

September 17, 2007



*City Council
Meeting*



*Dinner will be provided by:
Dragon Inn*

*Chicken with Cashew Nuts
Shrimp & Seasonal Vegetables
Spicy Shredded Beef, Szechuan Style
Sweet & Sour Pork
Steamed Vegetables*

COUNCIL COMMITTEE

September 17, 2007

6:00 p.m. Council Chamber

Agenda

ANDREW WANG, COUNCIL PRESIDENT

MEETING AGENDA

**COU2007- 58 Consider Zoning Ordinance Revision PVMC 19.10
Ron Williamson**

**COU2007-59 Consider Home Renovation Workshop
Doug Luther**

**COU2007-60 Consider Community Center Fees
Doug Luther**

**COU2007-51 Consider Village Vision
Consider Action Agenda / Initial Priorities
Barbara Vernon**

**Consider Agenda Items
Barbara Vernon**

COU2007-58 Consider Zoning Ordinance Revision PVMC 19.10

Issue: Should the Council approve an Ordinance amendment to allow for the division of duplex units and individual ownership in the "R-2" Two Family Residential District within the City of Prairie Village?

Background:

The City Administrator received a call from an individual who split his duplex lot. The split has been recorded at the County and shows up on the appraisal records for the County; however, the Planning Commission has never approved the lot split. Therefore, the division is illegal and should not have been recorded. It has been discovered there are several duplexes that have been sold off individually. The problem this creates is if a sold off unit is partially or totally destroyed, a permit could not be issued to rebuild because it is an illegal nonconforming use.

There are several positive points in allowing duplexes to sell-off. It creates another housing choice which is supported by the Village Vision; it converts rental property to owner occupied property and it should help stabilize property values. There are no major negatives, but there are issues that need to be addressed when selling off attached units such as insurance, setbacks, access, easements, maintenance, covenants, etc. At this time, there are only two areas zoned "R-2". They are on the west side of Corinth Square and on the west side of the cemetery on 83rd Street.

The Planning Commission held a public hearing on Tuesday, September 4th on proposed language to address this issue. The minutes from that meeting are attached.

Language proposed by Mr. Williamson was derived from regulations used in other area cities in the metropolitan area. The proposed language recommended by the Planning Commission is as follows:

Add a new use to Section 19.10.005 Use Regulations.

- F. Two-Family dwellings may be divided at the party wall as to ownership and owned as separate dwelling units by separate owners and such ownership shall not constitute violation of the lot and yard requirements of this chapter subject to the following conditions:
1. Utilities are provided to each unit separately and appropriate easements are dedicated.
 2. Direct access shall be provided to a public street for each unit or an access easement shall be provided.
 3. The property must be in conformance within the subdivision regulations and either be replatted or have a lot split approved.

Recommendation:

Recommend the City Council approve Ordinance _____ amending Chapter 19.10 entitled "District R-2 Two Family Residential District" by amending Section 19.10.005 entitled "Use Regulations"

Ordinance No. 2103

AN ORDINANCE AMENDING CHAPTER 19 OF THE PRAIRIE VILLAGE MUNICIPAL CODE, ENTITLED "ZONING REGULATIONS" BY AMENDING CHAPTER 19.10 ENTITLED "DISTRICT R-2 TWO FAMILY RESIDENTIAL DISTRICT" BY AMENDING SECTION 19.10.005 ENTITLED "USE REGULATIONS".

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

Section I. Planning Commission Recommendation.

After having received a recommendation from the Planning Commission and proper notice having been published and hearing held on September 4, 2007, as provided by law and under the authority of and subject to the provisions of the Zoning Regulations of the City of Prairie Village, Kansas, the Zoning Ordinance is amended as set forth in Section II.

Section II.

