of this Article, the Governing Body of the City of Prairie Village seeks to promote public health by decreasing citizens' exposure to secondhand smoke and create Smoke-free environments for workers and citizens through regulation in the work place and all public places.

11-402 DEFINITIONS. The following terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) Employee: Any person who performs services for an employer, with or without compensation.
- (b) Employer: A person, partnership, association, corporation, trust, or other organized group of individuals, including the City or any agency thereof, which utilizes the services of one (1) or more employees.
- (c) Enclosed: A space bound by walls (with or without windows) continuous from the floor to the ceiling, including, but not limited to, offices, rooms, all space therein screened by partitions, which do not extend to the ceiling or are not solid, "office landscaping" or similar structures and halls.
- (d) Permanently Designated: A hotel or motel room may be designated as a smoking room only one time a year.
- (e) Place of Employment means any enclosed area under the control of public or private employer which employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges and restrooms, conference and classrooms, employee cafeterias and hallways. A private residence is not a "place of employment" unless it is used as a childcare, adult day care or health care facility.
- (f) Public Place means any enclosed area to which the public is invited or in which the public is permitted, including but not limited to, banks, educational facilities, health facilities, laundromats, public transportation facilities, reception areas, production and marketing establishments, retail service establishments, retail stores, theaters, and waiting rooms. A private residence is not a "public place" unless it also serves as a Place of Employment."
- (g) Restaurant means a building wherein food is prepared and served in ready-to-eat form to the public for human consumption, wherein alcoholic beverages may be sold for consumption and more than fifty percent of the income is derived from the sale of food. "Restaurant" includes, but is not limited to, cafe, cafeteria, grill, pizza parlor, diner, snack shop, hamburger shop and steakhouse.

- (h) Service Line means any indoor line at which one (1) or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.
- (i) Smoking means the possession of lighted smoking materials in any form, including but not limited to, the possession of lighted cigarettes, cigars, pipes, or other tobacco or other products.
- (j) Sports Arena means sports pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys and other similar places where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events.

11-403 - SMOKING PROHIBITED IN ENCLOSED PLACES OF EMPLOYMENT AND ALL ENCLOSED PUBLIC PLACES.

- (a) Smoking shall be prohibited in all enclosed places of employment within the City.
- (b) It shall be the responsibility of all employers within the City to provide a smoke-free environment in all enclosed areas accessible to employees and/or customers.
- (c) Each employer shall supply a written copy of this Article to any existing or prospective employee.
- (d) Smoking shall be prohibited in all enclosed public places within the City, including, but not limited to:
 - i. Any vehicle of public transportation, including but not limited to buses, limousines for hire and taxicabs.
 - ii. Elevators
 - iii. Restrooms
 - iv. Private residences operating as Day Care Centers pursuant to Chapter 19.34 of the Prairie Village Municipal Code.
 - v. Libraries, educational facilities, childcare and adult day care facilities, museums, auditoriums, aquariums and art galleries.
 - vi. Any health care facility, health clinics or ambulatory care facilities, including but not limited to laboratories associated with the rendition of health care treatment, hospitals, nursing homes, doctors' offices and dentists' offices.
 - vii. Any indoor place of entertainment or recreation, including but not limited to gymnasiums, theaters, concert halls, bingo halls, billiard halls, betting establishments, bowling alleys, arenas and swimming pools.
 - viii. Service Lines
 - ix. Facilities primarily used for exhibiting a motion picture, stage, drama, lecture, musical recital, or other similar performance
 - x. Shopping malls
 - xi. Sports arenas, including enclosed places in outdoor arenas
 - xii. Bars
 - xiii. Restaurants.
 - xiv. Convention facilities
 - xv. All public areas and waiting rooms of public transportation facilities, including but not limited to bus and airport facilities
 - xvi. Any other area used by the public or serving as a place of work, including open office landscaping
 - xvii. Every room, chamber, place of meeting or public assembly, including school buildings under the control of any board, council, commission, or committee, including, but not limited to joint committees or agencies of the City or any political subdivision of the State of Kansas during such time as a public meeting is in progress.
 - xviii. All enclosed facilities and vehicles owned by the City.

11-404 AREAS WHERE SMOKING IS NOT REGULATED

- (a) Private residences, not serving as enclosed places of employment or an enclosed public place.
- (b) Outdoor, unenclosed areas of restaurants, drinking establishments, and private clubs including but not limited to decks, patios, etc.
- (c) Hotel and motel rooms that are rented to guests and are permanently designated as smoking rooms; provided, however, that not more than twenty-five percent (25%) of rooms rented to guests in a hotel or motel may be so designated.

11-405 RESPONSIBILITIES OF PROPRIETORS, OWNERS, AND MANAGERS

- (a) Any proprietor, owner or manager or other person in control of a place regulated by the provisions of this article shall not knowingly permit, cause, suffer or allow any person to violate the provisions of this Article in that place.
- (b) It shall be unlawful for any proprietor, owner or manager or other person in control of a place regulated by the provisions of this article to fail to provide and permanently affix conspicuous signs clearly visible from all major public entrances advising that smoking is prohibited in the place.
 - 1. All signs which are used to identify a non-smoking area shall use the primary words No Smoking and shall also include the international no smoking symbol and shall also state Pursuant to PVMC 11-403.
 - 2. All signs which are used to identify an area in which smoking is permitted shall use the primary words Smoking Permitted and shall also include the international smoking symbol.
 - 3. All signs which are used to identify both smoking and non-smoking areas shall be placed at a height and location easily viewable by a person entering the establishment and shall not be obscured or obstructed in any manner. Signs shall be proportionally conspicuous to the size or characteristics of the entranceway. In no case shall the primary lettering and international symbol on the signs be less than one inch in height.
- (c) The absence of proper signage as required in this section shall in no manner nullify the requirements of this Article.

11-406 PENALTIES FOR VIOLATION

- (a) A person who smokes in an area where smoking is prohibited by this Article shall be guilty of an infraction punishable by a fine as set forth in Section 1-116 of this Code.
- (b) A person having control of a public place or place of employment and who fails to comply with the provisions of this Article shall be guilty of infraction punishable by a fine as set forth in Section 1-116 of this Code.
- (c) Each day on which a violation of this Article occurs shall be considered a separate and distinct violation.
- (d) In addition to the fines established in section 11-405(b) by a person having control of a public place or place of employment may also result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.
- (e) The City may further enforce this article by maintaining any action in the appropriate court for injunction to enforce the provisions of this article, to cause the correction of any such violation, for assessment and recovery of a civil penalty for such violation or to pursue other appropriate civil remedy.

11-407 NON-RETALIATION. No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this Article or reports or attempts to prosecute a violation of this Ordinance.

11-408 OTHER APPLICABLE LAWS. This article shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

POL2006-04 Consider Public Defender for Municipal Court

Issue:

Should the City hire a Public Defender to represent defendants in Municipal Court?

Background:

Kansas Statutes require Municipal Courts to provide representation to indigent defendants "If the municipal judge has reason to believe that if found guilty, the accused person might be deprived of his or her liberty." To obtain a court appointed attorney, a defendant must demonstrate inability to afford an attorney by providing the court with information regarding his/her income, assets, and expenses. The municipal judge reviews this information and appoints defense counsel on a case by case basis.

The number of defendants receiving court appointed counsel has increased significantly over the past several years. In 2001, municipal judges appointed defense counsel to four defendants at a cost of \$1,174. By 2004, this had increased to 42 defendants at a cost of over \$10,000. Estimates for 2005 are for 50 appointments of defense counsel at an expense of \$12,000. The 2006 budget anticipates City costs of \$15,000 for public defender services.

The Municipal Court maintains a listing of attorneys seeking to serve as court appointed counsel. These attorneys are assigned on a rotation basis and attorney's fees are set by the judge. At the conclusion of a case, the attorney submits a bill, the court clerks review the bill and, upon approval, the attorney receives payment.

City Staff and the Municipal Judges believe replacing the current system with a single public defender can help control costs in this volatile line item. Under the proposed system, an attorney would be hired to serve as Public Defender, receiving a set monthly salary. It is anticipated the salary would be at or below the 2006 budget of \$15,000.

This method would also reduce the administrative burden of appointing attorneys from the rotation list, reviewing and verifying payment requests, and issuing checks to multiple attorneys.

Surrounding cities were contacted to determine how they address this issue. Both methods are used. Generally, larger cities appoint a public defender while smaller ones assign defense counsel on a rotation basis. The City of Leawood adopted the proposed system several years ago and has been very pleased with the results.

If approved, the City would conduct a recruitment process, interview applicants, and negotiate a contract with an attorney to serve as the City's public defender.

Recommendation:

No formal action is necessary at this time. Rather, staff is seeking consensus from the committee before starting a recruitment process. Formal action would be taken when a contract is presented to the City Council.

**PRAIRIE VILLAGE MUNICIPAL COURT
COURT APPOINTED ATTORNEY ASSIGNMENTS**

	2001	2002	2003	2004	2005 (est)
Appointments	4	25	35	42	50
Cases	4	27	35	42	52
Cost	\$1,174	\$4,823	\$6,646	\$10,044	\$12,000

City	Public Defender	Salary	Benefits	Hours	Designated Docket	Comments
Blue Springs	None					Use Ct Appt and pay \$100 per court appt case
Dodge City	None					Interested in what info I collect
Fairway	None					Us Ct Appt and pay whatever the attorney's hourly rate is.
Grandview	Several				No. Generally at every docket.	\$50 per appointment.
Leavenworth	Two	\$12,950 each, annually	Health & dental ins		Appear every week for arrn/plea; 2x/mo for trials/sent	
Leawood	One		None	1 hr in court	One docket every other week	\$500 per docket. Ct appt was difficult tracking who appt'd, rotation of attys, billing, etc. Went to one Public Defender couple years ago and love it.
Lee's Summit	Yes	Pd by case	None		No. Generally at every docket.	Independent contractor. Pd \$75 per case for non-alcohol and non-drug related cases; \$110 per case for alcohol and drug related cases.
Merriam	None				No.	Use Ct. Appt, pay \$45/hr.
Mission	None					
Olathe	Two-PT	\$27,600 each, annually	None	5+ in court	Weekly dockets, up to 3x / week	Easier dealing w/only two, rather than several. Consistency. Don't have to worry about ea attorney getting an equal # of clients.
Overland Park	One	\$6,000/mo	None	20 hrs /wk in ct	Every day	Pub Def hires 2-3 other attorneys to help. They used to do rotation "nightmare" and spent more money on attorneys that way.
Roeland Park	None					Use Ct Appt, pay \$40/hr, def usually pays some of it
Shawnee	Yes	\$17,294.16	None	7 hrs/wk	Plea docket once per month	Weekly trials and weekly video arrn Consistency is a big plus!
Westwood	None				Once a month, decided by atty.	Use Ct. Appt, pay \$50/hr.

LEGISLATIVE/FINANCE COMMITTEE

Monday, February 6, 2006
6:00 p.m.
MULTI-PURPOSE ROOM

RUTH HOPKINS

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BILL GRIFFITH

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Consider CMB Sales at Service Stations

Issue:

Should the City amend its zoning regulations to permit the sale of cereal malt beverage (3.2% beer) at service stations? The City's zoning regulations currently state that only non-alcoholic beverages may be sold at service stations, and that the retail floor area permitted at service stations be limited to 800 sq. ft.

Background:

At its 3 January, 2006 meeting the Planning Commission considered a request from Conoco/Phillips to allow the sale of CMB at service stations. After discussion and a review of similar regulations in neighboring communities, the Planning Commission determined that the City should continue to prohibit the sale of CMB at service stations. The City Planning Consultant's briefing memo and minutes from the meeting are attached

On 17 January, 2006, Conoco/Phillips requested that the City Council consider this issue, as they have received requests from customers to sell CMB at the service station. The City has not received similar request from other service stations in the City.

This issue has been sent to the Legislative/Finance Committee for consideration. The Committee has several options:

1. Take no action, retaining the current ordinance language.
2. Ask the Planning Commission to reconsider its decision and conduct a public hearing regarding changing the zoning regulations to permit CMB sales at service stations.

MEMORANDUM

TO: Prairie Village Planning Commission
FROM: Ron Williamson, BWR, Planning Consultant
SUBJECT: Sale of Cereal Malt Beverage Products at Service Stations
DATE: January 3, 2006 **Project #** 2006-0024.01.0001

COMMENTS:

Conoco Phillips submitted a letter dated 11-30-05 requesting the Planning Commission to change Section 19.34.035.C which prevents convenience stores from selling cereal malt beverage products. The section reads as follows:

- C. Retail sale of non-automotive items of an incidental and convenience nature, limited to food and non-alcoholic beverages for human consumption, film, tobacco products, cosmetics, everyday over-the-counter pharmaceuticals, ice, detergents, novelties and gifts, toys, lottery tickets, paper products, light bulbs and minor clothing items such as caps and "T" shirts;

The ordinance further restricts the retail floor area to 800 sq. ft.

A brief check of some neighboring communities identified these requirements:

- The City of Overland Park permits the sale of cereal malt beverages at gas stations provided the business has 1,200 sq. ft. of display area and two employees on the premises at all times.
- The City of Leawood prohibits the sale of cereal malt beverages at service stations.
- The City of Lenexa does not exclude or restrict gas stations selling cereal malt beverages, but approves all commercial projects through planned districts where it can restrict uses if it so chooses. In certain districts, gasoline sales require conditional use or special use permits.

It appears that the Leawood regulation is the same as Prairie Village, and the Overland Park regulation is close, but allows the sale of cereal malt beverages with a larger square footage of display area. The Prairie Village regulation appears to be consistent with other adjacent communities.

This regulation has been in the zoning ordinance since prior to 1992. The history is that Prairie Village did not want to permit larger convenience stores/gas stations because they would detract from and not be compatible with the Village atmosphere. The philosophy apparently was to allow minimal retail sales areas and to not permit the sale of alcoholic beverages.

The sale of alcoholic beverages at gas stations creates issues of parking, signage, delivery vehicles, traffic circulation, etc., which may not be compatible with the "Village" character. Since these are neighborhood service stations, there may be some concerns about the sale of alcoholic beverages.

CONCLUSION:

The Planning Commission is not required to act on this since it is a text amendment request. Some options for the Planning Commission to consider are:

1. Think about this and take the next action at the February meeting.
2. Authorize staff to research further and prepare a staff report for the February meeting.
3. Conclude that the regulation in its current form reflects the quality of character of Prairie Village and should remain as is, and not authorize any further study.

**EXCERPT FROM JANUARY 3, 2006 PLANNING COMMISSION MINUTES
DRAFT**

Discussion of Regulations for Service Stations (19.34.050)

Ron Williamson stated the City received a letter from Conoco Phillips requesting the Planning Commission consider revisions to PVMC 19.34.035(C) which prevents convenience stores from selling cereal malt beverages.

The existing ordinance specifically lists what retail items can be sold and further restricts the retail floor area to 800 square feet. This was increased from 200 square feet.

Research of what is allowed in surrounding cities revealed the following:

- The City of Overland Park permits the sale of cereal malt beverages at gas stations provided the business has 1,200 sq. ft. of display area and two employees on the premises at all times.

- The City of Leawood prohibits the sale of cereal malt beverages at service stations.

- The City of Lenexa does not exclude or restrict gas stations selling cereal malt beverages, but approves all commercial projects through planned districts where it can restrict uses if it so chooses. In certain districts, gasoline sales require conditional use or special use permits.

It appears that the Leawood regulation is the same as Prairie Village, and the Overland Park regulation is close, but allows the sale of cereal malt beverages with a larger square footage of display area. The Prairie Village regulation appears to be consistent with other adjacent communities.

This regulation has been in the zoning ordinance since prior to 1992. The history is that Prairie Village did not want to permit larger convenience stores/gas stations because they would detract from and not be compatible with the Village atmosphere. The philosophy apparently was to allow minimal retail sales areas and to not permit the sale of alcoholic beverages.

The sale of alcoholic beverages at gas stations creates issues of parking, signage, delivery vehicles, traffic circulation, etc., which may not be compatible with the "Village" character. Since these are neighborhood service stations, there may be some concerns about the sale of alcoholic beverages.

Nancy Vennard noted sales of cereal malt beverages would create additional traffic in relatively small areas that already contain gas pumps, car wash area and store area.

Ron Williamson stated he had spoken with Police Chief Charles Grover who expressed some concern with the possible change noting that service stations generally do not practice the same diligence with checking identification prior to making sales as done by grocery store personnel.

Nancy Vennard noted there are either liquor stores or grocery stores within a block of all service stations in the City at which an individual can make liquor purchases. It is not necessary to have sales at service stations.

Robb McKim moved the Planning Commission finds the regulation in its current form reflects the quality of character of Prairie Village and should remain as is and does not authorize any further study. The motion was seconded by Randy Kronblad and passed unanimously.

**LEG2005-38 Consider proposed ordinance revisions to PVMC 19.44.025 entitled
“Height and Area Exceptions – Fences”**

Background:

On November 7, 2005, the Legislative/Finance Committee returned the proposed fence regulations to the Planning Commission for reconsideration of the following items:

1. The retaining wall setback should be eliminated because it would not allow the wall to tie back to the property line, which may defeat its purpose, and the setback area will be unusable or become a maintenance problem.
2. The 5-foot setback off the front corner of the dwelling be eliminated because it reduces the usability of the side yard.
3. The permitting process needs to be refined so that it is not too time-consuming for residents to obtain a fence permit.

The Planning Commission reconsidered these items at their January 3rd meeting. The Commission felt strongly that the flow of drainage needed to be addressed in the regulations. They noted the retaining wall setback has other purposes such as protecting a neighbor's property from a retaining wall failure, allowing enough room for excavation to construct the wall and its footing and to permit maintenance after it is constructed. It was noted the setback may not be necessary when constructing a retaining wall along the front property line, because it is adjacent to street right-of-way.

The current regulations do not allow a solid fence to be constructed beyond the rear corner of the home. The five foot setback was a compromise reached by the Commission to allow for additional fenced area while not creating a solid wall of houses and fences. It was felt that the five-foot setback would, in most cases, allow for windows to be located within the fenced area. The Commission felt this was a reasonable accommodation and provides for more fenced area than currently allowed.

The Commission members felt the regulations were important and that the city staff could refine the permitting process to address these concerns without adding significant time to the permitting process.

Commission members directed Mr. Williamson in his presentation before the Legislative/Finance Committee to review the new fence diagrams reflecting these changes.

Recommendation:

The Planning Commission has reconsidered its original recommendation based on comments from the City Council and recommends the adoption of the proposed amendments to Section 19.44.025 entitled "Fence Regulations" as presented with the following revisions:

C. Location

2. Fences, other than decorative fences, shall not be located in the front yard and shall be setback at least five (5) feet from the front corner of the dwelling.

D. Retaining Walls

1. Retaining walls shall be designed and constructed to support lateral loads. Applications for retaining walls exceeding four (4) feet in height, whether terraced or not, shall be accompanied by design calculations and plans sealed by a professional engineer licensed in the State of Kansas. Said plans shall be reviewed prior to the issuance of a building permit. Retaining walls shall set back a minimum of two feet from *side and rear* the property lines and retaining walls exceeding six (6) feet in height shall be required to be setback from *side and rear* the property lines an additional one foot for each two feet, or part thereof, in excess of six (6) feet in height, e.g., a ten (10) foot high retaining wall would be required to set back a minimum of four (4) feet from the property line. Any exceptions or deviations from this formula shall require site plan approval from the Planning Commission.

E. Drainage and Utility Easements

1. Fences and walls shall not restrict natural surface drainage nor be constructed to divert or channel water flow with increased velocity. ~~All fence applications shall be reviewed by Public Works prior to the issuance of a permit.~~
2. Fences shall not be constructed in drainage easements if they affect the flow of storm water.
3. Fences installed in a utility easement may need to be removed in order to access the utilities. Fences constructed in easements are at the risk of the owner and it shall not be the responsibility of the utility or city to replace them.

RECOMMEND THE CITY COUNCIL ADOPT AN ORDINANCE REPEALING SECTION 19.44.025 ENTITLED "FENCES" AND ADOPTING A NEW SECTION 19.44.025 ENTITLED "FENCES, WALLS AND RETAINING WALLS"

**PLANNING COMMISSION MINUTES
MEETING OF JANUARY 3, 2006**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, January 3, 2006 in the Multi-Purpose Room of the Municipal Building, 7700 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Bob Lindeblad, Randy Kronblad, Nancy Vennard, Robb McKim and Charles Clark.

... excerpt ...

**PC2005-06 Proposed Ordinance Revisions PVMC 19.44.025
entitled "Height and Area Exceptions - Fences"**

Ron Williamson stated the Legislative and Finance Committee met on November 7, 2005 to consider the proposed fence amendments. After much discussion, the Committee recommended that the City Council return the proposed amendment to the Planning Commission for reconsideration of the following items: Retaining Wall, Fence Setback and Permitting process.

Retaining Wall

The committee felt the retaining wall setback should be eliminated because it would not allow the wall to tie back to the property line, which may defeat its purpose, and the setback area will be unusable or become a maintenance problem.

The proposed Section D. Retaining Wall includes a requirement for a minimum setback of 2 feet from a property line for a retaining wall. The Council's concern is that the retaining wall would be an island and the setback area from the property line would become a maintenance problem. The setback has other purposes such as protecting a neighbor's property from a retaining wall failure, allowing enough room for excavation to construct the wall and its footing, and to permit maintenance after it is constructed. The setback may not be necessary when constructing a retaining wall along the front property line, because it is adjacent to street right-of-way.

Mr. Williamson suggested the following revision:

D. Retaining Walls

1. Retaining walls shall be designed and constructed to support lateral loads. Applications for retaining walls exceeding four (4) feet in height, whether terraced or not, shall be accompanied by design calculations and plans sealed by a professional engineer licensed in the State of Kansas. Said plans shall be reviewed prior to the issuance of a building permit. Retaining walls shall set back a

minimum of two feet from *side and rear* the property lines and retaining walls exceeding six (6) feet in height shall be required to be set back from *side and rear* the property lines an additional one foot for each two feet, or part thereof, in excess of six (6) feet in height, e.g. a ten (10) foot high retaining wall would be required to set back a minimum of four (4) feet from the property line. Any exceptions or deviations from this formula shall require site plan approval by the Planning Commission.

Fence Setback

The Committee felt the 5-foot setback off the front corner of the dwelling be eliminated because it reduces the usability of the side yard and presents security concerns for exposed bedroom windows. Also, many fences are already located off the front corner of dwellings, and this would create problems when fences are replaced.

Proposed Section C.2 Location requires a 5-foot setback off the front corner of the dwelling. This was probably the most discussed item by the Planning Commission in the proposed changes. The Council would like this requirement eliminated so that a fence could be built off the front corners as many have already been. Security and privacy were also concerns expressed by the Council, as well as the loss of usable side yard space.

Mr. Williamson suggested the following language to address the Council's concerns:

C. Location

2. Fences, other than decorative fences, shall not be located in the front yard and ~~shall be setback at least five (5) feet from~~ may be attached to or extended from the front corner of the dwelling.

Robb McKim stated he feels the setback off the front corner of the dwelling should be more than five feet. Building of fences at the front corner creates an appearance of a solid wall across the property line.

Nancy Vennard asked if the Council was aware that the existing requirement prohibits fences beyond the back edge of the home and that the 5' setback was a compromise by the Commission to allow for additional fenced area while not creating a solid wall of houses and fences. She suggested a possible revision to allow for construction of a fence at the edge of the first window addressing security concerns and providing for additional space.

Bob Lindeblad stated he does not have an objection to fences off the front corner of the dwelling.

Mr. Clark and Mr. Vaughn stated they supported the proposed revision as drafted with a 5' setback.

Ron Williamson noted the existing ordinance prohibits fences beyond the rear of the dwelling and noted this is a reasonable accommodation and provides for more fenced area than currently allowed.

Permitting Process/Easements

The Committee felt the permitting process needs to be refined so that it is not too time-consuming for residents to obtain a fence permit.

The Council was concerned about how much time it would take to get a fence or retaining wall permit because of the added Public Works review of drainage. Residents are accustomed to obtaining a permit on short notice, and this could add a significant amount of time.

Mr. Williamson suggested the following revision to address the concerns of the Council:

E. Drainage and Utility Easements

1. Fences and walls shall not restrict natural surface drainage nor be constructed to divert or channel water flow with increased velocity. ~~All fence applications shall be reviewed by Public Works prior to the issuance of a permit.~~ Fences shall not be constructed in drainage easements if they affect the flow of storm water.
2. Fences installed in a utility easement may need to be removed in order to access the utilities. Fences constructed in easements are at the risk of the owner and shall not be the responsibility of the utility or city to replace them.

Mr. Williamson noted the concern was the involvement of two different departments in the issuance of the permit. Bob Lindeblad noted that Public Works is not located in the municipal building and the Council wants to enable the resident to get a permit at one location. The question is who should issue the permit. If checked by public works after the installation and found to be in violation can it be required to be removed. Mr. Kronblad noted he felt this would be a problem as the City issued a permit. Mr. Lindeblad suggested this could be clearly stated on the permit.

Nancy Vennard asked what was needed to determine an easement. Mr. Lindeblad responded easements are indicated on plats and are generally not the problem, the problem occurs when there are swales or the property is regarded and that has to be determined by an on-site inspection.

Ken Vaughn stated he felt the Building Inspector could do the inspection and make that determination. He feels it is essential to address the impact on drainage. The problem is when this is determined after the fence is constructed.

Ron Williamson stated he had spoken with Police Chief Charles Grover who expressed some concern with the possible change noting that service stations generally do not practice the same diligence with checking identification prior to making sales as done by grocery store personnel.

Nancy Vennard noted there are either liquor stores or grocery stores within a block of all service stations in the City at which an individual can make liquor purchases. It is not necessary to have sales at service stations.

Robb McKim moved the Planning Commission finds the regulation in its current form reflects the quality of character of Prairie Village and should remain as is and does not authorize any further study. The motion was seconded by Randy Kronblad and passed unanimously.

LEG2005-38 Consider proposed ordinance revisions to PVMC 19.44.025 entitled “Height and Area Exceptions – Fences”

Issue: Should the City’s current fence regulations be revised?

Background:

After hearing a request for a fence variance in June, the Planning Commission directed the Planning Consultant to review the entire fence regulations and identify where changes may be needed. The issues addressed were types of fences, fences to be excluded from the regulations, where fences are permitted, fence dimensions, exposed fence surfaces and required permits. Other issues discussed in conjunction with the regulations were the treatment of walls and hedges, drainage and rear yard gates. The Commission discussed the individual issues at their June and July meeting and based on those discussions new regulations were drafted for consideration in August. These regulations were further revised and presented to the Citizens Advisory Committee and homes association presidents for input in September. Final revisions were made and a public hearing was authorized and held on November 1, 2005. The existing section 19.44.025 will be repealed and replaced with the new language shown below:

19.44.025 FENCES AND RETAINING WALLS

- A. Purpose and Intent**
 - 1. To buffer or screen uses that may have negative impact on adjacent uses.
 - 2. To provide privacy in outdoor spaces.
 - 3. To provide safety from hazards such as swimming pools, hot tubs, spas and other similar facilities.
 - 4. To enhance the quality of appearance of developed land use.

- B. Design**
 - 1. Appearance – Those fences which have surface material, whether it be wood, chain link, metal bars or other permitted material, attached on one side of posts and/or rails, thus producing a finished side and an unfinished side, shall be installed with the finished sides exposed toward the street and adjacent properties. When doubt exists as to which way the surface of the proposed fence shall face, the Building Official shall make the final determination.
 - 2. Prohibited Fences – The installation of barbed wire, electric and razor ribbon fences or any similar type fence shall be prohibited.
 - 3. Height – No fence shall exceed six (6) feet in height except tennis court enclosures which may not exceed twelve (12) feet in height and except fences which are located within the building envelope of a lot shall not exceed eight (8) feet in height. The height of the fence shall be deemed to be the average distance from the finished grade to the highest point on the fence panel, excluding posts which may project above the fence panel not more than eight inches. Where the terrain is not level the average dimension may, at the discretion of the Building Official, be

applied to each eight (8) foot section of the fence. Fences built in combination with retaining walls and/or berms shall not exceed the required height restrictions. In addition, fences and walls built on slopes shall comply with the required height measurement along the line of the fence location.

4. **Decorative Fences** – Decorative fences shall be designed so that they are at least 50% open and do not exceed two and a half (2 ½) feet in height. Split rail and wrought iron fences are examples of this type of fence.

C. Location

1. Decorative fences may be located in the front yard but shall be located no closer than ten (10) feet from a street right-of-way line.
2. Fences, other than decorative fences, shall not be located in the front yard and shall be setback at least five (5) feet from the front corner of the dwelling.
3. Fences located on the side street of a corner lot shall not be less than five (5) feet from the right-of-way line except that if an adjacent lot faces the side street, the fence shall be setback from the right-of-way line a distance of fifteen (15) feet or not less than one half the depth of the front yard of an adjacent building whichever is the greater setback.
4. If the rear of a through lot is fenced, a gate shall be installed to provide access to the right-of-way.
5. Diagrams depicting the location of fences on various types of lots are attached.

D. Retaining Walls

1. Retaining walls shall be designed and constructed to support lateral loads. Applications for retaining walls exceeding four (4) feet in height, whether terraced or not, shall be accompanied by design calculations and plans sealed by a professional engineer licensed in the State of Kansas. Said plans shall be reviewed prior to the issuance of a building permit. Retaining walls shall setback a minimum of two feet from the property line and retaining walls exceeding six (6) feet in height shall be required to be setback from the property line an additional one foot for each two feet, or part thereof, in excess of six (6) feet in height, e.g. a ten (10) foot high retaining wall would be required to set back a minimum of four (4) feet from the property line. Any exceptions or deviations from this formula shall require site plan approval by the Planning Commission.

E. Drainage and Utility Easements

1. Fences and walls shall not restrict natural surface drainage nor be constructed to divert or channel water flow with increased velocity. All fence applications shall be reviewed by Public Works prior to the

issuance of a permit. Fences shall not be constructed in drainage easements if they affect the flow of storm water.

2. Fences installed in a utility easement may need to be removed in order to access the utilities. Fences constructed in easements are at the risk of the owner and shall not be the responsibility of the utility or city to replace them.

F. Permits Required

1. All fences, walls and retaining walls as defined herein, unless otherwise excepted, shall require a building permit. No fence may be erected, constructed or replaced until said permit has been procured from the Building Official. The Building Official may allow minor deviations and adjustments relative to the dimensions set out in this section where topographic or other natural features, utility locations, meters, trees or other conditions so warrant and where the spirit and intent of this section will be preserved.
2. Enclosures erected around compost piles in compliance with the conditions set forth in Chapter 15. Article 3 of the City Code is excluded from these regulations and shall not require a permit.

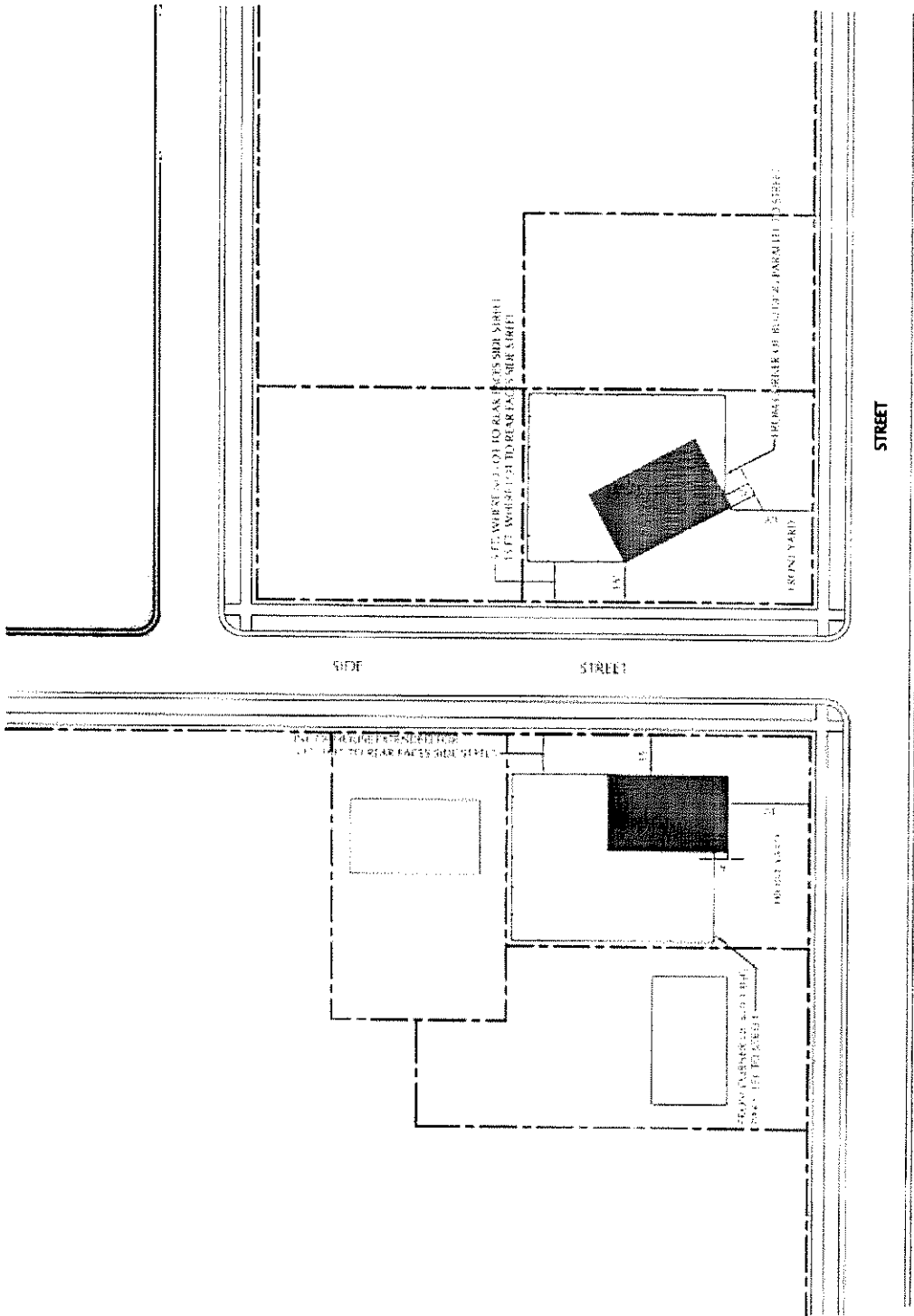
G. Site Plan Approval

1. As a part of the site plan approval process as set out in Section 19.32 Site Plan Approval, the Planning Commission may make adjustments to the height and location of fences, walls and retaining walls provided that it results in a project that is more compatible, provides better screening, provides better storm drainage management, or provides a more appropriate utilization of the site.
2. An application may be made to the Planning Commission for site plan approval of a fence that is unique and does not have the locational or design characteristics set out in these regulations.

Also revised were the attached exhibits demonstrating the permitted location of fences. Included with this memo are copies of Planning Commission minutes reflecting discussion of this issue.

RECOMMENDATION

RECOMMEND THE CITY COUNCIL ADOPT AN ORDINANCE REPEALING SECTION 19.44.025 ENTITLED "FENCES" AND ADOPTING A NEW SECTION 19.44.025 ENTITLED "FENCES, WALLS AND RETAINING WALLS"



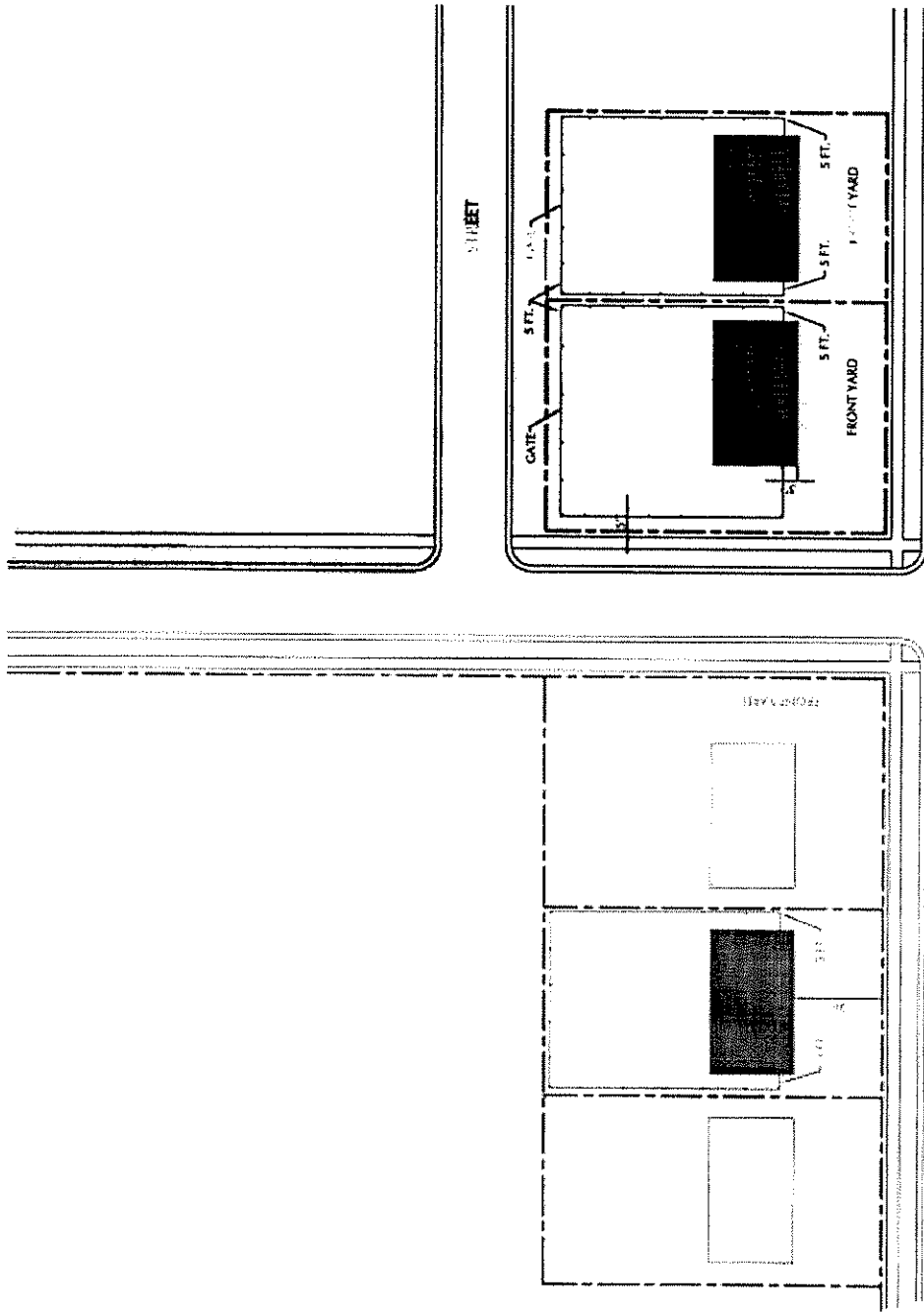
FENCE REGULATIONS
 PRAIRIE VILLAGE, KANSAS



CORNER LOT -
LOT IN REAR FACING SIDE STREET

CORNER LOT -
NO LOT FACING SIDE STREET

FENCE STANDARDS
PRAIRIE VILLAGE, KANSAS



F NC STANDARD

**The City of Prairie Village
Compensation Objectives**

January 2006

The City of Prairie Village Compensation Objectives

Statement of Commitment

In 2005, the City of Prairie Village began a comprehensive Compensation study. The purpose of this study is to provide the City Council, management and employees with a guide to govern decisions that affect pay, benefits and non-monetary rewards. Below is the definition of “Total Compensation” that the City will use when referring to compensation.

Total Compensation is defined as:

- Monetary Compensation (direct compensation) – base pay, performance increases, pay supplements and other pay.
- Indirect Compensation – employee benefits that have a monetary value, including health care coverage, dental coverage, a retirement program, paid vacation and designated holidays.
- Non-monetary rewards and recognition – both tangible and intangible rewards, including, learning opportunities and a positive work environment.

Each aspect of the total compensation equation contributes to the overall work life of the City’s employees. The following sections of this document present the City’s current Compensation practices alternatives to consider in determining its Compensation Philosophy going forward. Unless indicated otherwise, references to ‘compensation’ refer to the City’s ‘total compensation’ components.

1. **Market Positioning** – is defined as the level in the labor market at which the City chooses to place its salary ranges and benefits with respect to its competitors for human resources (e.g. Median/50th percentile, 75th percentile, etc.).
 - a. The City’s current practice is to position pay range minimums and maximums at the median of the MARC survey.
 - i. An alternative approach is to develop salary ranges based upon a broader base of surveys for municipalities in the greater Kansas City area. In addition, the City may wish to consider utilizing specific pricing parameters for non-exempt, exempt and managerial positions that are portable from the municipality market to the private sector market. An advantage to using additional resources in developing a salary program is that it allows the City to compete for talent with a broader base of organizations such a private industry, especially for exempt and managerial positions that are found in all types of organizations including municipalities. Adopting such an approach allows for a broader candidate selection pool. A potential downside of this approach is that more competitive salary ranges may be more costly to adopt and may also require the City to implement them in phases, minimizing or spreading potential bring-to-minimum adjustments over several years.

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- ii. The City should strive to review the compensation data from the relevant markets on a periodic basis. Moving salary ranges annually is advisable to ensure that they remain at levels competitive with the defined labor market year-over-year. Additionally, it is recommended that a compensation study is conducted every third year to ensure that any specific market pressures on job families or market trends are incorporated into the new year's salary structure. A downside of retaining static salary ranges is that over time, the City will erode its competitive positioning with respect to its defined labor market(s).
 - iii. With the volatility of costs associated with benefits, an alternative practice for developing and periodically 'pulse checking' the portfolio of benefits offered by the City is to conduct a benefits prevalence study to determine what municipal competitors are providing their employees. After this is completed, determine the costs (either added or saved) by amending the portfolio of benefits. A downside of retaining static benefits is that over time, the City will erode its competitive positioning with respect to its defined labor market(s).

2. Basis of Job Valuation – is the method utilized by the City to categorize jobs for creating job grades or other forms of hierarchy on which to base job actions (promotions, lateral job moves and demotions). It is also used to create a means by which internal equity between jobs can be measured. The two primary methods for establishing job value are market pricing and job evaluation. Marketing pricing is based upon prevailing labor/salary rates. This method is more 'market sensitive' to changes in market values but may result in changes to the job hierarchy from year to year that may be difficult to explain to management and employees. With a formal job evaluation system (such as a point-factor weighting system) the effects of the market are not taken into consideration in the establishment of the job worth. This process is based on a quantifiable method for measuring a job's worth or job 'weight'. A grade structure is often used with this approach **after** which, salary ranges are established and assigned to the job grades.