Section 19.19.005 is hereby amended to read as follows:

19.10.005 Use Regulations

In District R-2 no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

- A. Any use permitted in District R-1s;
- B. Dwellings, two family;
- C. Accessory uses as provided in Chapter 19.34;
- D. Conditional Use Permits as approved in accordance with Chapter 19.30
- E. Special Use Permits as approved in accordance with Chapter 19.28;
- F. Two-Family dwellings may be divided at the party wall as to ownership and owned as separate dwelling units by separate owners and such ownership shall not constitute violation of the lot and yard requirements of the Chapter subject to the following conditions:
 - 1. Utilities are provided to each unit separately and appropriate easements are dedicated.
 - 2. Direct access shall be provided to a public street for each unit or an access easement shall be provided.
 - 3. The property must be in conformance within the subdivision regulations and either be replatted or have a lot split approved.

Section III

This ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 19th day of September, 2005.

/s/ Ronald L. Shaffer
Ronald L. Shaffer, Mayor

ATTEST:
/s/ Joyce Hagen Mundy
Joyce Hagen Mundy
City Clerk

APPROVED AS TO FORM:
/s/ Charles E. Wetzler
Charles E. Wetzler
City Attorney

2. That the applicant obtain a right-of-way permit and install the utility boxes as shown on the site plan.
3. That the applicant shall have the Landscape Plan approved by the Tree Board and shall install the landscaping as shown on the plan immediately after installation of the utility box.
4. That the Conditional Use be approved for an indefinite period of time.
5. That should the equipment boxes become obsolete and not functional they shall be removed from the site within six months.
6. That a revised plan be submitted to staff for approval with the relocation of the meter.
7. That the sod and landscaping removed in the relocation of the SAI box be replaced immediately.

The motion was seconded by Marlene Nagel and passed by a vote of 5 to 2 with McKim and Russell voting "nay".

PC2007-19 Proposed Amendment to Chapter 19.10 District R-2 Two Family Residential District to allow for Single Family Attached Dwellings

Chairman Ken Vaughn opened the public hearing at 7:35 p.m.

Ron Williamson stated at its regular meeting on August 7, 2007, the Planning Commission discussed the issue of selling off individual units in a duplex and authorized a public hearing to consider an amendment to the R-2 Two Family Residential District.

Units in several duplexes have been sold off individually, but this is not a large problem in the City because there is very little area zoned "R-2". There are two areas; one is on the west side of Corinth Square and the other is on the west side of the cemetery on 83rd Street. The problem is that if a sold off unit is partially or totally destroyed, a permit could not be issued to rebuild because it is an illegal nonconforming use.

Mr. Williamson noted there are several positive points in allowing duplexes to sell-off. It creates another housing choice which is supported by the Village Vision; it converts rental property to owner occupied property and it should help stabilize property values. There are no major negatives, but there are issues that need to be addressed when selling off attached units such as insurance, setbacks, access, easements, maintenance, covenants, etc.

The City of Overland Park has a very simple regulation which is as follows:

- B. Two-family dwellings which otherwise comply with the ordinances of the City may be divided at the party wall as to ownership and owned as separate dwelling units by separate owners and such ownership shall not constitute violation of the lot and yard requirements of this chapter.

The division is approved by Staff and the Planning Commission and City Council do not consider these splits. This division would require approval of a lot split or a replat

in Prairie Village which requires the approval of the Planning Commission and City Council.

The City of Leawood allows the sell-offs, but it is done through a planned Two-Family Residential District. Issues are dealt with on the development plan that would be approved for the project.

The City of Eudora has the following regulations:

- (b) Two-family dwellings or duplexes. Fee simple ownership of individual dwelling units may be permitted provided that:
 - i. Easements are dedicated and separate utilities are provided to each unit in the duplex;
 - ii. Lots meet or exceed the minimum 3,750 sq. ft. per dwelling unit; and
 - iii. Existing subdivisions are replatted as a condition of use permit approval.

The regulations discussed by the Commission at its last meeting were more comprehensive including such conditions as follows:

- a. The common wall between attached units shall be on the side lot line separating the two lots and shall not be subject to side yard requirements providing there are no doors, windows, vents or other openings in the common wall.
- b. Not more than two units shall be attached in this district.
- c. No unit shall have a depth greater than four times its width.
- d. Any exterior wall which is not a common wall must meet all yard requirements.
- e. Each lot must have direct access to a public street.
- f. The deed to each lot must include covenants requiring the proper and timely reconstruction of any damaged or destroyed dwellings.
- g. The application for such conditional use must include a plot plan with the general location of buildings, parking areas, driveways, fences and other structures, the location of easements and utility lines, the number and type of all dwelling units, and the property lines within the proposed development.
- h. The property must be in conformance with the subdivision regulations and either be replatted or have a lot split approved.
- i. The dwelling units must meet building codes based upon the building being split in ownership.