- a. The City currently employs a market pricing-based system and strives to ensure that positions' are properly ranked within the job structure and therefore conducts periodic 'pulse checks' of the market between intervals of formal market study.
 - i. The City has opted to employ a market pricing-based pay system during the course of the current compensation study. This is a well defined and accepted approach to ensuring market competitiveness.
 - ii. At some future date, the City may wish to consider the implementation of a formal job evaluation system based on internal job worth on which to base internal job equity, and then study the labor/salary market to develop salary ranges for respective salary grades. This methodology would minimize the effects of the market on how jobs are leveled or graded (avoids the potential of jobs shifting in relation to each other every year). This approach is not a component of the City's current Compensation Study.

3. Pay Mix- defined as the manner and ratio in which base salary, variable compensation (cash incentives) and benefits are offered/paid to employees. Variable compensation and benefits

are usually expressed as a percent of base salary. There are no ‘formal’ guidelines as to what an organization should adopt for establishing the ratio of base pay to incentives and benefits. The factors that help determine how the organization configures its pay components are first and foremost, the organization’s ability to pay for base salary, incentive and benefits programs. Next most important in balancing the pay mix portfolio, is to determine what is valued by the employees. This will be affected by employee demographics such as age, tenure, number of dependents, etc.

- a. The City is committed to aligning the base pay and benefits opportunities with the relevant market data and with the City’s ability to pay for such programs. The City does not currently offer any structured variable compensation programs.
 - b. Generally, organizations target base pay opportunities to be competitive at median or average levels. Benefits prevalence of competitive organizations is usually studied then costs and desirability of select benefits are studied and chosen. These are well established approaches to determining the total compensation mix.
4. **Reward Focus** – is defined as the process by which periodic salary adjustments are applied. In most cases and for most organizations, this consists of annual merit awards based upon attaining organization and/or personal performance goals.
- a. Currently, each department employs some form of performance appraisal process to monitor the attainment of individual goals and objectives and provides the foundation for allocating pay within a respective department for each employee. This is usually tied to department goals and specific goals for each employee.
 - i. Due to lack of a uniform City-wide performance management program, the current process does not ensure consistent performance measurement and pay allocation equity across departments. A more effective approach would be the use of a single performance management program/process across the City’s departments that is based on overall City objectives and that respective job’s/employee’s contribution to achieving those objectives. This approach would also move the City’s departments and employees to a more team-oriented approach as they work toward common goals. This type of system would also greatly enhance the City’s ability to ensure consistent performance measurement standards and consistent allocation of merit-based pay.

Compensation Philosophy Statement Example to Consider:

The City of Prairie Village is committed to providing competitive compensation and benefits to its employees based upon its ability to pay and based on prevailing rates and prevalence within its defined markets.

Market(s):

- **For pay purposes**, salary ranges will be set at median rates when compared to municipalities and organizations determined to be competitors for employees
 - **Management Positions** - the City competes nationally for department heads and management therefore, national surveys as well as municipal survey sources are included when developing salary ranges.
 - **Exempt Positions** – Positions below the management level but exempt for overtime purposes. The city competes regionally and locally for this talent pool. Therefore, surveys covering positions in the Midwest region and local municipalities will be used to develop salary ranges for this group.
 - **Non-exempt Positions** – The City competes locally for positions that are eligible for overtime pay. Therefore local salary surveys and municipal surveys representing the Greater Kansas City area will be used to develop salary ranges for this group of employees.
 - **Salary ranges** – will be reviewed annually and based on the City’s ability to pay, pay ranges will be moved at rates consistent with the markets defined above. Periodically, market studies will be conducted to determine if the relative relationship of jobs has been impacted by market conditions. This will be conducted on an interim basis as needed but no longer than every three years for all jobs.
- **For benefits purposes**, the City will determine its benefit offering based on the benefits prevalence of a representative group of Greater Kansas City area municipalities and local private sector organizations (TBD). Once a desired benefits portfolio is determined, the City will establish the associated costs of providing these benefits and establish equitable cost-sharing levels for City and employees. The benefits portfolio costs will be determined annually and cost-sharing apportioned appropriately. Benefits prevalence will be assessed at a minimum of every three years.
- **Employee performance** will be assessed at least annually, using a process uniformly applied to all City employees. Annual salary adjustments will be determined based upon the City’s ability to pay, prevailing market rates, the employee’s individual performance evaluation and internal equity as assessed by the City’s Human Resources department.

**TO CONSIDER THE PLACEMENT OF “NO STANDING”
REGULATORY SIGN FOR THE DRIVEWAY OF 3535
SOMERSET DRIVE**

LEG2006-02

Legislative/Finance Committee

Issue:

Should the City of Prairie Village place “No Standing” regulatory signs to control the driveway approach to 3535 Somerset Drive?

Background:

The Police Department recently received a request from the Director of Public Works, which requested the placement of “No Standing” signs in a 20 foot zone on either side of the driveway entrance to their facility.

The reason for the request stems from a problem of limited vision of Public Works vehicles as they exit their driveway onto Somerset Drive. The limited vision is caused by the Preschool business that exists just east of the aforementioned driveway location. The business does not have the parking lot capacity required to temporarily store vehicles that are at that location to pick up students. Thus, vehicles are stopped on the south side of Somerset in a westerly direction as they wait for vehicles to exit the business parking lot. This process causes a backup west of the business to the point that it blocks the clear view triangle that is necessary for vehicles to exit safely from Public Works.

The Manual of Uniform Traffic Control Devices (MUTCD) does not have warrants for the placement of such signs. City Council Policy #410 regarding traffic control devices does not address “No Standing” signs.

Recommendation:

STAFF RECOMMENDS THAT THE CITY OF PRAIRIE VILLAGE APPROVE THE PLACEMENT OF “NO STANDING” SIGNS 20 FEET EAST AND WEST OF 3535 SOMERSET DRIVE.

Counostanding//

TO CONSIDER AN INCREASE IN THE RATE THE CITY CHARGES FOR OFF-DUTY CONTRACTUAL EMPLOYMENT OF POLICE OFFICERS

LEGISLATIVE/FINANCE 2006-1

Issue:

Should the City of Prairie Village approve an increase in the rate it charges for off-duty contractual employment for Police Officers?

Background:

City Council Policy #440 authorizes Prairie Village Police Officers to work off duty within the City as Police Officers. The purpose of this policy as stated is to provide a means to “increase law enforcement presence within the community by allowing Police Officers to perform duties for private employers while wearing the Police uniform and equipment, thereby reducing crime within the community.”

On September 15, 1992, Police Department Written Directive 6.2, Off-Duty Contractual Employment, became effective and is the controlling document regarding such work by Police Officers. Due to the installation of that policy, a formula for charging a private entity was approved by the City Council. The formula established the cost per hour for a Police Officer while working off duty as being the time and one-half rate of all non-exempt Police Officers who can work such contractual engagements, and an override which includes FICA, insurance and a vehicle allowance.

The 2005 rate established last year was \$37.10 per hour. This rate was determined by the City Council using the previously approved aforementioned formula. In 2005, the Department worked total of 1,306 hours in off-duty contractual work in 233 events.

The following is the current analysis of costs per hour for 2006:

Average overtime rate for non-exempt Police Officer	\$36.14
FICA costs	2.76
Insurance - Line Item 30-5120/hours worked	\$ 0.50
Vehicle costs in 25-5190 and 25-6320	\$ 0.55
TOTAL COST	\$39.96

Recommendation:

Staff recommends that in order to ensure the City receives the correct hourly rate of remuneration established in the previous aforementioned formula, the rate charged for such off-duty contractual services per hour be increased to \$39.96 per hour, upon appropriate notification to private entities that contract with the Police Department for such services.

CFG:
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LEG2006-03 CONSIDER REQUEST FOR FUNDING FROM JOHNSON COUNTY FOR SMOKING SURVEY

Issue: Partnering with Johnson County to conduct a Countywide survey to evaluate current customer behaviors; impact on customer behaviors if smoking is restricted; impact on employment.

Background:

Johnson County Commissioner Dolores Furtado, Commissioner of the Fourth District, is asking cities in the County to participate in the cost of a survey to determine how Johnson County residents would react if a "No Smoking" Ordinance is approved for the entire County. Commissioner Furtado chairs the Health of the Public and Wellness Task Force initiative to restrict smoking in Public Places in Johnson County, including restaurants and bars.

The Model Ordinance developed by the Task Force is attached; it is similar to the one adopted for Prairie Village.

After reviewing activities in the county, the Task Force decided there is a need for a citizen survey, jointly funded by cities and the county, to learn how county residents react to the current situation and how they would react if smoking were restricted. Popular opinion indicates that citizens would cross the state and/or county line if they could not smoke in businesses in this county. The Task Force would like to find out if that perception is correct.

They propose to retain ETC Institute to conduct a statistically valid survey with questions such as:

- Do you currently dine in establishments that allow smoking in a designated area?
- Would you refuse to patronize a business that did not allow smoking?

ETC would conduct 800 ten minute interviews for a cost of \$13,760. The County would like a commitment from Prairie Village to provide \$500 toward the cost of the project.

This amount is not budgeted, If participation is approved, it would be a \$500 reduction of the Fund Balance for 2006.

No Smoking Model Ordinance Kansas City Metro Area

This sample ordinance is a tool for use by local communities throughout the Kansas City metropolitan area. Officials from the cities of Kansas City, MO and Overland Park worked with other community representatives to draft the model ordinance, and attorneys from both cities reviewed the draft for legal form. The model ordinance is drawn from numerous examples of existing statutes, best practices and widely accepted public health standards.

This draft model ordinance would create Smokefree Air in public places and work places by prohibiting smoking in all such places including, but not limited to:

- Public/indoor workplaces
- Health care facilities
- Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities.
- Facilities primarily used for exhibiting a motion picture, stage performance, drama, lecture, musical recital, or other similar performance.
- Shopping malls
- Sports arenas, including enclosed places in outdoor arenas.
- Bars
- Restaurants
- Casinos

Exemptions:

- Not more than 25% of Hotel/Motel rooms rented to guests may be designated as smoking rooms.
- Private residences.

Representatives from the area restaurant and hotel/motel association were contacted, and they suggested that broad adoption of consistent provisions across the metro area would minimize the impacts on individual businesses.

It has been suggested that local communities could include a "triggering" mechanism with the adoption of their ordinance. Possible triggering concepts that have been discussed include authorizing the ordinance to go into effect only after a number of cities representing a minimum population base pass a similar ordinance, or establishing an effective date for the ordinance that is 12 -18 months, which could give other jurisdictions time to pass the same ordinance with the same effective date. Such a triggering mechanism could be problematic if different versions of the model ordinance are adopted by area cities.

Model Ordinance Smoking prohibited in public places.

Purpose

- (a) It is the purpose of this Regulation/Ordinance that the City promotes public health by decreasing citizen's exposure to secondhand smoke and creates Smokefree environments for workers and citizens through regulation in the work place and all public places.

Definitions

- (a) For the purposes of this Regulation/Ordinance, the following words shall have the meanings respectively ascribed to them by this paragraph:

Employee: Any person who performs services for an employer, with or without compensation.

Employer: A person, partnership, association, corporation, trust, or other organized group of individuals, including the City or any agency there of, which utilizes the services of one (1) or more employees.

Enclosed: A space bound by walls (with or without windows) continuous from the floor to the ceiling and enclosed by doors, including, but not limited to, offices, rooms, all space therein screened by partitions, which do not extend to the ceiling or are not solid, "office landscaping" or similar structures and halls.

Permanently Designated: A hotel or motel room may be designated as a smoking room only one time a year.

Place of Employment means any enclosed area under the control of public or private employer which employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges and restrooms, conference and classrooms, employee cafeterias and hallways. A private residence is not a "place of employment" unless it is used as a childcare, adult day care or health care facility.

Public Place means any enclosed area to which the public is invited or in which the public is permitted, including but not limited to, banks, educational facilities, health facilities, Laundromats, public transportation facilities, reception areas, production and marketing establishments, retail service establishments, retail stores, theaters, and waiting rooms. A private residence is not a "public place."

Service Line means any indoor line at which one (1) or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.

Smoking means inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe or other tobacco product.

Sports Arena means sports pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys and other similar places where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events.

Prohibition of Smoking in Enclosed Places of Employment and all Enclosed Public Places

- (a) Smoking shall be prohibited in all enclosed places of employment within the City.
- (b) It shall be the responsibility of employers to provide a smoke-free workplace for all employees.

Each employer having any enclosed place of employment located within the City shall adopt, implement, make known and maintain, a written smoking policy which shall contain the following requirements:

Smoking shall be prohibited in all enclosed facilities within a place of employment without exception. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.

- (c) The smoking policy shall be communicated to all employees within four (4) weeks of the adoption of this ordinance.
- (d) All employers shall supply a written copy of the smoking policy upon request to any existing or prospective employee.
- (e) Smoking shall be prohibited in all enclosed public places within the City, including, but not limited to, the following places:
 - i. Any vehicle of public transportation, including but not limited to buses, limousines for hire and taxicabs.
 - ii. Elevators.
 - iii. Restrooms.
 - iv. Libraries, educational facilities, childcare and adult day care facilities, museums, auditoriums, aquariums and art galleries.
 - v. Any health care facility, health clinics or ambulatory care facilities, including but not limited to laboratories associated with the rendition of health care treatment, hospitals, nursing homes, doctors' offices and dentists' offices.

- vi. Any indoor place of entertainment or recreation, including but not limited to gymnasiums, theaters, concert halls, bingo halls, billiard halls, betting establishments, bowling alleys, arenas and swimming pools.
- vii. Service Lines.
- viii. Facilities primarily used for exhibiting a motion picture, stage, drama, lecture, musical recital, or other similar performance.
- ix. Shopping malls.
- x. Sports arenas, including enclosed places in outdoor arenas.
- xi. Bars.
- xii. Restaurants.
- xiii. Convention facilities.
- xiv. All public areas and waiting rooms of public transportation facilities, including but not limited to bus and airport facilities.
- xv. Any other area used by the public or serving as a place of work, including open office landscaping.
- xvi. Every room, chamber, place of meeting or public assembly, including school buildings under the control of any board, council, commission, committee, including, but not limited to joint committees, or agencies of the City or any political subdivision of the state during such time as a public meeting is in progress, to the extent such place is subject to the jurisdiction of the City,
- xvii. All enclosed facilities owned by the City.
- xviii. Rooms in which meetings or hearings open to the public are held, except where such rooms are in a private residence.

Where Smoking is not Regulated:

Notwithstanding any other provision of this Regulation/Ordinance to the contrary, the following areas shall not be subject to the smoking restrictions of this Regulation/Ordinance:

- (a) Private residences, not serving as enclosed, places of employment or an enclosed public place.
- (b) Hotel and motel rooms that are rented to guests and are permanently designated as smoking rooms; provided, however, that not more than twenty-five percent (25%) of rooms rented to guests in a hotel or motel may be so designated.

Responsibilities of proprietors, owners and managers.

- (a) The person having control of a place shall not knowingly permit, cause, suffer or allow any person to violate the provisions of this Regulation/Ordinance in that place.
- (b) The person having control of a place shall clearly and conspicuously post "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) at every entrance and every place where smoking is prohibited by this Regulation/Ordinance. Such signage shall consist of letters not less than one inch in height.

Penalty for violation of Regulation/Ordinance

- (a) A person who smokes in an area where smoking is prohibited by the provisions of this Regulation/Ordinance shall be guilty of an infraction, punishable by a fine not exceeding fifty dollars (\$50).
- (b) A person having control of a public place or place of employment and who fails to comply with the provisions of this Regulation/Ordinance shall be guilty of an infraction, punishable by:
 - 1. A fine not exceeding one hundred dollars (\$100) for a first violation.
 - 2. A fine not exceeding two hundred dollars (\$200) for a second violation within one (1) year.
 - 3. A fine not exceeding five hundred dollars (\$500) for each additional violation within one (1) year.
- (c) Each day on which a violation of this Regulation/Ordinance occurs shall be considered a separate and distinct violation.
- (d) In addition to the fines established by this Section, violation of this Regulation/Ordinance by a person having control of a public place or place of employment may result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.

Nonretaliation.

- (a) No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this Regulation/Ordinance or reports or attempts to prosecute a violation of this Regulation/Ordinance.

Other Applicable Laws.

- (a) This Regulation/Ordinance shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

Enforcement of Regulation/Ordinance.

- (a) The authority to administer the provisions of this Regulation/Ordinance is vested in the *(insert correct office here)* and his/her duly authorized representatives.
- (b) Whenever the need arises, the *(insert correct office here)* may call upon the fire and police departments and other departments of the city to aid in the enforcement of the provisions of this Regulation/Ordinance.
- (c) Notice of the provisions of this Regulation/Ordinance shall be given to all applicants for a business license in the City.
- (d) Any citizen who desires to register a complaint under this Regulation/Ordinance may initiate enforcement with the *(insert correct office here)*.

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, February 6, 2006
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 – January 17, 2006.
2. Claims Ordinance Number 2623
3. Approve the disposal by auction of Assets 1036, 1051, 1340, and 1533.
4. Approve the purchase from Shawnee Mission Ford two Ford F350 1-Ton Diesel Dump Maintenance Trucks for \$102,131.28, one F350 1-Ton Diesel Gasoline Service Truck for \$13,868.72 and transfer \$4,000.00 from Public Works Street/Drains to Public Works Vehicle Maintenance. Approve disposal of Trucks 0468, 1260 and 1305 by auction.
5. Approve of Engineering Change Order #1 for a deduction of \$16,222.88 in Project 190841 Construction Administration Agreement with Affinis Corp.
6. Approve of Engineering Change Order #1 for a deduction of \$25,708.31 in Project 190847 Construction Administration Agreement with Affinis Corp.
7. Approve of Engineerig Change Order #1 for a deduction of \$2,083.57 in Project 190848 Construction Administration Agreement with Affinis Corp.
8. Approval of the City Council for the Mayor to sign the 2005 Annual Report and the 5-year Program.
9. Approve the disposal of fixed assest #00931 “JVC Pro LCD Projector” either by auction or by destruction.
10. Approve Council Policy Number 050 entitled “Reservation of City Facilities” as revised.
11. Approve Charter Ordinance No. 22.

V. COMMITTEE REPORTS

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.

If you are unable to attend this meeting, comments may be received by e-mail at cityclerk@PVKANSAS.COM

CONSENT AGENDA

CITY OF PRAIRIE VILLAGE, KS

Monday, February 6, 2006

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
January 17, 2006**

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, January 17, 2006, at 7:30 p.m. in the Council Chambers of 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, Greg Colston, Andrew Wang, Laura Wassmer, Pat Daniels, Jeff Anthony, Wayne Vennard, Diana Ewy Sharp and David Belz.

Also present were: Barbara Vernon, City Administrator; Charles Wetzler, City Attorney; Charles Grover, Chief of Police; Bob Pryzby, Director of Public Works; Stephen Horner, Assistant City Attorney; Ron Williamson, City Planning Consultant; Doug Luther, Assistant City Administrator; Josh Farrar, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

PUBLIC PARTICIPATION

Mayor Shaffer introduced and welcomed the City's new Finance Director, Karen Kindle. Mayor Shaffer noted Karen was previously employed by the City of Overland Park.

Stan Plessner, 7938 Canterbury, addressed the Council on the sidewalk requested for Canterbury. He noted that on December 5th, he presented to the City Council a petition requesting additional information related to the proposed sidewalk. At that meeting, it was stated it would take time to gather the information for review by the Council. Mr. Plessner stated he was surprised to learn that the City Council took action on the sidewalk at the December 19th Council meeting without notifying the residents. Minutes from that meeting reflected the City Attorney had stated the petition was not legal.

Charles Wetzler advised the Council what he meant by his statement was not that the petition was illegal, but that it actually is a request for information, not a petition requiring Council action. During Council consideration, Mr. Pryzby advised the Council it would cost approximately \$5,000 to \$10,000 to get the information requested as once

the Council initially voted not to construct a sidewalk on Canterbury, no design work was completed. Mr. Plessner questioned the cost given by Mr. Pryzby stating he felt a letter from the City's engineer could provide the information requested.

One of the questions raised addressed safety concerns with locating the sidewalk on the west side. Mr. Plessner stated he had a letter from the school district's director of bus transportation stating students are dropped off on the east side of Canterbury because it is not safe to drop them off on the west side.

Mr. Plessner noted the petition also addressed the additional costs that would be incurred in the construction of the sidewalk on the west side because of the slope of the land on that side and existing trees and landscape. He stated if Council would drive down Canterbury it would be obvious that the sidewalk should be constructed on the east side.

Mr. Plessner stated if after a complete review of the issues raised by their petition, the decision remained to construct the sidewalk on the west sidewalk, he felt it would be an injustice and an abuse of the resident's civil liberties. He stressed he wants to work with the City to address this issue and construct a sidewalk that is both safe, cost effective and minimally intrusive to the residents. If this can not be done, he strongly encourages the Council not to "rub salt into the wounds" created by this situation and not construct the sidewalk at all.

Carole Plessner, 7938 Canterbury, said as a 40-year resident of the City she is concerned with the lack of responsiveness of the City to its citizens. She was particularly upset that a decision was made by the City Council without any notification to the residents impacted and involved in that decision. Mrs. Plessner questioned how many of the Council members had taken the time to drive down Canterbury and see the concerns expressed by the residents. At the end of the Council meeting on December 5th, the residents asked Council members to visit their street. Mrs. Plessner thanked Councilman Belz for doing so.

Mrs. Plessner questioned Mr. Pryzby's determination that all of the signatures on their petition were not valid and yet did not question the validity of signatures on an earlier petition which included an individual whose house was under contract for sale.

She noted Mr. Pryzby stated he had visited with residents on the east side regarding the proposed sidewalk and noted he did not return calls from residents on the west.

Mrs. Plessner stated she does not feel she should have to do her own research when asking for information from the City as she was advised by the City Administrator. She noted she would like to come up to City Hall and be provided the information she requested.

Mrs. Plessner closed her comments by reading the previously mentioned letters from the Laidlaw Bus Company regarding their decision to only let students off on the east side of Canterbury for safety reasons and letters from long-time residents on the east side supporting the location of the sidewalk on the east side.

Stacey Elifrits, 7950 Canterbury, stated the legality of her signature on the petition was questioned by Mr. Pryzby, but noted the property is still listed under her father's name although they reside at the location and own the property under contract for deed. Ms Elifrits previously stated she would accept the sidewalk on either side, but due to the demonstrated safety concerns, she now would like to have it constructed on the east.

Ms Elifrits also expressed concerns with the safety of her children walking home from Corinth Elementary and Mission Valley Middle School. She noted the problems that were occurring at 83rd and Mission prior to the school speed zone are now occurring at Somerset & Mission Road. She asked for more policing during the school release hours and consideration of establishing another school zone.

Mayor Shaffer commented he was uncertain what action could be taken at this time, due to the fact that the Council has already acted upon this issue. City Attorney Charles Wetzler stated the question can be raised again for consideration by the City Council. He advised the Plessners that requests for information should be filed under the City's and State's "Open Records Policy".

Kevin Temple and Eric Murphy, representing Conoco Phillips, addressed the Council requesting the City's ordinance regarding the sale of cereal malt beverage be amended. Mr. Temple stated they had requests from their customers to sell beer and in 2005 were issued a Cereal Malt Beverage from the City. This past year, they were advised the earlier permit had been issued in error and that the City's regulations

prohibited the sale of cereal malt beverage in service stations. They would like to see that regulation changed.

City Attorney Charles Wetzler stated the sale of cereal malt beverage is regulated by both city ordinances and state law.

Ron Williamson stated the Planning Commission considered this issue at their meeting in January. The zoning regulations specifically prohibit the sale of cereal malt beverage by service stations and limit the retail square footage allowed in service stations to 800 square feet. In researching the regulations for the Planning Commission, Mr. Williamson contacted area cities regarding how they handle this issue. The City of Leawood does not allow sales in service stations. The City of Overland Park restricts sales to stations with 1200 square feet or more of retail space and requires that two employees be working.

Laura Wassmer stated she did not feel the City should tell Conoco how to run their business.

Eric Murphy stated they previously sold cereal malt beverage at their station at 119th & Roe before they sold it and that they sell cereal malt beverage from all of their other locations. He noted they take their responsibility very seriously to ensure that neither cigarettes nor beer are sold to minors. He noted the limitation of 800 square feet of retail space makes it even more important that they maximize their sales to be competitive. He noted no complaints have been received regarding the sale of beer.

Jori Nelson, 4802 West 69th Terrace, questioned why the application for a special use permit by Cingular was still being discussed when the Planning Commission opposed it, the homes association opposed it and the residents opposed it. Laura Wassmer responded the Council serves all of Prairie Village and has to consider the big picture and need for wireless telecommunications locations – that is why she is voting to have other options explored.

Mayor Shaffer advised the residents that this issue would be discussed under New Business.

Steve Sinclair, 4710 West 69th Terrace, stated he felt the Council was making it more difficult by opening other options and stated he felt the proposed location at McCrum Park should be denied and the applicant required to go elsewhere.

John Hayde, 5219 West 69th Terrace, stated he felt the residents deserved a strong decision by the City Council, not waffling. Mr. Hayde advised the Council that in May, 1941, J.C. Nichols filed Restrictive Covenants in Book 26 – pages 358-364 in Johnson County on this very parkland, reserving it as “Residential Green Space” and it was so platted together with their properties as “Residential” – commercial use prohibited. These covenants run with the land. The Nichols Company deeded this property to the City by two deeds; one in 1952, the other in 1986 with the restrictive covenants still in place. Mr. Hayde stated he recognized the city’s residual rights through eminent domain, but feels the issue is whether the City will honor the trust bestowed through the covenants.

George Holter, 4705 West 70th Street, addressed the Council regarding two code enforcement issues. The first issue is an inoperable car near Tomahawk and Roe Avenue. He noted the car has been in the street for years. He has spoken with both the code enforcement officer and the police department regarding getting it moved with no success. The second is a motor that was sitting on a driveway for more than two weeks. Again, he spoke with the code enforcement officer without any success. He asked that the City’s laws be upheld and rusted out vehicles and vehicles with expired tags be addressed by the City’s enforcement personnel. He noted he abides by the City’s laws and feels others should be made to comply also.

Maressa Finley-Sinclair, 4710 West 69th Terrace, stated she felt it was imperative for the City Council to know that former Mayor Robert McCrum’s wife addressed the Planning Commission in opposition to the McCrum Park cell tower application. Mrs. Sinclair stated she does not want to play or picnic next to a building. She noted residents do not put their air conditioning units in the front yard.

Mrs. Sinclair asked Council members if they are sincere in their desire for more green space, why is this being considered. She asked if Council members had visited the Harmon Park site and viewed how this site has been maintained. She feels it is essential to see a visual representation of this application and noted one was prepared by Marc Bertolino for the Planning Commission. Mrs. Sinclair stated she knows of no one within 200’ of the proposed location who supports the application. She also questioned why the

applicant would place sensitive equipment in a public park and asked if this application caused health problems, who would be responsible.

Pat Daniels stated for the record that the City Council members have done their homework on both the issues of the telecommunications application for McCrum Park and the sidewalk on Canterbury Street.

Susan Forrest, 6837 El Monte asked Council members to please speak into their microphones, stating it is difficult to hear some members' comments at the back of the chamber.

Mayor Shaffer closed public participation at 8:30 p.m.

CONSENT AGENDA

Andrew Wang asked that item #9 be removed from the Consent Agenda. Diana Ewy Sharp asked that item #12 be removed from the Consent Agenda.

Jeff Anthony moved approval of the Consent Agenda for Tuesday, January 17, 2006 as amended with the removal of items #9 & #12.

1. Approve Regular Council Meeting Minutes – January 3, 2006
2. Ratify the Mayor's reappointment of Lori Sitek and Thomas Brill to the Civil Service Commission for three-year terms expiring in January, 2009
3. Ratify the Mayor's appointment of James Reimer to the Park & Recreation Committee for a three-year term expiring in April, 2009 and Luci Mitchell to the Prairie Village Tree Board to complete the unexpired term of Kathleen Riordan expiring in April, 2007
4. Delete the following committee agenda items from the Policy/Services Committee assignments: POL2004-11, POL2004-12, POL2005-14, POL2005-17, POL2005-22 and POL2005-32
5. Approve the interlocal agreement with the City of Overland Park for public improvements to Nall Avenue – 83rd to 95th Street with Prairie Village sharing 50% of the estimated project cost of \$55,000
6. Approve Construction Change Order #1 for Project 191012: 2005 Concrete Repair Program to McAnany Construction for an increase of \$25,256 with funding from the Capital Infrastructure Program project allocation
7. Approve the following pool membership and admission fees for the 2006 Season

Resident

Individual Membership	\$62.00
2 Person Family Membership	\$123.00
Family Membership (more than 2 people)	\$128.00
Senior Citizen Membership (age 60 & over)	\$46.00

Non-Resident

Individual Membership	\$133.00
Family Membership	\$256.00
Senior Citizen Membership	\$87.00
Child Membership	\$87.00

Other

10 Swim Card	\$40.00
Daily Admission Fee	\$5.00
Lost ID Card	\$3.00
Pool Rental	\$359.00

8. Approve the following Team fees for the 2006 Season:

Swim Team	
Resident	\$83.00
Resident, second child on swim team	\$78.00
Non-resident without pool membership	\$121.00
Non-resident with pool membership	\$83.00
Synchronized Swim Team	
Resident	\$88.00
Resident, second child on team	\$83.00
Non-resident without pool membership	\$121.00
Non-resident with pool membership	\$88.00
Dive Team	
Resident	\$71.00
Resident, second child on dive team	\$66.00
Non-resident without pool membership	\$82.00
Non-resident with pool membership	\$71.00
Tennis Lessons	
Youth Group	\$35/\$46
Adult	\$52.00
Semi-Private	\$11.00 per ½ hour
Private	\$18.00 per ½ hour
Three & a Pro	\$13.00 per hour
Junior Tennis League	
Participant	\$80.00
2 nd Participant from same family	\$75.00

9. Removed

10. Approve a fee of \$5 per hour per swimmer for semi-private swim lessons taught by swim team coaches with each lesson having a maximum of three swimmers per coach per ½ hour
11. Approve an amendment to the agreement with British Soccer Camp to conduct a camp at Meadowlake Park from June 5 – 9, 2006
12. Removed

A roll call vote was taken with the following members voting “aye”: Herrera, Griffith, Hopkins, Noll, Colston, Wang, Wassmer, Daniels, Anthony, Vennard, Ewy Sharp and Belz.

Andrew Wang expressed his strong opposition to the proposed twilight fee for the pool stating he felt it was based on an illogical assumption and grossly unfair to residents.

Diana Ewy Sharp moved the City Council approve a twilight admission fee of \$3 per person to the pool complex after 5:30 p.m. during the 2006 season. The motion was seconded by Bill Griffith and passed by a vote of 10 to 2 with Wassmer and Wang voting “nay”.

Diana Ewy Sharp asked that the proposed community center and park shelter reservation \$25 refundable deposit be removed from the motion for further consideration by city staff and the Park and Recreation Committee.

Josh Farrar stated in preparing for the administration of these fees, serious questions have been raised by the City Clerk’s staff regarding the ability to monitor and

fairly process refundable deposits for these locations. Staff would like further time to consider this aspect of the proposed fees and will bring this back to the Park & Recreation Committee for more discussion at a later date.

Diana Ewy Sharp moved the City Council approve the following revisions to Facility Reservation Fees:

Facility	Resident Fee	Non-Resident Fee
Prairie Village Community Center	\$5.00/hr.	\$10.00/hr.
Park Shelters	\$5.00/hr.	\$10.00/hr.
Prairie Village Pool	\$359.00	\$359.00
Prairie Village Tennis Courts	\$5/hr/court	\$5/hr/court
Baseball/Soccer Fields	\$1.00/hr.	\$1.00/hr.

The motion was seconded by Laura Wassmer and passed unanimously.

COMMITTEE REPORTS

Policy/Services Committee

POL2005-37 Consider Council Policy 042 entitled "Construction Estimate"

Steve Noll stated the City is currently required to use construction estimates as a basis for accepting and/or rejecting bids. He noted during the past year this has been a problem as several projects have been bid higher than the engineer's construction estimate. The Public Works department has studied this issue and requested the City establish a policy for determining cost estimates.

The proposed policy states that if a projected construction cost is less than \$100,000, a construction cost estimate is not required. If the projected construction cost is \$100,000 or more, the Public Works Director will prepare a construction cost estimate for review by the Governing Body. Mr. Noll stated very few projects bid by the City have a projected construction cost of less than \$100,000 and noted this policy does not apply to maintenance and repair projects.

If the bid does not exceed the construction cost estimate, the Public Works Director may recommend the Governing Body award a construction contract.

If all bids exceed the final construction cost estimate, the City may consider four options: 1) Approve the bid award if the bid cost does not exceed the final construction cost estimate by 10% and additional funding is available. 2) Request staff to revise the project scope and/or specifications as necessary to reduce the construction cost. 3) Reject all bids and authorize staff to obtain new bids. 4) Terminate the project and the agreement with the Engineer/Architect.

Andrew Wang asked how this policy was different than the existing method followed. Mr. Noll stated currently the City can not accept a bid if it is more than the construction estimate and this policy would allow bids up to 10% above the construction estimate to be accepted.

Bill Griffith asked what procedures other area cities followed. Bob Pryzby responded the cities of Olathe and Overland Park have exempted themselves from the state statute requiring construction cost estimates. In Overland Park, the Public Works Committee reviews the bids and provides the Governing Body with assurance that the bid is reasonable. The City of Lenexa is in the process of revising their procedure in line with what is being proposed, but may elect to totally exempt themselves from the state statute as well. Mr. Pryzby noted the current policy has been in place since prior to his arrival. He feels that public works staff can provide reasonable explanations of variations in bids and appropriately advise the Governing Body if they consider a bid to be acceptable.

On behalf of the Policy/Services Committee, Steve Noll moved the City Council direct the City Attorney to amend Charter Ordinance #12 and the Council adopt Council Policy No. 042 entitled "Construction Cost Estimate". The motion was seconded by Al Herrera.

Mr. Noll stated this policy would not become effective until the corresponding ordinance revision establishing the use of the policy is drafted by the City Attorney and adopted.

Mr. Wetzler stated he has reviewed the proposed policy and noted the significant changes are the increase from \$10,000 to \$100,000 for obtaining cost estimates for projects and the ability to approve a bid that is less than 10 percent over the construction estimate.

The motion was voted on and passed by a vote of 11 to 1 with Bill Griffith voting "nay".

Legislative/Finance Committee

LEG2005-42 Consider letter of interest in participating in First Suburbs Coalition/Fannie Mae Program

Bill Griffith reported the Mid America Regional Council First Suburbs Coalition has been working to develop a program to encourage residents in first tier suburbs to renovate their homes. The Coalition is considering partnering with Fannie Mae to allow qualified homeowners to receive below market rate home improvement loans. Mr. Griffith stated this is similar to a program offered by the City several years ago.

On behalf of the Legislative/Finance Committee, Bill Griffith moved the City Council authorize the Mayor to send a letter of interest to the Mid America Regional Council indicating the city's interest in participating in the First Suburbs Coalition Home Improvement and Remodeling Loan Program. The motion was seconded by Al Herrera and passed unanimously.

OLD BUSINESS

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

NEW BUSINESS

Diana Ewy Sharp moved the City Council return PC Application 2005-05 to the Planning Commission for the express purpose of exploring alternative site locations for the proposed equipment building at McCrum Park and other potential site locations in the area. The motion was seconded by Ruth Hopkins.

Wayne Vennard confirmed this would include information on placing the building partially underground and/or under the water tower.

Al Herrera stated he supported the recommendation of Mr. Griffith during the Council Committee meeting for the City to abandon its lease with Cingular for McCrum Park.

Jeff Anthony asked if the neighbors had significant problems with locating the building completely under the water tower. Jori Nelson responded on behalf of the residents stating they did not want the building at all and it was her understanding that WaterOne did not want the storage building under their tower.

Jeff Anthony asked what noise levels can be expected from the storage unit. Curtis Holland stated the noise levels would be similar to those of a regular residential air

conditioning unit, noting their placement to adjacent neighboring houses is much closer than will be experienced at this site. Laura Wassmer asked if the units would operate constantly. Mr. Holland responded they would operate approximately 90% of the time, but not constantly.

The motion was voted on and passed by a vote of 10 to 2 with Bill Griffith and Al Herrera voting "nay".

Mayor Shaffer asked all residents who spoke to be certain their names and addresses were listed on the sign-in sheet and stated they would be notified of the next time this item will be discussed. Ron Williamson advised the ordinance requires the item to be on the agenda of the next Planning Commission meeting which would be Tuesday, February 7th. However, he noted the applicant may not be able to have all the information requested by that time to enable the Planning Commission to take action.

Mayor Shaffer thanked the residents for their input and comments.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Prairie Village Arts Council	01/18/2006	7:00 p.m.
Board of Code Appeals	01/25/2006	6:00 p.m.
Environmental Recycle Committee	01/25/2006	7:00 p.m.
VillageFest Committee	01/26/2006	7:00 p.m.
CACCS	01/31/2006	7:00 p.m.
Tree Board Committee	02/01/2006	6:00 p.m.
Policy/Services Committee	02/06/2006	6:00 p.m.
Legislative/Finance Committee	02/06/2006	6:00 p.m.
Council	02/06/2006	7:30 p.m.

The Prairie Village Arts Council is pleased to feature a mixed media exhibit by Gary Mehl and Art Whorton in the R.G. Endres Gallery during the month of January.

The Mayor's Holiday Tree Lighting Ceremony has received \$8,694.19 in donations as of January 12th, 2006. Donations to the Holiday Tree Fund will be utilized in assisting 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.

Remember the Employee Appreciation Dinner on Friday, February 3rd, 2006 at the New Dinner Theatre.

The 50th Anniversary books, **Prairie Village Our Story**, and Prairie Village Gift Cards continue to be sold to the public.

Mark your Calendar the Large item pick-up has been scheduled for Saturday, April 22, 2006.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned
at 8:55 p.m..

Joyce Hagen Mundy
City Clerk

CITY TREASURER'S WARRANT REGISTER

DATE WARRANTS ISSUED:

Warrant Register Page No. 1

February 6, 2006

**Copy of Ordinance
2623**

Ordinance Page No.

An Ordinance Making Appropriate for the Payment of Certain Claims.

Be it ordained by the governing body of the City of Prairie Village, Kansas.

Section 1. That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of funds in the City treasury the sum required for each claim.

NAME	WARRANT NUMBER	AMOUNT	TOTAL
EXPENDITURES:			
Accounts Payable			
Check # 82134-82137	1/4/2006	100,266.36	
Check # 82138-82231	1/6/2006	119,129.74	
Check # 82234-82263	1/17/2006 Printer Jam	-	
Check # 82264-82376	1/17/2006	182,105.33	
Check # 82377-82479	1/27/2006	214,031.38	
Payroll Expenditures			
1/6/2006		183,434.11	
1/20/2006		230,787.04	
Electronic Payments			
Intrust Bank - December credit card fees (General Oper)		271.90	
Intrust Bank - December credit card fees (Bonds)		224.78	
State of Kansas - December sales tax remittance		8.86	
Marshall & Ilsley - December Police Pension remittance		5,998.25	
Intrust Bank -December fee		315.16	
KCP&L		6,270.57	
MHM - Section 125 admin fees		-	
Intrust Bank -December purchasing card transactions		15,703.92	
Marshall & Ilsley - 2005 City Contribution Police Pension e		100,238.00	
TOTAL EXPENDITURES:			\$ 1,158,785.40
Voided Checks			
TOTAL VOIDED CHECKS:			-
GRAND TOTAL CLAIMS ORDINANCE			1,158,785.40

Section 2. That this ordinance shall take effect and be in force from and after its passage.

Passed this 6th day of February 2006.

Signed or Approved this 6th day of February 2006.

(SEAL)

ATTEST: _____

City Treasurer

Mayor

CONSIDER DISPOSAL OF ASSETS 1036, 1051, 1340 AND 1533

Background:

Public Works will be replacing assets 1036, 1051 and 1340 in 2006. Asset 1036 is 2001 Scag 48" Riding mower. Asset 1051 is a 2001 Concrete Sidewalk Grinder. Asset 1340 is 1996 Western 9-foot snow plow that was on Vehicle 1260, which is being replaced this year.

Asset 1533 is a 1998 GE Hand Held Radio that is not repairable.

Public Works will send the all the items to auction.

Financial Impact:

Pending the auction results, some monies will received and deposited in the City account.

Recommendation:

Public Works recommends City Council approval of the disposal by auction of Assets 1036, 1051, 1340 and 1533.

CONSIDER PURCHASE OF NEW TRUCKS

Background:

The 2006 Public Works Operating Budget provides for the replacement of Truck 0468. This is 1993 Chevrolet Utility Truck that originally cost \$17,143.31 with 60,016 miles on it, and used by the mechanics.

Truck 1260 is 1996 Ford Dump Maintenance Truck that originally cost \$31,692.00 with 37,702 miles on it, and used in maintenance and plowing operations.

Truck 1305 is 1995 Ford Dump Maintenance Truck that originally cost 20,389.75 with 39,822 miles on it, and also is used in maintenance and plowing operations.

Public Works staff utilized the MARC Purchasing Council master bid for purchasing these vehicles, thereby affording the City of the group purchasing power of MARC.

Financial Impact:

The 2006 Budget line item is \$25,000.00 for replacing Truck 0468. The replacement cost is \$27,270.64, creating a deficit of \$2,270.64.

The line item for replacing Trucks 1260 and 1305 is \$116,000.00. The replacement cost is \$102,131.28, leaving a surplus of \$13,868.72.

Staff is requesting an intra-budget transfer of \$4,000.00 to the Vehicle Maintenance Budget from the Streets/Drains Budget. The extra money is for installing radios and other City equipment.

Recommendation:

Public Works staff recommends the City Council approval the purchase from Shawnee Mission Ford two Ford F350 1-Ton Diesel Dump Maintenance Trucks for \$102,131.28, one F350 1-Ton Gasoline Service Truck for \$13,868.72 and transfer \$4,000.00 from Public Works Street/Drains to Public Works Vehicle Maintenance.

Public Works staff is recommends the City Council approval to dispose of Trucks 0468, 1260 and 1305 by auction.

**CONSIDER PROJECT 190841 MISSION ROAD – 71ST STREET TO
75TH STREET**

Background:

Engineering Change Order #1 is to finalize the Construction Administration Agreement with Affinis Corp. All the work is complete.

Financial Impact:

The change order is for a deduction of \$16,222.88. The unspent monies will be transferred to the Capital Infrastructure Program Project 190841 Unallocated.

Recommendation:

Public Works recommends the City Council approval of Engineering Change Order #1 for a deduction of \$16,222.88 in Project 190841 Construction Administration Agreement with Affinis Corp.