The Planning Commission expressed that they would like a simple regulation, but it should cover the issues. Based upon the information collected, Mr. Williamson drafted the following language for consideration using the definition followed by Overland Park, but retaining approval of lot splits by the Planning Commission or replats approved by the Council:

Add a new use to Section 19.10.005 Use Regulations as follows:

- F. Two-Family dwellings may be divided at the party wall as to ownership and owned as separate dwelling units by separate owners and such ownership

shall not constitute violation of the lot and yard requirements of this chapter subject to the following conditions:

1. Utilities are provided to each unit separately and appropriate easements are dedicated.
2. Direct access shall be provided to a public street for each unit or an access easement shall be provided.
3. Each lot shall meet the minimum 4,800 sq. ft.
4. The property must be in conformance within the subdivision regulations and either be replatted or have a lot split approved.

With no one present to address the proposed amendment, the public hearing was closed at 7:40 p.m.

Bob Lindeblad stated his only concern is with item #3 requiring a minimum lot size of 4,800 square feet. He noted that not all duplexes are placed directly in the center of the lot. He would recommend that this condition be removed.

Robb McKim confirmed that some of the drives off Somerset are shared access drives and the setback is addressed in the definition. Mr. McKim asked if there were any building code issues that would be impacted by the proposed language. Jim Brown, City Building Official, stated there were not.

Nancy Vennard noted these units were usually built by one owner and sold as an entire building.

Ron Williamson noted several have already been split and one is in the process of being sold and split. Ken Vaughn asked how these were reflected on maps. Mr. Williamson responded they are shown on the AIMS maps with a line drawn through the lot. Bob Lindeblad noted they are often addressed as lot#a and lot#b.

Robb McKim confirmed the square footage requirement for lot size still has to be met.

Bob Lindeblad moved the Planning Commission forward the proposed ordinance revision adding a new Section 19.10.005 entitled "Use Regulations" to the zoning regulations as presented with the deletion of #3. The motion was seconded by Marlene Nagel and passed unanimously.

NON PUBLIC HEARINGS

**PC2007-111 Site Plan Approval - Building Line Modification
4529 West 65th Street
Zoning: R-1**

Jon Shutt, 8604 Sagamore, representing James Dailey at 4529 West 65th Street, briefly reviewed the proposed expansion for the property as presented earlier to the Board of Zoning Appeals, which granted the requested side yard variance for the screened porch from 25 feet to 17 feet. Mr. Shutt is seeking approval of the Planning Commission for a building line modification to allow for the expansion of his existing

Consider Co-Sponsorship of Home Renovation Workshop

Issue:

Should the City of Prairie Village co-sponsor a home renovation workshop with the City of Mission and the Home Builders Association of Greater Kansas City?

Background:

Prairie Village has been invited to co-sponsor a home renovation workshop on Saturday, 27 October at the Sylvester Powell Community Center in Mission. The program will be from 9:00 am - 3:00 pm and feature information on home renovation topics such as remodeling, selecting a contractor, painting, etc. The program will also feature vendors and non-profit organizations to provide information, tips, and suggestions for residents seeking to renovate their homes.

Co--sponsorship of this event will allow the City of Prairie Village to have a vendor booth at the event and allow Prairie Village businesses to obtain a vendor booth as space permits.

The co-sponsorship fee is \$500. Funds are available in the 2007 Codes Administration budget.

Encouraging home renovation is one of the action items listed in the *Village Vision Strategic Investment Plan*. Prairie Village's participation in this event will help further this goal of the Village Vision. In addition, this program complements the City's effort to encourage Prairie Village residents to remodel through the City's participation in the First Suburbs Home Improvement Loan Program.

Recommendation:

Recommend the City Council approve co-sponsoring a Home Renovation Workshop for a fee of \$500 with funds from the 2007 Codes Administration Budget.