Joyce

CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT
ENGINEERING CHANGE ORDER NO. 1

Consultant's Name: Affinis Corp.

Project Title: 2005 CARS Program - Mission Road (75th to 71st) Construction Admin

Owner's Project No.: 190841

Date Requested: 12/20/05 Consultant's Project No.: 05.0001.02

Contract Date: 03/15/04

The scope of work in the above Engineering Services Agreement has been modified as follows:


The reason for this change is to finalize the contract amount. All work is complete. The amount of deduct to the contract agreement is \$16,222.88.

(Attach additional pages as necessary)


Original Agreement Amount	\$ <u>59,000.00</u>
Net Previous Change Orders	\$ <u>0.00</u>
Subtotal	\$ <u>59,000.00</u>
Net Increase or Decrease this Change Order	\$ <u>16,222.88</u>
New Agreement Amount	\$ <u>42,777.12</u>

The Engineering Consultant (~~does~~) (does not) anticipate a related Construction Change Order.

AFFINIS CORP
DEPARTMENT OF PUBLIC WORKS
CITY OF PRAIRIE VILLAGE, KANSAS



P.E.
Richard A. Worrel, P.E.
President for Consultant

By _____
Ronald L. Shaffer, Mayor
By 

Thomas Trienens, Manager of Engineering Services

CONSIDER PROJECT 190847 2005 PAVEMENT PROGRAM

Background:

This Engineering Change Order #1 is to finalize the Construction Administration Agreement with Affinis Corp. The work is complete.

Financial Impact:

The change order is for a deduction of \$25,708.31. The unspent monies will be transferred to the Capital Infrastructure Program Project 190847 Unallocated.

Recommendation:

Public Works staff recommends City Council approval of Engineering Change Order #1 for a deduction of \$25,708.31 in Project 190847 Construction Administration Agreement with Affinis Corp.

CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT
ENGINEERING CHANGE ORDER NO. 1

Consultant's Name: Affinis Corp.

Project Title: 2005 Street Resurfacing Program Construction Administration

Owner's Project No.: 190847

Date Requested: 12/20/05

Consultant's Project No.: 05.0001.04

Contract Date: 03/15/04

The scope of work in the above Engineering Services Agreement has been modified as follows:

The reason for this change is to finalize the contract amount. All work is complete. The amount of deduct to the contract agreement is \$10,135.00.

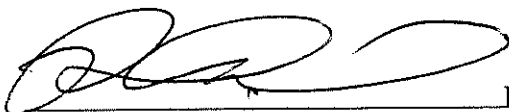
(Attach additional pages as necessary)

Original Agreement Amount	\$ <u>97,000.00</u>
Net Previous Change Orders	\$ <u>0.00</u>
Subtotal	\$ <u>97,000.00</u>
Net Increase or Decrease this Change Order	\$ <u>25,708.31</u>
New Agreement Amount	\$ <u>71,291.69</u>

The Engineering Consultant (~~does~~) (does not) anticipate a related Construction Change Order.

AFFINIS CORP


DEPARTMENT OF PUBLIC WORKS
CITY OF PRAIRIE VILLAGE, KANSAS



Richard A. Worrel, P.E.
President for Consultant

By _____

Ronald L. Shaffer, Mayor

By  _____

Thomas Trienens, Manager of Engineering Services

CONSIDER PROJECT 190848 MISSION ROAD – 83RD STREET TO SOMERSET DRIVE

Background:

This Engineering Change Order #1 is to finalize the Construction Administration Agreement with Affinis Corp. The work is complete.

Financial Impact:

The change order is for a deduction of \$2,083.57. The unspent monies will be transferred to the Capital Infrastructure Program Project 190848 Unallocated.

Recommendation:

Public Works staff recommends City Council approval of Engineering Change Order #1 for a deduction of \$2,083.57 in Project 190848 Construction Administration Agreement with Affinis Corp.

CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT
ENGINEERING CHANGE ORDER NO. 1

Consultant's Name: Affinis Corp.

Project Title: 2005 CARS Program, Mission (83rd to Somerset) Construction Administration

Owner's Project No.: 190848

Date Requested: 12/20/05 Consultant's Project No.: 05.0001.03

Contract Date: 03/15/04

The scope of work in the above Engineering Services Agreement has been modified as follows:

The reason for this change is to finalize the contract amount. All work is complete. It also reflects a deduction of \$630.00 for an error/omission on the construction plans. The amount of deduct to the contract agreement is \$2,083.57.


(Attach additional pages as necessary)

Original Agreement Amount	\$ <u>24,000.00</u>
Net Previous Change Orders	\$ <u>0.00</u>
Subtotal	\$ <u>24,000.00</u>
Net Increase or Decrease this Change Order	\$ <u>2,083.57</u>
New Agreement Amount	\$ <u>21,916.43</u>

The Engineering Consultant (does) (does not) anticipate a related Construction Change Order.

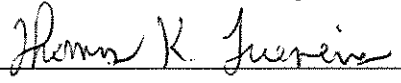
AFFINIS CORP

DEPARTMENT OF PUBLIC WORKS
CITY OF PRAIRIE VILLAGE, KANSAS


_____ P.E.

Richard A. Worrel, P.E.
President for Consultant

By _____
Ronald L. Shaffer, Mayor

By 
_____ Thomas Trienens, Manager of Engineering Services

CONSIDER NPDES ANNUAL REPORT AND SECOND YEAR PROGRAM

Background:

Last year the Kansas Department of Health and Environment (KDHE) issued a permit to the City in compliance with National Pollution Discharge Elimination System (NPDES) requirements of the U.S. Clean Water Act. The permit requires the City to submit an annual report on compliance goals set for the Minimum Control Measures. Public Works, staff with assistance with the Johnson County SMAC staff, have completed the report.

The permit also requires the City to submit goals for the next five years for each of the six Minimum Control Measures. Again, Public Works, staff with assistance with the Johnson County SMAC staff, have completed the 5-year program.

Both documents require the signature of the Mayor.

Financial Impact:

The financial impact does not require any abnormal expenditure. Compliance is being obtained through the normal operations of the Public Works activities. No additional cost is expected.

Recommendation:

Public Works staff recommends approval of the City Council for the Mayor to sign the 2005 Annual Report and the 5-Year Program.

Consider Disposal of LCD Projector

Background:

In 2000, the City purchased a JVC Pro LCD Projector that was initially used in the Council Chamber for presentations and later used in the Multi-Purpose Room for presentations. Both locations now have installed units providing these services. The projector was recently taken to be used for a presentation in the Community Center and found not to be working. The unit was evaluated and an estimate received for its repair. The estimate for repair exceeds the current value of the unit.

Therefore, we are requesting authorization to dispose of Asset #00931 "JVC Pro LCD Projector" either by auction or by destruction.

RECOMMENDATION:

**STAFF RECOMMENDS THE CITY COUNCIL APPROVE THE
DISPOSAL OF FIXED ASSET #00931 A "JVC PRO LCD
PROJECTOR" EITHER BY AUCTION OR BY DESTRUCTION
CONSENT AGENDA**

OK

CITY OF PRAIRIE VILLAGE, KANSAS

City Property Asset Data Sheet

ASSET TYPE: **FIXED ASSET** **00931**

ASSET CLASS

PROPERTY CLASS: **AUDIT SHEET NUMBER**

ITEM INFORMATION

DESCRIPTION: JVC Pro LCD Projector

DATE IN SERVICE

MAKE: JVC

YEAR: 2000

NORMAL LIFE:

MODEL: LXD-1020U

REPLACEMENT YEAR

SERIAL: 075E0017

BUILDING: City Hall

DEPT: ADMINISTRATION

LOCATION: Council Chambers

VENDOR INFORMATION

VENDOR: S&S Video Distribution

P.O. NUMBER:

ADDRESS:

COST: \$6,069.00

SALESPERSON

ASSET NOTES

DISPOSAL DATE

PURCHASE DATE

3/21/00

NOTES

PO #1073 - 01-01-06-7431

Consider Revisions to Council Policy 051 entitled “Reservation of City Facilities”

Background:

On January 17, the City Council approved recommended changes to the fee structure and the fees charged for the reservation of City facilities. Those changes are reflected in the revised Council Policy 051 with the new language found in bold and deletions identified with ~~strikethrough~~.

Recommendation:

**RECOMMEND THE CITY COUNCIL APPROVE COUNCIL
POLICY NUMBER 050 ENTITLED “RESERVATION OF CITY
FACILITIES” AS REVISED**

CONSENT AGENDA

	<p>Council Policy No. 51</p> <p>Date approved:</p> <p>Page 1 of 4</p>
<p>RESERVATION OF CITY FACILITIES</p>	<p>Last revision date: 08/20/2001</p>

I. **PURPOSE:**

The City of Prairie Village maintains certain indoor and outdoor facilities for the purpose of conducting the business of the City and providing meeting and recreational opportunities for its residents. When these facilities are not scheduled for use by the Governing Body, or its committees, they may be made available at reasonable times and reasonable rates to groups which fall within the categories below.

II. **RESPONSIBILITY**

The City Clerk is delegated the authority and duty to consider and approve or disapprove the requests for the use of facilities according to policies established herein, previously established policies and applicable law. Reports will be made to the Governing Body annually by the City Clerk regarding the reservation of City facilities during the previous year. The City Administrator will report annually the amount of revenue received from such usage, estimated actual costs to the City, and any recommended changes in this policy.

III. **PROCEDURE**

A. **Rental Categories:**

The City Clerk will determine which category applies to each application and charge the applicable fee according to the Fee Schedule on file.

~~**Group A Internal:** Prairie Village Governing Body, Committees, Boards, City Personnel, and other governmental entities such as the school district, County, or State agencies; residents and groups participating in City-sponsored programs sponsored or cosponsored by the City and which are closely related to the activities of the City. Such activities shall include Ward meetings, and homes associations' meetings, in addition to regularly scheduled and special meetings of the Governing Body and its committees.~~

~~**Group B Civic:** Educational, cultural, recreational, civic or political groups, which are nonprofit organizations and special interest associations. Such groups include nonprofit community organizations whose use of City facilities is for a community purpose such as the YMCA, Girl and Boy Scouts, and nationally recognized political parties.~~

~~Group C Private: Meetings, seminars, private parties or receptions where no admission is charged. Certain facilities are available for use by groups or individuals who do not meet the requirements of Group A or B. These facilities may be rented for parties, receptions, and meetings where no admission is charged.~~

Resident: A person residing within the City limits of Prairie Village or owning a business with a physical location in Prairie Village.

Non-Resident: An individual whose primary living domicile is outside the City limits of Prairie Village.

B. General Rules:

Groups or organizations using the facility will comply with the laws and ordinances of the City of Prairie Village and the State of Kansas. In addition, they will comply with all requirements specifically set forth in the Application for Facility Reservation Permit.

No items may be sold by outside individuals/groups reserving city facilities.

Application for the reservation of a City facility must be made on the appropriate form available from the City Clerk's office. Applications must be signed by an adult who will be present and in charge while the facility is in use, and who will assume responsibility for payment of charges for use of the facility. The organization will be required to assume responsibility and pay for any damage or loss that may occur to the facility, equipment, and grounds. In addition, the group will be required to sign a hold-harmless affidavit.

C. Facilities:

1. Community Center 28' x 31' (approx.) 45 people

Prairie Village Community Center

Any person, group or organization making advance reservation for the Prairie Village Community Center may request a permit authorizing consumption of beer and/or wine on the premises. A permit may be issued by the City Clerk if it is determined that such use will not be detrimental to the City property or the health or safety of the citizens of Prairie Village.

2. Municipal Building
Council Chamber 30' x 50' (approx.) 150 people
Multi-Purpose Room 52 people
Staff Conference Room 15 people

- B. Reservations of the City Council Chamber to groups classified as ~~Group B or Group C~~ **Internal** will be permitted under the following conditions
1. The group makes its facility reservation request within 30 days of the date the group intends to use the City Council chamber.
 2. Multiple reservations of the City Council Chamber will not be permitted (i.e. monthly meetings) on the same facility reservation request
 3. A City employee is on duty during the entire time the Council Chamber is being used by the group; or
 4. A City Council member or City employee will be present at the meeting.
3. Park Facilities
- | | | |
|----------------|-------------------|-------------------|
| Tennis Courts | Swimming Pool | Soccer Fields |
| Park Pavilions | Volleyball Courts | Baseball Diamonds |
4. Picnic Structures **Park Pavilions**
- a) All reservation requests for use of the **park pavilions** ~~picnic structures~~ must be made in writing. ~~Reservations must be made by a Prairie Village Resident.~~
 - b) Reservations will be recognized by receipt of a **Facility Park Use Permit**.
 - c) Groups of 20 or less may reserve part of the Harmon Park structure.
 - d) Groups of 21 to 100 may reserve all of the Harmon Park structure.
 - e) The park pavilions may be reserved throughout the year between the hours of 7:00 a.m. to 11:00 p.m. for a maximum of six hours except for special hours approved by the Park Board.
 - f) ~~Sponsoring groups must be located in Prairie Village or have at least a 25% Prairie Village Membership.~~
 - g) A member of the sponsoring group ~~residing in Prairie Village~~ must be responsible for the actions of group members.
 - h) Cleanup after use shall be done by the group using the Pavilion.

- i) The City Clerk may require a special use permit be issued by the Council for use of the parks by large groups, which may require parking that would exceed normal park use.

~~D.~~ ~~Community Center & Municipal Building~~ **Application and Permit**

Applications should be completed and filed with the City Clerk. Upon approval, the organization/individual will be given a signed permit showing the hours and facilities approved. All fees are due at the time of the reservation.

E. Special Requirements:

All Facilities:

1. Amplified sound prohibited except by written permit from the City.
2. Alcoholic liquor prohibited.
3. Cereal malt beverages prohibited, except at Prairie Village Community Center where beer and wine may be authorized by permit.

Park Facilities:

1. Possession and consumption of cereal malt and/or alcoholic beverages prohibited.

Municipal Building

1. Possession and consumption of cereal malt and/or alcoholic beverages prohibited.

**CONSIDER REPEAL OF CHARTER ORDINANCE NO.12 AND
APPROVE CHARTER ORDINANCE NO.22**

Background:

The City Council adopted Charter Ordinance NO.12 to exempt the City from provisions of K.S.A 13-017 relating to public improvements, estimates of the cost to such improvements, contracts, bids, and bond issues. However, the City Council included in Charter Ordinance NO.12 its own requirements for cost estimates to such improvements, contracts, bids, and bond issues.

Recent discussions by the City Council have resulted in a need to repeal Charter Ordinance No.12. Attached is Charter Ordinance No.22 that provides for the repeal of Charter Ordinance NO.12. The new Charter Ordinance again exempts the City from K.S.A 13-017 and provides for the City to adopt a policy that provides a procedure for determining when bids are required on public improvement projects and, further, adopt a procedure in determining when construction cost estimates are required.

Financial Impact:

None.

Recommendation:

The City Attorney recommends City Council approved Charter Ordinance NO.22.

CHARTER ORDINANCE NO. 22

A CHARTER ORDINANCE REPEALING CHARTER ORDINANCE NO. 12 OF THE CITY OF PRAIRIE VILLAGE, KANSAS AND FURTHER EXEMPTING THE CITY OF PRAIRIE VILLAGE, KANSAS FROM K.S.A. 13-1017 AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS TO ESTABLISH A UNIFORM POLICY FOR BID SOLICITATION, PURCHASE ORDER SYSTEM AND APPROVAL IN ESTABLISHING A BID PROCEDURE FOR PUBLIC IMPROVEMENT PROJECTS.

Section 1.

The City of Prairie Village, Kansas, hereby repeals Charter Ordinance No. 12.

Section 2.

The City of Prairie Village, Kansas, a Mayor-Council city of the first class by the power vested in it by Article 12, Section 5, of the constitution of the state of Kansas, hereby elects to exempt itself and make inapplicable to it all of the provisions of K.S.A. 13-1017, relating to public improvements, estimates of the cost to such improvements, contracts, bids, bond issue, and when.

Section 3.

The City Council of the City of Prairie Village, Kansas, shall from time to time adopt a policy that provides a procedure for determining when bids are required on public improvement projects and, further, adopt a procedure in determining when construction cost estimates are required and how they are received for public improvement projects. This policy shall be reviewed and amended from time to time by the City Council of this city.

Section 4.

This Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 5.

This is a Charter Ordinance and shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the Ordinance as provided in Article XII, Section 5, subdivision (c) (3) of the Constitution of Kansas, in which case the Ordinance shall become effective as approved by a majority of the electors voting thereon.

PASSED by the Governing Body of not less than two-thirds of the members elect voting in favor thereof the ____ day of February, 2006.

Mayor Ronald L. Shaffer

ATTEST:

Joyce Hagen Mundy, City Clerk

APPROVED AS TO FORM

Charles E. Wetzler, City Attorney

MAYOR'S ANNOUNCEMENTS

Monday, February 6, 2006

Committee meetings scheduled for the next two weeks include:

Planning Commission	2/07/2006	7:00 p.m.
Park & Recreation Committee	2/08/2006	7:00 p.m.
Sister City	2/13/2006	7:00 p.m.
Prairie Village Arts Council	2/15/2006	7:00 p.m.
Council Committee of the Whole (Tuesday)	2/21/2006	6:00 p.m.
City Council (Tuesday)	2/21/2006	7:30 p.m.

The Prairie Village Arts Council is pleased to feature a mixed media exhibit by Gary Mehl and Art Whorton in the R.G. Endres Gallery during the month of February.

Grand opening of Community America Credit Union, 7620 State Line Rd (inside the HyVee store) February 8, 2006 at 4 pm.

Eminent Domain-A Policy Forum for local elected officials

Provided by: The Mid-America Regional Council –February 15, 2006 6:30-8:30 p.m. at the MARC Conference Center, 1st Floor, 600 Broadway, Kansas City, Missouri

Chamber of Commerce-State of the Cities Address

February 16, 2006 at 11:30 am

Milburn Country Club-7501 W 69th Street

Each of the ten Mayors of Northeast Johnson County will share their City's outlook for 2006 and provide insight on the successes and challenges they have faced in 2005.

NLC Web Chat on First Suburbs in the Council Chamber – February 16, 2006 at 1:00 p.m.

One more Council Member is needed for the Ad-Hoc YMCA Partnership Committee. Let the Mayor know if you are interested.

President's Day is NOT a recognized holiday for Deffenbaugh. Trash service will be on the regular pick-up schedule the week of February 20th.

City offices will be closed on February 20th in observance of President's Day.

The City Council will **NOT** meet on Monday, February 20th, but **will meet on Tuesday, February 21st.**

Prairie Village Gift Cards are on sale at the Municipal Building. This is a great way to encourage others to "Shop Prairie Village"

The 50th Anniversary books, **Prairie Village Our Story**, are being sold to the public.

600 Broadway, Suite 300
Kansas City, Missouri 64105-1554

816/474-4240
816/421-7758 FAX
www.marc.org



January 30, 2006

Dear Elected Official:

The Mid-America Regional Council is working to provide local government elected officials more opportunities to become informed and engaged on issues that affect our region. We will be hosting a series of policy forums on important regional and local government issues targeted specifically at local government elected officials.

The first of these policy forums is on the issue of eminent domain. I have enclosed a flyer on this policy forum and encourage you and your colleagues to attend if they are interested in this issue. Experts on eminent domain and the actions being proposed in Kansas and Missouri will speak and answer questions.

We hope this type of policy forum is helpful to you as you grapple with important issues for our local communities and region.

If you should have any questions about the policy forum series, please contact Dean Katerndahl at (816) 701-8243. Contact Michele Gray at (816) 701-8387 or mgray@marc.org to register for this forum

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Warm", with a long horizontal line extending to the right.

David A. Warm
Executive Director

A handwritten signature in black ink, appearing to read "Ronald L. Shaffer", with a long horizontal line extending to the right.

Ronald L. Shaffer
Mayor, Prairie Village, KS

Chair
Ronald L. Shaffer
Mayor
Prairie Village, Kan.

1st Vice Chair
Gary Mallory
Presiding Commissioner
Cass County, Mo.

2nd Vice Chair
Tom Cooley
Commissioner,
Unified Government
of Wyandotte County/
Kansas City, Kan.

Treasurer
Carol McCaslin
Presiding Commissioner
Clay County, Mo.

Secretary
Jim Schultz
Councilmember
Independence, Mo.

Executive Director
David A. Warm

EMINENT DOMAIN

Why does it matter to local governments?

*The Mid-America Regional Council is
sponsoring a series of policy forums for elected officials in 2006.*

THE SESSION WILL
PROVIDE ANSWERS TO
THESE QUESTIONS:

- How and when do local governments use eminent domain?
- How is it used for economic development?
- What is the Kelo decision?
- What are the Kansas and Missouri legislatures likely to do, and what will the impact of new legislation be on local governments?

DATE & LOCATION:

February 15, 2006

6:30–8:30 p.m.

MARC Conference Center, 1st floor
600 Broadway, Kansas City, Missouri

SPEAKERS & AGENDA:

Neil Shortlidge, Stinson Morrison Hecker and
Roeland Park City Attorney
Background on Eminent Domain Issue

Allen Garner, City Attorney, Independence, Mo.
MO Legislative Action and MML Response

Tom Glinstra, City Attorney, Olathe, Kan.
KS Legislative Action and LKM Response

INFORMATIONAL ITEMS
February 6, 2006

1. City Administrator's Report – February 2, 2006
2. Planning Commission Agenda – February 7, 2006
3. Council Committee of the Whole Minutes – January 17, 2006
4. Sister City Committee Minutes-January 9, 2006
5. Park and Recreation Committee Minutes-January 11, 2006
6. Park and Recreation Committee –City Entrance Sign Sub-committee minutes-
January 12, 2006
7. Prairie Village Arts Council Minutes – January 18, 2006
8. Special Use Permit at McCrum has been continued to the March 7, 2006 Planning
Commission Meeting
9. Leadership Summit of Local Elected Officials – March 31, 2006
10. Mark your Calendar
11. Council Committee Agenda
12. Prairie Village Employee Noteworthy

CITY ADMINISTRATOR'S REPORT
February 2, 2006

Scheduling Notes for Council members:

The Council normally has a planning work session in January for general discussion of the budget direction for the next year. Since one-fourth of the Council will be new members during development of that budget, we decided to postpone that work session until late April or early May.

NLC recently launched a National City Network service. They are holding their first-ever Web chat **February 16, 2006 at 2 p.m. EST**. The subject will be "One-Fifth of America: A Discussion About America's First Suburbs" a soon-to-be-released report from the Brookings Institution's Metropolitan Policy Program. The report examines America's older, inner-ring suburbs, it examines their special needs and explores some of the key policy changes needed to effectively meet those needs. First suburbs, like Prairie Village, are home to some of the most highly educated and affluent residents; and yet, "these cities are staring down a set of looming challenges that threaten their overall stability." The research paper, which will be introduced through this web chat, lays out a framework for policy reform geared to the particular needs and experiences of first suburbs. Doug will have the session set up in the Council Chamber that afternoon so join us if you can. You may be able to access it from your computer by following directions on the attached flyer.

The next National League of Cities (NLC) Conference will be the Congressional Conference in Washington D.C. , **March 11 – 15**, If you have not registered and would like to attend, please tell me or Lauren as soon as possible. We have made reservations for Shaffer, Hopkins, Belz, Evy Sharp and Vennard.

Annabeth Surbaugh, Chairman of the Johnson County Board of County Commissioners, is planning to have a countywide leadership summit of local elected officials in Johnson County on **Friday, March 31, 2006**. The meeting will be an in-depth discussion of "how we can go from what we know is a good community, to a great community." Mark your calendars for this important event. Formal invitations and notice of the leadership summit will follow in the coming weeks.

Last year, in two separate reports, I referred to the Federal requirement that all City officials and employees be trained to respond to emergencies that could occur in the community. FEMA and other federal funds will not be available to cities in emergencies/disasters (like the ice storm three years ago) unless the city has done the training. Elected officials are required to take two four courses and pass the examination for each of them. Josh is working with MARC to establish a training schedule on Saturday mornings for elected officials. He is also investigating other ways for you to obtain the information and pass the tests. We must all complete this training by September 30 of this year.

State legislative issues:

State representatives are considering legislation recommended by the Governor which would exempt commercial and industrial machinery and equipment from the property tax base. The

plan appears to be a phased-in approach that would exempt the tax only on newly acquired assets. Average assessed annual valuation (based on a 5 year average) of newly acquired machinery and equipment in Prairie Village is \$1.2 million. This would create a loss of approximately \$18,000 annually for the next several years. When completely phased in, total reduction could be more than \$80,000 annually from this City's future revenue.

AT&T introduced SB449 early in the session to deregulate entities providing video service if those entities are not franchised as a cable operator in the state. AT&T will provide video services through wireline facilities. If the law is enacted the City will not be allowed to require AT&T and similar companies to obtain a separate franchise to provide video service, impose any fee or license, or impose any other franchise requirement (such as requiring a good level of service to customers in the City). Cable companies are considering a similar bill in order to "remain competitive". At this time the League is not taking a position on this Bill because it preserves the City's control over right-of-way. We do not have a fiscal note for Prairie Village but it could eventually affect cable franchise fees which are approximately \$300,000 annually. Since the League will not lobby legislators to defeat this legislation, it will be necessary for elected officials to contact their representatives to explain the effect this will have on local government in the long term.

Competition for Idle Funds is again on the legislative agenda. Kansas limits the investment of public funds for local governments to banks and savings and loan associations that have a home office in Kansas. This is the only state in the nation with this requirement. Each year local governments lose interest earnings because of the lack of competition for the placement of these funds. Last week this City had \$4 million of property tax revenue to invest, other cities in Kansas had significantly more and we were all vying for the highest interest rates and full collateral coverage. Prairie Village investments were \$1 million each, laddered to mature throughout the late Summer and Fall. In two cases we had to accept the second highest interest rate because the high bidder did not have enough collateral to pledge. The proposed bill, if approved, would increase competition and provide the City with more options in the future.

Changes to the Eminent Domain statutes is a major issue for legislators this year. The concern is related to the use of eminent domain for economic development purposes. According to the League, cities and counties in Kansas have used eminent domain for economic development only in a few cases. Each time, it has been used for a major project of local and statewide importance. The proposed legislation requires increased level of compensation for landowners when the project is for economic development purposes and judicial review of the project to determine if there is a public use.

During the recent City Hall Day at the Capitol, three of the speakers said there would be consideration of restoring demand transfers to cities during this session. This is an election year for members of the House so most think that consideration will not materialize. Only one of the speakers at the event talked about the school funding issue – and that was because Ruth Hopkins asked what he planned to do about it. The opinion at this point is that they are all studying the report and will discuss it later.

Council computers

The computers are here, the programs have been loaded. Last night Doug and Josh tested them to see if they work and if the system has enough capacity. They experienced some problems so the computers are not quite ready to distribute.

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Human Services
Infrastructure
Planning & Land Use
Public Management & Governing
Public Safety
Youth, Education & Families

Scheduled Chat



One-Fifth of America: A Discussion About America's First Suburbs

Thursday, February 16 at 2:00 p.m. EST

National City Network will hold its first-ever Web chat on "One-Fifth of America: A Discussion About America's First Suburbs," a soon-to-be-released report from the Brookings Institution's Metropolitan Policy Program, February 16 at 2 p.m. EST.

National City Network, a recently launched service of National League of Cities, is proud to be co-sponsoring this event with the Brookings Institution's Metropolitan Policy Program. Partners such as Brookings and similar institutions like the Urban Institute and Public Policy Institute of California help National City Network provide its users with in-depth analysis of policy issues impacting cities.

A Web chat offers a way for policy experts to interact in real-time with interested parties from literally around the world. Participants can join the chat using any Internet connection. The chat host can deliver a presentation, including graphics and audio, while those in the audience can listen and submit questions via their internet connection.

Web chats will be an increasingly important component of National City Network's efforts to provide the latest information to America's cities.

"NLC has worked closely with the Brookings Metro Program in the past, and this is an exciting opportunity for visitors to National City Network to use and experience new technology," said NLC Executive Director Donald J. Borut. "The chat will also allow visitors to hear directly from a prominent Brookings scholar on a timely topic."

This event will be hosted by the Brookings report's lead author, Robert Puentes.

For America's older, inner-ring "first suburbs," the old demarcation lines between urban and suburban is long gone – and the challenges they face require creative new solutions.

The report, to be released one day before the Web chat, on February 15, will examine these places' special needs and explore some of the key policy changes needed to meet them effectively. Puentes has examined demographic, spatial, and other aspects of these first suburbs and has been working with several first suburban leaders around the country.

First suburbs -- collectively home to 20 percent of the nation's population -- have significant assets that are valuable for re-building their own economies and playing an important role in the economic health of the regions they inhabit.

First suburbs are home to some of the most expensive housing, the most highly educated residents and those with the highest incomes. And yet, first suburbs are also staring down a set of looming challenges that threaten their overall stability. Expensive housing presents mounting struggles regarding affordability, especially as poverty increases in these places despite a decrease nationally. There are also tremendous racial disparities in first suburbs and the high incomes and education levels found there are not shared equally among all residents.

Puentes' study shows that first suburbs often fall into a "policy blindspot" that render them ill-equipped to deal with these and other challenges. This research lays out a framework for policy reform geared to the particular needs and experiences of first suburbs.

NLC established the First Tier Suburbs Council in 2002 to allow city officials from first suburban communities to network with each other, discuss challenges, and learn how to leverage their assets to address common needs.

To attend the session:

1) Audio Component

-- Phone: (888) 323-1323; Passcode: 641067

2) Video Component

-- Go to: <https://www.livemeeting.com/cc/fanniemaefoundationseminars/join?id=First+Suburbs&role=attend>

--Enter a Display Name

--No Meeting Key is required.

--You will not be able to enter the meeting until 30 minutes before the presentation.

NOTE: Participation is limited, so please log on a few minutes early to secure your place. High-speed Internet access is optimal for accessing the online component. You must use Internet Explorer 6.x or Netscape 7.2. For Macintosh users, Safari 1.2 is required.

First-time users: If you have not used the Microsoft Live Meeting application, you will be prompted to download the application when you go to the URL for the event. Depending on the configuration of your computer system, permission from a technical administrator may be required for the download. During the downloading process, choose Run or Open (not Save). Firewalls and pop-up blockers can interfere with downloading the application, so they should be turned off, if possible. To install the Live Meeting application before the event, [click here](#)

Chat Archives

The Housing and Transportation Affordability Index -- Understanding What Makes Housing Truly Affordable

January 19, 2006

Preserving Homeownership: Foreclosure Prevention Strategies

June 2, 2005

Healthy Housing, Healthy Families

April 28, 2005

Urban Property Abandonment: Turning Blight Into Opportunity

March 15, 2005

Employer-Assisted Housing: Linking Workers to Homes

November 22, 2004

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**PLANNING COMMISSION AGENDA
CITY OF PRAIRIE VILLAGE
MUNICIPAL BUILDING - 7700 MISSION ROAD
TUESDAY, FEBRUARY 7, 2006
Council Chambers
7:00 P. M.**

I. ROLL CALL

II. APPROVAL OF PC MINUTES – January 3, 2006

III. PUBLIC HEARINGS

IV. NON-PUBLIC HEARINGS

**PC2005-121 Sign Approval & Sign Standards
3500 West 75th Street
Zoning: C-0
Applicant: Steven Chellgren**

**PC2006-101 Request for Sign & Sign Standards Approval
79th Street Shops
7910 State Line Road
Applicant: Connor Treanor, Block & Company**

V. OTHER BUSINESS

**PC2005-05 Request to Continue Application for Special Use Permit
for Communication Antennas at 69th Terrace & Roe
(McCrum Park)
Applicant: Cingular Wireless**

Discussion on revisions to Political Sign Regulations

Discussion on City Planning Consultant Recommendation

VI. ADJOURNMENT

Plans available at City Hall if applicable

If you can not be present, comments can be made by e-mail to
Cityclerk@Pvkansas.com

*Any Commission members having a conflict of interest, shall acknowledge that conflict prior to the hearing of an application, shall not participate in the hearing or discussion, shall not vote on the issue and shall vacate their position at the table until the conclusion of the hearing.

COUNCIL COMMITTEE OF THE WHOLE

January 17, 2006

The Council Committee of the Whole met on Tuesday, January 18, 2006 at 6:00 p.m. The meeting was called to order by Council President Jeff Anthony with the following members present: Mayor Ron Shaffer, Al Herrera, Bill Griffith, Ruth Hopkins, Steve Noll, Greg Colston, Andrew Wang, Laura Wassmer, Pat Daniels (arrived 6:15), Wayne Vennard, Diana Ewy Sharp and David Belz. Staff members present: Barbara Vernon, City Administrator; Charles Wetzler, City Attorney; Charles Grover, Chief of Police; Bob Pryzby, Director of Public Works; Stephen Horner, Assistant City Attorney; Doug Luther, Assistant City Administrator; Josh Farrar, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk. Also present Ron Williamson, City Planning Consultant.

Council President Jeff Anthony reviewed the procedures to be followed for the meeting. Mr. Anthony called upon Curtis Holland, an attorney representing Cingular Wireless, to present the application. Mr. Holland noted that also present at the meeting was Shawn Wyrick, a radio frequency engineer who would be available to address any technical questions.

Mr. Holland stated the proposed application has been filed to address a significant service gap in the Cingular network in Prairie Village, specifically in the area of 67th and Roe. Selective Site Consultants was hired to conduct a search for a potential "base transmitter station" (BTS) location that would address this problem. The search ring is very small, an area of one quarter mile in diameter. Mr. Holland noted the area of the search is almost exclusively residential and the first direction given to a site acquisition specialist is to see if there is an existing site on which the antennas could be co-located. The existing 120' water tower at 69th Terrace & Roe was identified as a potential site for co-location. The antenna would be placed at a height of 90 to 91 feet with the necessary communication equipment located at the base of the tower in a 12' x 20' building.

Mr. Holland referenced articles addressing the concerns of individuals with gaps in wireless service areas, noting the evolution of the cell phone over the past years. Initially the phone was used primarily for making or receiving calls while traveling. Today, the phones have become a business necessity serving to connect individuals with e-mail, faxes, television and Internet as well as voice communication. The phones are no longer limited to use while traveling, but are used from offices, shopping areas and homes. They have, in effect, become a personal computer.

Mr. Holland briefly reviewed propagation maps indicating the Cingular's existing coverage and the resulting coverage after the proposed installation of antenna on the water tower at McCrum Park. It was noted Cingular has already received approval of the City's Park Board. The City's Legislative/Finance Committee agreed to lease a portion of the park land if the use was approved by the Planning Commission and Council, and if the terms of the lease were approved by the Council. Cingular also has

the approval of the Water District to proceed with this application. At that time, the Cingular was directed to present specific information and get input from the residents and the City's Planning Commission.

Meetings were held with the residents and extensive planning has gone into the proposal presented to the Planning Commission. The application evolved with input from both the residents and staff. One of the major concerns was with the appearance of the communications building. Cingular has tried to address that concern by not placing their standard building at this location. They have instead agreed to do a custom build equipment building whose appearance would be compatible with the residential character of the neighborhood. Two proposals were presented to the Commission. The first was an all brick type building, and the second was basically of wood construction with stone and limestone incorporated at the bottom of the building and a hip or gable roof with asphalt composite or wood shake shingles. The design is open to the desires of the Commission and neighboring residents. Mr. Holland stated the building would not look like an equipment building.

The issues raised by the residents included EMS emissions, impact on property values, the building and loss of open space. A handout circulated by the residents entitled "Top 13 Reasons Why we don't want Cingular Wireless in our backyard" noted a decline in property values with the other 12 reasons addressing concerns with radio frequency emissions. Mr. Holland advised the Council of the Telecommunications Act of 1996 which prohibits cities from making a decision regarding facilities based on health concerns. He noted there have been several studies and articles published on the issue with most of them focusing on the effects from the telephone handset, not tower emissions. Mr. Holland stated he would submit copies of these studies for the record.

Regarding the perceived negative impact of communication towers on residential property values, he noted the water tower already located at this site has a far greater impact than the proposed antenna to be placed on the tower. Several studies have been conducted by MAI Appraisers on the question of the impact of telecommunication sites on the value of residential properties, and all have found cell towers do not cause a negative impact on property values. Mr. Holland noted he would be submitting copies of four of these studies for the record.

To address concerns with the appearance of the building, Cingular is prepared to construct a design-build building with community input as well as input from the Planning Commission and Tree Board on both construction and landscaping.

Curtis Holland stated he understands the residents' passion about the intrusion on the open space of this small park, but suggested the impact has been exaggerated in some cases. Maps circulated by residents have shown the site taking up 25% of the open space of the park when in reality the proposal will take approximately 240 square feet. Mr. Holland presented a site map showing the location and impact of the proposed equipment building.

Curtis Holland closed his comments stating the choice of co-locating on an existing site is preferable to the construction of a new cell tower at an alternative residential location.

Ron Williamson, City Planning Consultant, stated the Planning Commission held a public hearing on this application on December 6th hearing over two hours of testimony. The City's zoning regulations required the review of nine criteria in the evaluation of an application for a special use permit.

In making their recommendation to deny the Special Use Permit application, the Planning Commission specifically found that the project as presented in the proposed site plan, failed to satisfactorily meet two of the nine factors for consideration, specifically:

- B. The proposed special use at the specified location will not adversely affect the welfare or convenience of the public.
- C. The location and size of the special use, the nature and intensity of operation is such that it will not dominate the immediate neighborhood. In determining whether the special use will so dominate the immediate neighborhood consideration shall be given to:
 - 1. The location, size, nature and height of buildings, structures, walls, and fences on the site; and
 - 2. The nature and extent of landscaping and screening on the site.

In their analysis, the Planning Commission determined the proposed project would adversely affect the public welfare and convenience as a result of both the overall size of the proposed equipment building and the significant loss of park green space. (While the equipment building itself would be approximately 12' x 20', overall Cingular would use approximately 400 square feet of park green space.) The Commission also determined the proposed project would have too great of an impact upon the immediate neighborhood as a result of the overall size and location of the proposed equipment building. Concern was expressed regarding the location of the building at the 35' building line on the north side of the park. The Commission felt it would be too prominent of a location and would cause it to become a negative focal point of the park. Additional concern was expressed that the equipment building would create an "incompatibility of building (size) related to the elevation view of each side of the park."

The Planning Commission also felt that Cingular had not fully considered/exhausted the possibility of other sites that might meet its needs. One Commissioner felt Cingular's proposal to co-locate was a better alternative than a monopole at a nearby location. However, another felt the City should consider whether a monopole would be better because it might provide more co-location opportunities and the equipment building might be more appropriate at another location. Some commissioners felt the building aesthetics would impose a negative effect on the park although others felt this issue could be mediated by design control to which Cingular was agreeable.

Ron Williamson advised the Council its options were to accept the Planning Commission's recommendation, to override the Commission's recommendation with a

2/3 vote of the Council, or return the application to the Commission with specific directions such as to explore other locations, explore building location, size and/or design.

Laura Wassmer asked how close the equipment building needed to be to the antennas. Mr. Holland responded they needed to be fairly close (no more than 100' of cable) in that you do not want to have long co-axle runs from the equipment building to the antenna. The buildings are almost always located at the base. Mrs. Wassmer asked how many cables are needed. Mr. Holland responded there is one cable for each antenna and they are proposing nine antennas on the tower.

Bill Griffith asked how far the closest resident on the west would be to the proposed building. Mr. Holland responded at least 60 feet.

Al Herrera asked if the building could be buried. Curtis Holland responded it could be partially buried, but not entirely because the sensitive and expensive equipment housed in the building is very sensitive to moisture and in this area it is not possible to guarantee that moisture from frost, etc. would not get into the building. He also noted the footprint for a building partially underground would be larger to accommodate steps getting into the building. Mr. Herrera stated partially would not be acceptable as his concern is with the loss of green space from the park.

Wayne Vennard asked if the building could be located directly under the water tower. Curtis Holland responded this could be done if they could get the approval of the Water District.

Al Herrera confirmed the water tower is still being used.

Laura Wasmer asked how large the footprint of the water tower was and if the building could be placed under the tower. Curtis Holland felt if the Water District approved placement under the tower it could be done.

Greg Colston asked if Cingular was assured of getting a location for a telecommunications site.

Curtis Holland responded the Telecommunications Act of 1986 and the city's zoning regulations govern the location of telecommunication sites. The Telecom Act restricts the cities authority in approving or disapproving applications stating they can not be outwardly prohibited by the City. It seeks a balanced approach between the telecommunication company's wants and the community's wants.

Al Herrera stated he did not feel alternate locations had been totally exhausted by the applicant and noted it is not the City's responsibility to make Cingular's customers happy. He would like to see the applicant go back to the drawing board and work with the City to explore other options. Mr. Holland noted that some of Cingular's customers are also Prairie Village residents.

John J. Hayde, 5219 West 69th Terrace, stated he lives 1.5 blocks from the park. McCrum was intended to be a park where children play and it currently serves that purpose. This is the smallest park in Prairie Village. Mr. Hayde expressed concern that the placement of a building on this site would create a safety issue. He noted that currently the park has a clear field of vision to see children playing. The placement of a building would create a hiding place for individual's seeking to commit crimes against our children. Mr. Hayde feels this building would be contributory and that the city needs to take preventative action in denying the application and construction of the building.

Jori Nelson, 4802 West 69th Terrace, noted in all the letters received by the City on this application, there are no letters from residents in support of the application. Ms. Nelson posed the following questions: How many residents are within the ¼ mile search ring who will benefit from this application, what will be the impact of future upgrades, will the site be deserted, and how many complaints of dropped calls have been received in this area? She noted Cingular's website does not reflect any coverage gap in this area. She stated she has spoken with residents with Cingular who have not had problems.

Ms Nelson stated the comparison of this site to the Harmon Park location is totally inappropriate. The residents adjacent to Harmon Park are separated from the tower by a parking lot, not by 50 feet. The biggest concern of the residents is maintaining the integrity of the park. She noted the water tower, which has been on the site for 50+ years and serves a need, has become an established feature and generally goes unnoticed by the residents. Ms Nelson stated she is not anti-technology or anti-business, but feels strongly that corporations do not belong in a public park and she urged the Council to support the recommendation of the Planning Commission.

George Holter, 4705 West 70th Street, a 35-year resident stated Prairie Village is a residential community and noted McCrum Park is actively used in both the summer and winter. He stated there is no need to have any park turned over to corporate America.

Jim Rosberg, 4800 West 70th Street, acknowledged the coverage problem experienced by Cingular in this area. He noted the search area is 99% residential with one church. He feels it is simply wrong to place this telecommunications application in this highly residential area.