Council Action Required

Council Action Requested on 17 September

DEMONSTRATION SCHEDULE

BREAKOUT ROOM

9:30 AM

Remodeling a "Post-WWII" Home

11:00 AM

Basement and Foundation Repair Overview

12:30 PM

What can the average homeowner do cheaply to save money on their utility bills and make their home more comfy?

2:00 PM

Rain Garden Creation

NORTH GYM

9:30 AM

Ask a Pro

11:00 AM

Avoiding Contractor Fraud

12:30 PM

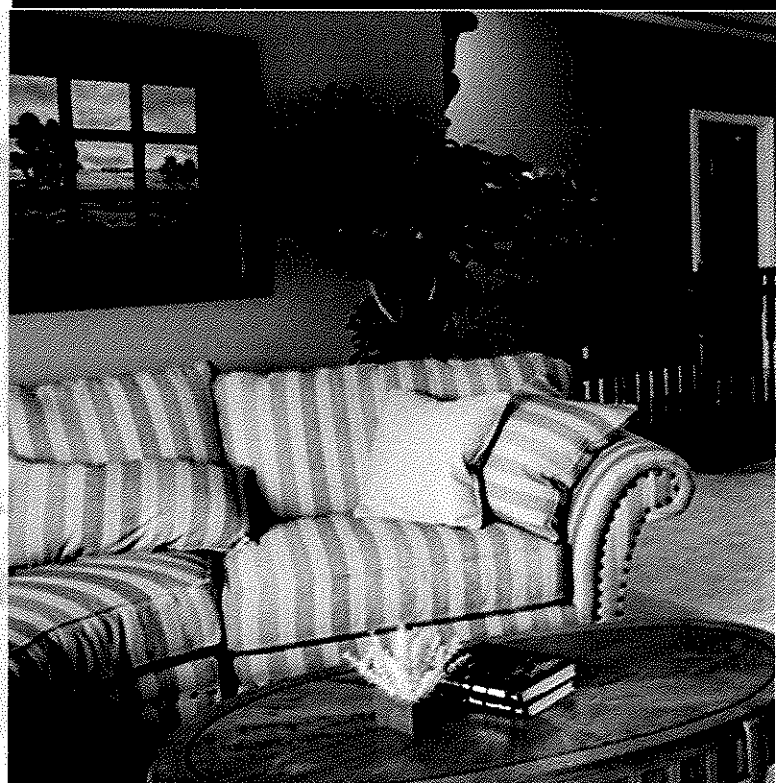
Diagnosis and Simple Repairs of the Home Toilet

2:00 PM

Faux Like a Pro!



The City of Mission Home Renovation Workshop
Sylvester Powell, Jr. Community Center
6200 Martway • Mission, Kansas



HOME RENOVATION WORKSHOP



HOME BUILDERS ASSOCIATION
OF GREATER KANSAS CITY

Saturday, October 27, 2007
9 a.m. to 3 p.m

Vendors specializing in a variety of home repair areas and financing will be present to answer your questions and connect you with the appropriate resources!

FREE ADMISSION! • DOOR PRIZES!

PARTICIPATING VENDORS

HOME BUILDER'S ASSOCIATION

NATIONAL ASSOCIATION OF THE REMODELING INDUSTRY

MID-AMERICA REGIONAL COUNCIL

COMMUNITY AMERICA CREDIT UNION

ALL-WEATHER WINDOW AND DOOR

BROWN RESTORATION, INC.

THE INSULATING PROFESSIONALS

SUNDANCE WINDOWS, DOORS & SIDING

NEAL HARRIS HEATING, AIR CONDITIONING, & PLUMBING

MISSION BANK

THE ENERGY SAVINGS STORE

BASEMENT ENGINEERS, LLC

EMBASSY LANDSCAPE GROUP

HARTMAN HARDWARE & PLUMBING

PLATINUM PAINTING

HENGES INSULATION & BUILDING SYSTEMS

HABITAT FOR HUMANITY RESTORE

...AND MANY MORE!

DEMONSTRATIONS

REMODELING A "POST-WWII" HOME

Dan Norburg from the Home Builder's Association of Greater Kansas City will discuss the ways in which you can increase usable space in your home, construct attractive additions, and overcome challenges typical to homes build from 1940-1970.