J.J. Wenrich, 6700 El Monte, spoke on behalf of the Prairie Village Homes Association, the largest homes association in the city. The Board of Directors unanimously voted to oppose the proposed special use permit on the basis of its occupation of green space in the small park, which already gives up space to the water tower. Mr. Wenrich stated the Board feels the 12' x 20' building is large in comparison with the area. He does not feel the proposed commercial occupation is needed nor in the best interest of the community. Mr. Wenrich stated he does not feel all options have been exhausted, noting the large church property at 67th & Roe, and feels to move forward at this time would be irresponsible – other options need to be explored.

Judy Holter, 4705 West 70th Street, stated her primary concern is the upkeep of the park. She commended the City's public works department for their current upkeep of McCrum Park and noted the unkept appearance and lack of maintenance of the property at Harmon Park housing the equipment for the antenna on that tower.

Mrs. Holter also expressed concern with the building blocking the view of activities in the park as well as the neighborhood view of this open park. She stated regardless of the attractiveness of the proposed building, it is not wanted.

Tina Lloyd, 4711 West 69th Terrace, lives adjacent to the north side and her bedroom window is 50 feet from the proposed building. She is concerned with the loss of green space from the building and landscaping. Mrs. Lloyd noted the residents were aware of the existing water tower when they moved into their homes and accept it, but do not want the tower to become a telecommunications site with the related equipment housed on the park property.

Gary Adams, 4910 West 69th Street, asked why church locations at 67th & Nall and 67th & Roe have not been considered. He noted other potential locations within a one-half mile radius of 67th & Roe. It is not the city's responsibility to please Cingular. This property was dedicated as public park always to be used by the public, not for commercial enterprise.

Steve Sinclair, 4710 West 69th Terrace, lives directly to the north of the park and looks out upon the park every day. His family uses the north side of the park where the equipment building is proposed extensively for picnics, flag football, etc. He opposed the application and noted there are other sites that should be considered. He feels the construction of the building will create a safety issue both as a hiding place and a site for potential vandalism.

Maressa Finley-Sinclair, 4710 West 69th Terrace, noted at the Planning Commission meeting Mr. Holland stated the equipment building could be placed underground.

Chairman Jeff Anthony closed the meeting to public input for the purpose of Council discussion.

Diana Ewy Sharp made the following motion, which was seconded by Ruth Hopkins:

**RECOMMEND THE CITY COUNCIL RETURN APPLICATION
PC2005-05 TO THE PLANNING COMMISSION FOR THE EXPRESS
PURPOSE OF EXPLORING ALTERNATIVE OPTIONS AT THIS
LOCATION**

Al Herrera asked for clarification if the motion covered the McCrum Park location or other sites. Mrs. Ewy Sharp responded the McCrum Park location.

Bill Griffith asked if the City is the property owner who is requesting the Special Use Permit. Mr. Holland responded it is being requested by Cingular Wireless.

Stephen Horner, Assistant City Attorney, clarified under the special use permit regulations PVMC 19.28.010, the application is initiated by the property owner. In this instance, Cingular Wireless is acting as the City's agent in making the application.

Laura Wassmer stated she can only support the location of the equipment building totally under the water tower where no additional park space would be impacted. However, she noted the City's challenge is to provide locations for telecommunications sites. The City has heard several requests most with resident opposition over the past several years and noted the city will continue to receive requests. She stated the need to balance the needs of the cellular phone users and the Prairie Village residents.

Greg Colston asked "will there be an antenna somewhere?"

Stephen Horner responded that under the Telecom Act city's can not prohibit wireless service if they meet certain criteria.

Ruth Hopkins stated she supports the motion as the first step in the process.

Pat Daniels stated he is supportive of the motion, however, he would like clarification on the questions raised about deed restrictions at the Planning Commission meeting.

Stephen Horner responded deed restrictions are private contracts between property owners and the City does not generally get involved in those matters. The City is the property owner in this case and did do a cursory review of the deed restrictions and found them not to be applicable to this situation. As part of the lease agreement, the City can require Cingular to indemnify the City in regard to this.

Al Herrera stated he can not support the motion. He does not feel the applicant has exhausted other locations and would like to have other locations explored as well. He is also concerned with other potential carriers at this location and the park becoming a dropping site for electronic equipment.

Bill Griffith noted a review of the history of this application states both the Park & Recreation Committee and the Legislative/Finance Committee gave approval contingent upon hearing from residents and approval of the Planning Commission. The Council has now heard from the residents and the Planning Commission. The City is the owner of the property and he feels that the City can decide, based on the comments made and the recommendation of the Planning Commission that it does not want to execute a lease for this property. His first choice of action would be for the City to abandon lease negotiations with Cingular.

Pat Daniels stated he was concerned with the potential for other carriers to want to locate at this site, noting that WaterOne has stated they would allow 2 providers to locate on the

tower. He understands different carriers have different equipment needs, but feels this is a key issue.

Stephen Horner stated limiting the number of carriers at this location can be addressed by the City as the property owner. If the City fails to enter into a lease agreement with another carrier, they can not request a special use permit.

Wayne Vennard suggested the motion be amended to include the exploration of other potential locations in addition to McCrum Park. Mrs. Ewy Sharp, the maker of the motion, agreed with the amendment. Council President Jeff Anthony called for the question and the amendment to the motion was voted on and passed by a vote of 11 to 1 with Ruth Hopkins voting “nay”.

The motion as amended was restated as follows:

**RECOMMEND THE CITY COUNCIL RETURN APPLICATION
PC2005-05 TO THE PLANNING COMMISSION FOR THE EXPRESS
PURPOSE OF EXPLORING ALTERNATIVE SITE LOCATIONS
FOR THE EQUIPMENT BUILDING AT MCCRUM PARK AND
OTHER POTENTIAL SITE LOCATIONS IN THE AREA.**

Steve Noll confirmed this included both the location of the building under the water tower at McCrum Park, other locations at McCrum Park and an entirely different site location.

Pat Daniels stated he was supportive of the motion, but noted other locations may not resolve the issue as this could become a (NIMBY) “not in my backyard” location issue.

The motion was voted on and passed by a vote of 9 to 3 with Herrera, Griffith, & Anthony voting “nay”.

Steve Noll noted this action is a committee recommendation and needs official Council action. Diana Ewy Sharp requested this item be brought forward at the Council meeting this evening. Mayor Shaffer noted it was not on the agenda and expressed concern that persons interested in this issue may not be present. Committee members felt it was appropriate for the benefit of both the applicant and residents to move forward with Council action.

Mayor Shaffer stated the item would be added to the Council agenda under New Business.

Council President Jeff Anthony adjourned the meeting at 7:30 p.m.

Jeff Anthony
Council President

SISTER CITY COMMITTEE
Minutes
January 9, 2006

The Sister City Committee met Monday January 9, 2006. Present and presiding: Cindy Dwigans, Vice Chair. Members present: Ruth Hopkins, Alyce Grover, Cleo Simmonds, Bob McGown, Christopher Haggerty and Dick Bills. Staff present: Barbara Vernon

Cindy Dwigans called the meeting to order. Members introduced themselves and welcomed new member Dick Bills.

Approval of Minutes

Alyce Grover made a motion, seconded by Ruth Hopkins, to approve the minutes of December 12, 2005 meeting. The motion passed unanimously.

Discuss KC Sister Cities Organization

Cindy reported that she has been attending these meetings to make contacts and learn from other groups. She feels there is no more to be gained by attending other meetings and asked that item IV be deleted from the agenda.

Review Timeline from facilitation process

Members reported that they have completed the research plan listed in the Rockhurst Business Plan. They are contacting other potential cities. The Sister City website is being updated so the City profile will be current and available on line.

Cindy said she has learned that this group can piggy-back with other larger cities in the area that may have a sister city with an adjoining suburban city similar to Prairie Village. Everyone agreed this group would prefer a city that is similar to this city.

Japan has several sister city relationships with local cities. Each of these cities have educational exchanges as a basis of their relationship.

Christopher said he believes the timeline is being followed.

Rockhurst Report Discussion

One of the recommendations in the plan is to develop a foundation status for Prairie Village Sister City. Committee members agreed this group should pursue a 501(c)(3) designation so tax deductible contributions can be solicited. Cindy said it is possible to use the Sister City national foundation or the Kansas City foundation as the 501(c)(3) holding this group's funds..

The group agreed they need to select a city before soliciting donations. They discussed identifying the country by contacting former residents of foreign countries. They agreed

to consider identifying three or four countries before recruiting additional members to make contacts.

Based on the information gathered at VillageFest, Prairie Village has more Berman residents than other countries. Other countries with local residents include the United Kingdom. Ruth suggested they contact the Shawnee Mission School District to access information about the relationships they have established in other countries. One of the issues to consider when selecting a city is the distance from Prairie Village and cost of travel between the cities.

Countries suggested for research include: Spain, Mexico, Canada and Iceland.

Ruth agreed to contact the Shawnee Mission School District International school teachers to learn about exchange relationships they may already have that can be used by this group.

Rockhurst Report Discussion

The issue of a tax exempt status was discussed earlier.

The recommendation to involve more people in the Sister City Committee is still an important issue to be addressed.

Movie Night

Only committee members and staff attended the first movie night so the film was not shown. The members agreed to continue the monthly events and schedule the film from last week in April. Part of the attendance problem was that the City newsletter arrived in homes later than anticipated so residents did not know about the event last week.

The next movie night will be February 1.

Young Artists Competition

Brochures are available at City Hall and at the library. They have also been sent to schools. Artists who submitted applications last year were sent an application to enter this year's event.

VillageFest

Committee members agreed to participate in VillageFest again this year because they made some good contacts last year. Cleo agreed to attend the VillageFest meeting.

Next Steps for the Committee

The Community Profile Document has been updated by Leigh Ann.

Recruitment of new members

Cindy will prepare a list of local cities that have Sister Cities along with the cities they have partnered with recently. Cindy will follow-up with Brian Kneitz to see if he is still interested in being a member of the committee.

Committee members agreed to postpone aggressive recruitment until they have a better idea of the areas being researched. They would like to have members who have contacts and intimate knowledge of the countries they are considering. They will contact AFS for possible candidates when they have identified countries to consider.

Other

There was general agreement of those present that the city they select must be of interest to people in Prairie Village. There should be a reason to have an ongoing relationship with the city and reasonable travel costs for exchange of visits between the cities.

Countries mentioned for consideration included Spain, Mexico, Canada and Iceland.

Adjournment

Chris Haggerty made a motion to adjourn, seconded by Alyce Grover. The motion passed unanimously.

The meeting adjourned at 8:15 p.m.

PARK AND RECREATION COMMITTEE
January 11, 2006

The Park and Recreation Committee met January 11, 2006. Present and presiding Chairman Diana Ewy Sharp. Members present: David Belz, Clarence Munsch, A.J. LoScalzo, and Shelly Trewolla. Staff: Barbara Vernon and Bob Pryzby.

Approval of Minutes

Due to the lack of a quorum, minutes of the December 14, 2005 meeting were not approved.

Reports

Recreation report:

Hiring process for life guards is underway.

All fees proposed by this committee were approved by the Legislative/Finance Committee and will be considered by the City Council at their January 17 meeting. The first draft of the Village Vision report includes a significant number of items for Parks and Recreation. They are recommending a more aggressive program of community events, a community center, amphitheatre and acquisition of more park land. Mayor Shaffer will recommend James Reimer to the City Council for appointment to the Ward 3 position on the Park Committee. The appointment will be considered by the Council at their next meeting.

Public Works Report

Crews are clearing their last round of leaves

Valves are being repaired at the swimming pool

Roof leaks are being repaired at Windsor and Bennett pavilions

Mowing equipment is being rehabilitated

Vehicle equipment will be ordered early this year and will be below budget because the City is able to use the MARC bids.

A Field Superintendent position is being advertised and should be filled soon.

Two employees will attend a Swimming Pool Operator conference

Old Business

Pool Season Extension

Committee members discussed issues related to extending the swim season. The daily cost for maintenance is significant and guard staff is not available. After lengthy discussion it was agreed that the Chairman will send a letter to those who asked for consideration of this change telling them the cost is prohibitive.

Meadowlake Tennis Court Repair

Bid specifications for the project are being reviewed. The project should be ready for bid later this month and the courts should be ready later this summer.

Prairie Park Dedication

Pryzby said work at the park will be completed in the Spring. Committee members discussed having the dedication in early Summer perhaps in connection with the Prairie Village Art Fair. Diana suggested making the dedication more of an event and will ask for committee members to volunteer to plan. Ideas included a tie-in to the prairie theme, music, and a Parks Show and Tell exhibit. Diana asked Barbara what type of budget there was available. She believes there is some money available in a miscellaneous account that could be used for the dedication. Johnson County Parks committee members should be invited. Diana will prepare committee recommendations for the next meeting.

Business Plan History/Policy Presentation

Continued

A joint meeting will be held with other committees at the next Parks meeting on February 8th with the objective being to listen and learn from other committees involved with parks, recreation and cultural programming.

New Business

Summer meeting locations

Committee members agreed to the following schedule: Windsor Park in May, Swimming Pool in June, Weltner Park in July and Bennett Park in August.

Review of 2006 Capital Infrastructure Program

Bob Pryzby recommended the following for the 2007 budget:

Fall zone replacement in Bennett Park	\$31,400
Half court basketball in Bennett Park	10,000
Meadowlake playing field improvements	3,600
Miscellaneous park equipment replacement	10,000
Porter Park irrigation	25,000

He said he has had requests from the neighbors around the fountains at 69th/Oxford and 71st/Cherokee to improve the fountains so they actually work. Bob said the cost of this type of project is very high.

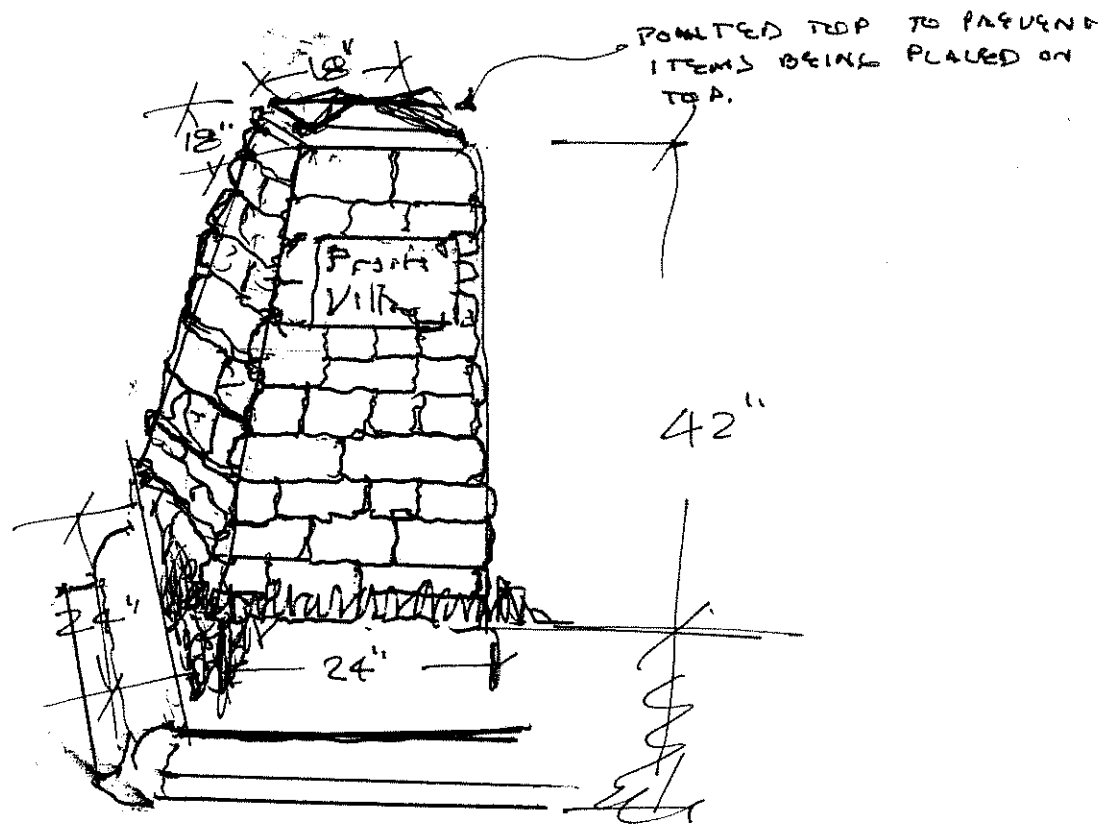
The meeting adjourned at 8:20 p.m.

MINUTES

7:00 PM January 12, 2006
Public Works Office

Committee members attending: Kathy Peterson and Bob Endres
Staff attending: Bob Pryzby

1. Present City Entrance Signs – Bob Pryzby presented a typical picture of the current signs and their condition. He also presented a list of the 16 and a map depicting their location.
2. Potential New City Entrance Signs – The group reviewed a design presented by Bob Endres. It is a truncated obelisk constructed simulated field stone on a concrete core. Approximated dimensions were discussed. It was agreed to forward the sketch to Committee member Tod Hueser and request he provide a better drawing with details and an estimated construction cost. The group agreed to meet again when the drawing and cost estimate is available.



- STACKED STONE (MORTARED INSIDE) FACING
- NAME ETCHED IN STONE & PAINTED BLACK
- SIMILAR STONE TO PRAIRIE FAMILY
- SIGN " PRAIRIE VILLAGE " 3" HIGH LETTERS
- PARK ID SIGNS WOULD BE THE SAME
- CONCRETE CORE W/ PRE-FABRICATED CONCRETE STONE

12 JAN 06

**Prairie Village Arts Council
Wednesday, 18 January, 2006
Minutes**

The Prairie Village Arts Council met at 7:00 pm in the City Council Chambers. Members present: Randy Kronblad, Chairman, David Belz, Pam Marshall, Inge Dugan, Pat Clothier, Jan Marsh, Bill Rose, Susan Webb, and Annie Brabson. Also present: Doug Luther

Committee members welcomed Pam Marshall as a new committee member.

Minutes:

Committee members reviewed and approved minutes from the 16 November, 2005 meeting as submitted.

Financial Report

Mr. Luther said the 2005 books are being closed out. A year-end report will be provided at the next meeting.

Council Report

Mr. Belz said the Park & Recreation Committee is interested in identifying ways the City's advisory committees can cooperate and coordinate their programs and events. A meeting has been scheduled for 8 February at 7:00 pm. This meeting will be a brainstorming session. Mr. Belz said committee members should have received a letter about this meeting. He encouraged Arts Council members to attend.

December exhibit/reception

The reception honoring Julie Johnson and her photography was well attended.

January exhibit/reception

The reception on 13 January for Art Whorton and Gary Mehl was very well attended and artists sold several pieces during the reception.

February exhibit

Mr. Luther said the February exhibit date is open. It was initially thought images from the Village Vision planning process would be on display, but this will not happen until later. Committee members identified the following options for filling the gallery space in February.

1. Attempt to schedule the April exhibit in February if the artists are available.
2. Extend the Mehl/Whorton exhibit
3. Feature works created by Arts Council members

Mr. Luther said he would pursue these options. If an reception is scheduled for February, he will notify Arts Council members to obtain volunteers.

Shooting Stars Contribution

The Arts Council's 2006 budget contains \$1,000 for a contribution to the Johnson County Arts Council's Shooting Stars scholarship program. In prior years, this contribution has made from funds in the Arts Council's portion of the Municipal Foundation.

Ms. Marsh expressed concerns with taking \$1,000 out of the Arts Council's Foundation account, noting that the "donations" portion of this account has only \$1,300. This led to committee discussion of the need to investigate fundraising efforts in 2006. Committee members agreed to discuss fundraising later in the meeting.

Ms. Brabson moved and Ms. Walsh seconded a the following motion which was unanimously approved:

AUTHORIZE A \$1,000 CONTRIBUTION TO THE JOHNSON COUNTY ARTS COUNCIL'S SHOOTING STARS PROGRAM WITH \$500 FROM THE ARTS COUNCIL'S 2006 OPERATING BUDGET AND \$500 FROM THE MUNICIPAL FOUNDATION.

2006 Gallery Schedule

Committee members reviewed the 2006 schedule. With the exception of February, the only open date in 2006 is August, and the Arts Council will consider two applications later in this meeting.

Mr. Luther said recruiting artists is an ongoing process. Arts Council members should start now identifying artists for 2007. Ms. Marsh encouraged members to identify exhibit candidates and encourage them to apply. The artists simply need to contact Mr. Luther for an exhibit application packet.

Committee members agreed their efforts should focus on local artists, as they will likely draw more attendance at receptions.

Mike Walsh Exhibit Application

Committee members reviewed a resume and samples provided by Mike Walsh. Mr. Walsh works in pastels and has been in numerous shows in the Midwest and California. Committee members agreed that Mr. Walsh's resume is impressive.

After discussion, committee members approved Mr. Walsh's exhibit application and directed staff to work with Mr. Walsh to schedule an exhibit date.

Ted DeFeo Exhibit Application

Committee members reviewed an exhibit application by Ted DeFeo. Mr. DeFeo specialized in underwater photography and was featured in the gallery in October, 2005. While committee members liked Mr. DeFeo's work, they expressed concerns with his recent exhibit in the gallery. They felt the Arts Council should provide more variety in its exhibits and not regularly repeat artists.

After discussion, Committee members approved Mr. DeFeo's exhibit application and directed staff to coordinate a date in 2007 for an exhibit of Mr. DeFeo's photographs.

Donation from Graham Porter

Mr. Kronblad reported that Graham Porter, a Prairie Village resident and photographer who has exhibited in the gallery in the past, has donated a photograph of the prairie family statue at Tomahawk and Mission Road. Committee members expressed their appreciation of Mr. Porter's donation.

Purchase Request from Jack O'Hara

Mr. Luther said Jack O'Hara, a Prairie Village resident and past exhibitor in the gallery recently completed a watercolor of the prairie family statue and foundation. He is requesting if the Arts Council would like to purchase the painting, though Mr. O'Hara did not provide a price.

Committee members agreed not to purchase the painting, citing budget constraints and concerns that doing so would set a precedent for future purchases from artists exhibiting in the gallery.

Committee members suggested Mr. O'Hara apply to exhibit in the gallery, and this painting could be included in the exhibit. Mr. Luther said he would communicate the Committee's decision to Mr. O'Hara.

Subcommittee formation

Mr. Kronblad noted that the Arts Council has prepared an aggressive plan for 2006. He suggested subcommittees be formed to plan the various projects. Four subcommittees were proposed. .

Prairie Village Art Show - Ms. Marsh said she would coordinate the Arts Council's participation in the Prairie Village Art Show with Donna Potts. Mr. Kronblad and Ms. Marshall agreed to help.

Fundraising - Mr. Kronblad said Mr. Endres has some ideas about fundraising that he will share with the Arts Council at a future meeting.

Concerts - Mr. Kronblad said the 2006 budget contains funding for two concerts. He has attempted to contact the Noteables Air Force band for a return performance, but has not received a response. He has learned that a Navy Jazz Band, the Commodores, will be touring in the area this Fall. Committee members agreed that a military band concert should be pursued. Mr. Kronblad said he would obtain more information and report back to the committee.

Public Art - At its last meeting the Arts Council agreed to investigate developing a public art program. Committee members discussed Leawood's program which requiring a contribution for public art from individuals developing commercial projects. They also briefly discussed Kansas City, Missouri's 1% for art program. Mr. Luther said that, if a program is developed, it would require participation from the Arts Council, other advisory committees, and approval by the City Council. The first steps, however, would be to conduct research and develop a draft proposal. Mr. Rose agreed to research this topic and report back to the committee.

Movie Night

Ms. Marshall said some neighborhoods sponsor an outdoor movie night. She said this might be a fun event for the Arts Council to sponsor. The event could be in a park or at the pool, and could possibly be a fundraising event for the Arts Council. Committee members agreed to investigate this idea and discuss it at a future meeting

There being no further business, the meeting adjourned.

Randy Kronblad
Chairman

Memo

To: Residents Speaking on PC2005-06 (McCrum Park)
From: Joyce Hagen Mundy, City Clerk
Date: 1/31/2006
Re: Planning Commission Meeting of February 7, 2006

At the City Council Meeting on Tuesday, January 17, 2006, the request for a Special Use Permit for wireless communication antenna & related equipment at 67th Terrace & Roe (McCrum) was returned to the Planning Commission for further consideration of alternate locations. You were advised at that time it would be on the Commission's February 7th agenda.

The City has received the attached letter requesting this item be continued to the March 7th meeting of the Planning Commission to allow time for the applicant to address the issues raised regarding alternate locations. The Planning Commission Chairman has stated he would accept the request for this to be continued. The only discussion at the February meeting will be a formal motion by the Commission to grant the continuation to its March 7, 2006 meeting.

I would appreciate your assistance in getting this information to others interested in this application.

JAN-30-2006 10:57 POLSINELLI SHALTON WELTE P.02/02

Polsinelli | Shalton Welte | Suelthaus^{PC}

6201 College Boulevard, Suite 500 | Overland Park, KS 66211-2423
(913) 451-8788 | Facsimile: (913) 451-6205 | www.pswslaw.com

Curtis M. Holland
(913) 234-7411
cholland@pswslaw.com

January 30, 2006

Joyce Hagen Mundy
City Clerk
Prairie Village
7700 Mission Road
Prairie Village, Kansas 66208-4230

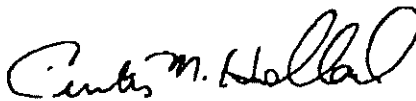
Re: Cingular/67th and Roe

Dear Joyce:

As applicant, and on behalf of Cingular Wireless, I hereby respectfully request a continuance from the February 7, 2006, Planning Commission hearing to the March 7, 2006, agenda. This continuance is being requested to allow additional time for applicant to address issues raised by the City Council at its meeting on January 17, 2006.

If you have any questions or concerns regarding this matter please feel free to contact me at 913-234-7457.

Sincerely,

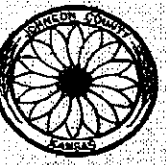


Curtis M. Holland

CMH:srr

cc: Mike Utt
Greg Stockell
Sean Wyrick
Trevor Wood


018366 / 105796
SRRAS 242026



BOARD OF COUNTY COMMISSIONERS
JOHNSON COUNTY, KANSAS

January 19, 2006

Mayor Ron Shaffer
City of Prairie Village
7700 Mission Road
Prairie Village, Kansas 66208

Dear Mayor Shaffer: 

At the January 11th meeting of the Johnson and Wyandotte County Council of Mayors, I requested the group's consideration and feedback regarding my proposal for a countywide leadership summit of local elected officials in Johnson County. At that meeting, I advised that I would follow-up with the mayors to solicit their comments and suggestions regarding the scope of issues this event will cover, which is the purpose of this communication.

The leadership summit, which would be convened by Johnson County Government on Friday, March 31, 2006, would involve an in-depth discussion of how we can go from what we know is a good community, to a great community.

Possible outcomes of this event are as follows:

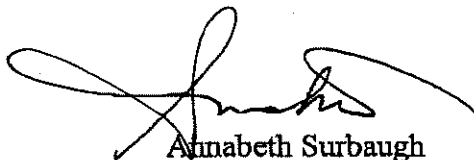
- To present a report of where we are today: what is going well in the community and what is not going so well. This could provide a snapshot of where we have landed due to past decisions and actions.
- To gain an understanding of significant trends in our community, where they are likely to take us, and how we compare to peer communities. How we respond today to these trends, will paint the legacy we leave.
- To identify opportunities to enhance city/county partnerships to deliver services to all of our residents that will sustain Johnson County as a community of choice.
- To concur on the development of an action plan outlining our next steps and priorities.
- To agree on how we could monitor our progress.

Mayor Ron Shaffer
January 19, 2006
Page 2

To ensure that this event is a worthwhile endeavor for all of us, I would greatly appreciate your honest assessment of the proposed format and outcomes we hope to achieve. Enclosed, please find a list of priorities identified by the County as potential issues for discussion at the leadership summit. I ask that you consider these items, and list any additional issues you believe are important for this event to address in the spaces provided. If there are issues not addressed by any of the proposed outcomes, which you feel warrant greater dialogue on the part of elected officials, I welcome any suggestions and insight that you can offer. Lastly, please articulate the top five issues according to your preference in the spaces provided.

As March 31st rapidly approaches, I would ask that you return the enclosed form with your comments by **Tuesday, January 31st**. Please send this information to the attention of District Aide Jill Jolicoeur, via US mail to: Board of County Commissioners, 111 South Cherry, Suite 3300, Olathe, 66061. In addition, you may also return this form via e-mail to jill.jolicoeur@jocogov.org, or fax to 913-715-0440. Formal invitations and notice of the leadership summit will follow in the coming weeks to you and your council. If you or members of your staff have any questions or concerns, please do not hesitate to contact me or Jill Jolicoeur at 913-715-0438. We look forward to hearing from you!

Sincerely,



Annabeth Surbaugh
Chairman of the Board

Jan 25 2006 14:32 P.04
Leadership Summit
Friday, March 31, 2006

Potential Issues for Discussion

The following list of priorities has been identified by the County as potential issues for discussion at the leadership summit. Please consider these items, and list any additional issues you believe are important for this event to address in the spaces provided.

Once your list is complete, please articulate the top five issues according to your preference.

	<u>Issue</u>	<u>Rank</u>
1.	Transportation	_____
2.	Housing	_____
3.	Public Safety	_____
4.	Collaborative Services Delivery	_____
5.	Growth Management	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____

Please return completed survey by **Tuesday, January 31st**, via US mail, fax, or e-mail to:

Johnson County Board of County Commissioners
Attention: Jill Jolicoeur
111 South Cherry, Suite 3300
Olathe, Kansas 66061
Fax: 913-715-0440
E-mail: jill.jolicoeur@jocogov.org

Council Members
Mark Your Calendars
February 6, 2006

February, 2006	Gary Mehl and Art Whorton mixed media exhibit in the R.G. Endres Gallery
February 8	Community America Credit Union Grand Opening 7620 State Line Rd
February 10	Prairie Village Arts Council reception for art exhibit
February 15	MARC forum on "Eminent Domain – Why does it matter to local governments?" – 6:30 – 8:30 p.m.
February 16	Chamber of Commerce-State of the Cities Address
February 16	NLC Web Chat on First Suburbs in the Council Chambers
February 20	President's Day – City offices closed
February 21 Tuesday	Council Committee of Whole – 2007 Capital Equipment Budget
February 21 Tuesday	City Council Meeting
February 28	Primary Election
March, 2006	Virginia Fortner watercolor exhibit in the R.G. Endres Gallery
	Sister City local young artists exhibit in the R. G. Endres Gallery
March 6	City Council Meeting
March 10	Prairie Village Arts Council reception for art exhibit
March 11-15	NLC Congressional City Conference in Washington DC
March 20	City Council Meeting
April, 2006	Ms. Bobbi Toyne & Bess Duston mixed media exhibit in the R.G. Endres Gallery
April 3	City Council Meeting
April 4	General Election
April 14	Prairie Village Arts Council reception for art exhibit
April 17	Council Committee of the Whole – 2007 PW Capital Projects Budget
April 17	City Council Meeting
April 22	Large Item Pick-up
May, 2006	Studio West pastel exhibit in the R.G. Endres Gallery
May 1	City Council Meeting
May 8	Budget Worksession – Public Works & Public Safety
May 12	Prairie Village Arts Council reception for art exhibit
May 15	Council Committee of the Whole – 2007 Budget presentations – Admin., Ct. & Parks
May 15	City Council Meeting
May 25	Budget Worksession if needed
May 29	City Offices closed in observance of Memorial Day
June 2006	Kevin Spykerman oils and illustrations exhibit in the R.G. Endres Gallery
June 5	City Council Meeting
June 9	Prairie Village Arts Council reception for art exhibit
June 12	Budget Worksession if needed
June 19	Budget Worksession at Council Committee of Whole if needed
June 19	City Council Meeting
June 26	Budget Worksession if needed

July 2006	Pat Deeter watercolor and pastels exhibit in the R.G. Endres Gallery
July 3	City Council Meeting
July 4	City Offices closed in observance of 4 th of July
July 4	Villagefest
July 17	City Council Meeting
August 2006	John Roush and Mike Walsh pastel exhibit in the R.G. Endres Gallery
August 7	City Council Meeting
August 21	City Council Meeting
September 2006	Dale Cole's Photography exhibit in the R.G. Endres Gallery
September 4	City Offices Closed observance of Labor Day
September 5 Tuesday	City Council Meeting
September 18	City Council Meeting
October 2006	Senior Arts Council mixed media exhibit in the R.G. Endres Gallery
October 2	City Council Meeting
October 7-10	League of Kansas Annual Conference in Topeka
October 16	City Council Meeting
November 2006	Mid-America Pastel Society's exhibit in the R.G. Endres Gallery
November 6	City Council Meeting
November 7	Johnson County Election
November 20	City Council Meeting
November 23-24	City offices closed in observance of Thanksgiving
December 2006	Marearl Denning photography and ceramics exhibit in the R.G. Endres Gallery
December 1	Mayor's Holiday Gala
December 4	City Council Meeting
December 5-9	NLC Congress of Cities Conference in Reno Nevada
December 18	City Council Meeting
December 25	City Offices Closed in observance of Christmas

ANIMAL CONTROL COMMITTEE

AC96-04 Consider ban the dogs from parks ordinance (assigned 7/15/96)

COMMUNICATIONS COMMITTEE

COM2000-01 Consider redesign of City flag (assigned 7/25/2000)

COM2000-02 Consider a brochure to promote permanent local art and history (assigned Strategic Plan for 1st Quarter 2001)

COM2000-04 Consider the installation of marquees banners at City Hall to announce upcoming civic events (assigned Strategic Plan for 1st Quarter of 2001)

COMMUNITY STANDARDS COMMITTEE**COUNCIL COMMITTEE**

COU99-13 Consider Property Audits (assigned 4/12/99)

COU2000-42 Consider a proactive plan to address the reuse of school sites that may become available (assigned Strategic Plan for 4th Quarter 2001)

COU2000-44 Provide direction to PVDC regarding its function / duties (assigned 2000 Strategic Plan)

COU2000-45 Review current City definition for blight and redefine it where appropriate (assigned 2000 Strategic Plan)

COU2004-10 Develop programs to promote and encourage owner occupied housing (transferred from PVDC on 3/15/2004)

COU2004-11 Identify potential redevelopment areas and encourage redevelopment proposals (transferred from PVDC on 3/15/2004)

COU2004-12 Pursue development of higher value single-family housing (transferred from PVDC on 3/15/2004)

COU2004-13 Proactively encourage redevelopment to increase property values (transferred from PVDC on 3/15/2004)

COU2004-14 Meet with the Homes Association of the Country Club District (HACCD) to obtain their input regarding deed restrictions (transferred from PVDC on 3/15/2004)

COU2005-15 Consider planning meetings for the Governing Body (assigned 9/6/2005)

COU2005-16 Consider how to improve the Council's effectiveness as a team (assigned 9/6/2005)

COU2005-17 Consider how to expand leadership opportunities for Council members (assigned 9/6/2005)

COU2005-18 Develop a school zone policy (assigned 9/6/2005)

COU2005-19 Consider committee term limits for elected officials and residents (assigned 9/6/2005)

COU2005-20 Develop a sidewalk policy (assigned 9/6/2005)

COU2005-21 Develop a policy for use of Fund Balance (assigned 9/6/2005)

COU2005-22 Consider Council mentoring program (assigned 9/6/2005)

COU2005-23 Consider sponsoring social events with other jurisdictions (assigned 9/6/2005)

COU2005-24 Develop and improve parliamentary procedures (assigned 9/6/2005)

COU2005-25 Consider changing procedure for selecting Council President (assigned 9/6/2005)

COU2005-27 Consider concept of Outcomes Measurement or Quantifying Objectives (assigned 9/6/2005)

COU2005-28 Consider more effective public notice of Council and Committee vacancies (assigned 9/6/2005)

COU2005-29 Consider City service to remove oak pollen in gutters and curbs (assigned 9/6/2005)

COMMITTEE AGENDA

February 6, 2006

- COU2005-30 Consider \$500 deposit from landlords for remediation of code violations (assigned 9/6/2005)
- COU2005-40 Consider Planning Commission Recommendation – Planning Consultant (assigned 11/14/2005)
- COU2005-44 Consider YMCA Partnership (assigned 12/14/2005)
- COU2006-01 Consider Request for Special Use Permit for Communication Antennae at McCrum Park (assigned 12/7/2006)

LEGISLATIVE/FINANCE COMMITTEE

- LEG2000-07 Consider current policies and procedures for code violations (Transferred from CCW 3/18/2002)
- LEG2000-25 Review fee schedules to determine if they are comparable to other communities and adjust where appropriate (assigned Strategic Plan for 1st Quarter of 2001)
- LEG2003-12 Consider Resident survey - choices in services and service levels, redevelopment (assigned 8/7/2003)
- LEG2004-31 Consider Lease of Park Land to Cingular Wireless (assigned 8/31/2004)
- LEG2005-38 Consider proposed ordinance revisions to PVMC 19.44.025 entitled “Height and Area Exceptions – Fences” (assigned 11/2/2005)
- PK2005 -11 Consider Use of right-of-way island at Somerset and Lee Blvd (assigned to L/F Committee)
- LEG2005-46 Consider Facility Reservation Fees (assigned 12/15/2005)*
- LEG2005-49 Consider Building Permit and Plan Review Fees (assigned 12//21/2005)
- LEG2006-01 Consider an Increase in the Rate the City Charges for Off-Duty Contractual Employment of Police Officers (assigned 1/4/2006)
- LEG2006-02 Consider placement of “No Standing” regulatory signs at 3535 Somerset (assigned 1/23/2006)**
- LEG2006-03 Consider request for funding from Johnson County for Smoking Survey (assigned 2/1/2006)**
- LEG2006-04 Consider request for amendment to ordinance to allow service stations to sell cereal malt beverages (assigned 2/1/2006)**
- LEG2006-05 Consider Compensation Study (assigned 2/2/2006)**

PARKS AND RECREATION COMMITTEE

- PK97-26 Consider Gazebo for Franklin Park (assigned 12/1/97)
- PK2003-06 Consider Capital Improvement Plan for 2004-2006 (assigned 8/13/2003)

PLANNING COMMISSION

- PC2000-01 Consider the inclusion of mixed-use developments in the City and create guidelines criteria and zoning regulations for their location and development (assigned Strategic Plan)
- PC2000-02 Consider Meadowbrook Country Club as a golf course or public open space – Do not permit redevelopment for non-recreational uses (assigned Strategic Plan 2nd Qtr 2001)
- COU2006-01 Consider Request for Special Use Permit for Communication Antennae at McCrum Park (assigned 12/7/2006)**

POLICY/SERVICES

- POL2003-14 Consider Project 190845: Mission Road – 75th St to 79th St (CARS) (assigned 7/3/2003)
- POL2004-06 Consider Project 190715: 2005 Storm Drainage Repair Program (assigned 2/25/2004)
- POL2004-08 Consider Project 190841: Mission Road – 71st to 75th (CARS) (assigned 2/25/2004)
- POL2004-09 Consider Project 190848: Mission Rd – Somerset to 83rd (CARS) (assigned 2/25/2004)
- POL2004-10 Consider Project: 190847: 2005 Street Paving Program (assigned 2/25/2004)
- POL2004-15 Consider Project 190709: Somerset, Delmar to Fontana Street (assigned 8/26/2004)
- POL2004-16 Consider Project 190708: Tomahawk Road Nall to Roe (assigned 8/26/2004)
- POL2004-18 Consider Sidewalk Policy (assigned 9/18/2004)
- POL2005-02 Consider Project 190616: Harmon Park Skate Facility (assigned 1/31/2005)
- POL2005-03 Consider Project 190850: Reeds Street – 69th to 71st St. (assigned 1/31/2005)
- POL2005-04 Consider Project 190809: 75th Street and State Line Road (assigned 2/1/2005)
- POL2005-11 Consider Project 190715: 2005 Storm Drainage Repair Program (assigned 6/2/2005)
- POL2005-12 Consider Project 190854: 2005 Pavement Repair Program (assigned 6/2/2005)
- POL2005-13 Consider Project 191012: 2005 Concrete Repair Program (assigned 6/2/2005)
- POL2005-14 Consider Project 190852: 2005 Crack/Slurry Seal Program (assigned 6/2/2005)
- POL2005-21 Consider Project 190851: 2006 Paving Program - Sidewalks (assigned 8/30/2005)
- POL2005-23 Consider Project 190857: Roe Avenue – 95th to 91st Street (CARS) (assigned 8/28/2005)
- POL2005-28 Consider Charter Ordinance No. 12 “Public Improvements” (assigned 11/1/2005)
- POL2005-29 Consider Council Policy No. 041 “Selection of Professional Consulting Services (assigned 11/1/2005)
- POL2005-30 Consider Project 190855: Tomahawk Road Bridge (assigned 11/1/2005)
- POL2005-31 Consider Canterbury Street Sidewalk Petition (assigned 11/1/2005)
- POL2005-33 Consider establishment of school crossing guard policy (assigned 11/14/2005)
- POL2005-34 Consider Project 190717: 2006 Storm Drainage Repair Program (assigned 11/20/2005)
- POL2005-35 Consider illicit water discharge (assigned 11/30/2005)
- POL2006-01 Consider Policy on the enforcement of the “No Smoking” Ordinance (assigned 1/20/2006)**
- POL2006-02 Consider 2007-2011 CARS Application (assigned 1/31/2006)**
- POL2006-03 Consider Council Policy #410 “Traffic Control Devices” (assigned 1/31/2006)**
- POL2006-04 Consider Public Defender for Municipal Court (assigned 2/1/2006)**

PRAIRIE VILLAGE ARTS COUNCIL

- PVAC2000-01 Consider a brochure to promote permanent local art and history (assigned Strategic Plan for the 1st Quarter of 2001)

NOTEWORTHY

February , 2006

FEBRUARY BIRTHDAYS & ANNIVERSARIES

Birthday Wishes to...

James Carney	Police	02/09
Elmer Zavala	Public Works	02/10
Byron Roberson	Police	02/12
Dan Sachen	Police	02/12
Karen Chapman	Crossing Guard	02/21
Oscar Aguilar, Sr.	Public Works	02/22
James Brown	Codes	02/24
Joel Colletti	Police	02/24
Lorri Vanderport	Police	02/24
Donna Blake	Adminstration	02/27
Ivan Washington	Police	02/27

We appreciate your years of service...

Claudia Alexander	Police	2 Years
Marcia Gradinger	Codes	5 Years

Welcome...

We have a new Laborer, Landon Stecklein, who was previously a seasonal employee.

Don't forget! Tonight is employee's Appreciation Night at the New Dinner Theatre. See you there.

Get well soon !!

"Please continue to keep Glenda in your thoughts and prayers as she undergoes treatment for the next few months. She misses everyone and is looking forward to being back. And we're looking forward to her return!"

Office closed February 20,2006 for President's Day.