ASK A PRO

A member of the National Association of the Remodeling Industry will field your questions about anything and everything related to home remodeling! No question is off limits—ask away and receive an answer!

ARE YOU CRACKING UP?--BASEMENT & FOUNDATION REPAIR OVERVIEW

Alan Niebrugge, PE will discuss common foundation problems, repair methods, and their success rates in local conditions. Alan Niebrugge is a licensed professional engineer with over 30 years of local experience in engineering, construction, and maintenance of buildings and facilities. In recent years, he has concentrated his work on foundation failure assessment, repair design, and construction inspection. He will share and comment on photographs of what works, and what did not.

TIP OFFS TO AVOID RIP OFFS--HOW TO AVOID CONTRACTOR FRAUD AND INCREASE HOME SAFETY

The Mission Police Department will give you tips on how to properly research potential contractors, how to spot red-flags, and how to avoid getting scammed by untrained or untrustworthy businesses. Additionally, they will discuss how you increase safety in your home and prevent burglary.

DIAGNOSIS AND SIMPLE REPAIRS OF THE HOME TOILET

Gary Hartman, master plumber with Hartman Hardware and Plumbing, will explain how to diagnose and fix common problems that arise with all home toilets.

WHAT CAN THE AVERAGE HOMEOWNER DO CHEAPLY TO SAVE MONEY ON THEIR UTILITY BILLS AND MAKE THEIR HOME MORE COMFY?

Mike O'Connell of the Insulating Professionals will discuss easy ways in which you can lower your utility bills by making simple changes to your attic fan, supply vents, ductwork, dryer, and more!

SHOWER YOUR LAWN WITH GREEN--RAIN GARDEN INSTALLATION AND MAINTENANCE

Chris Ohlde of Embassy Landscape Group will show you how these easily-made gardens can prevent pollution, beautify your landscape, and reduce storm water runoff!

FAUX LIKE A PRO!

Charles Gates, owner of Platinum Painting, will show you how to utilize faux-finish painting in your home.

COU2007-60 Consider Community Center Fees

Neighboring Community Center Fees

The Community Center fee structure commonly used in neighboring cities distinguishes between weekday and weekend/evening reservations. The cities of Merriam, Leawood and Olathe include in their structure Civic and Commercial rates. The Civic rate covers groups covered by Prairie Village in the past under Group B. The Commercial rate for area businesses was eliminated by the City in 2000 for lack of use. (See attached)

The centers in many of these cities have multiple rooms available for reservation. The fee comparison was made with rooms of similar capacity as the Prairie Village Community Center. The centers most similar to Prairie Village are the original neighborhood centers in the City of Overland Park. The new Community Center in Overland operates under a different fee schedule. Overland Park is the only city charging a processing fee and Mission is the only city with a minimum two hour reservation.

Prairie Village Fees

The City's current fee structure is as follows:

Group A - Governing Body, Committees, etc	- No Charge
Group B - Residents	- \$5 per hour
Group C - Non-Residents	- \$10 per hour.

This structure has been in place since late 2005; however, it was approved after reservations for 2006 had begun, therefore 2006 data reflects a combination of this and the previous structure of

Group A - Governing Body, Committees, etc.	- No Charge
Group B - Educational, cultural, recreational Civic, non-profit groups	- \$20 for Single Use - \$50 for 2-12 Uses/year more than 12 - \$5/per hour
Group C - Parties & Events	- \$20/hr + \$25 deposit

Results from the change were several of the organizations found a Prairie Village resident to file there application for meetings causing a significant decrease in the number of non-resident meeting applications. Also since there was no longer the flat rate for multiple meetings, many groups were make reservations as needed increasing the number of permits issued.

Facility Usage

Attached is a facility utilization report showing usage of the Community Center for 2006 and 2007. The report shows the Center used 345 days of the year in 2006 and 346 days in 2007, which is a 95% usage by days. Of the 3,285 hours available for reservation in 2006 the center was used 2,683 hours for 81.67% and 2,282.25 hours in 2007 for 69.47%.

Analysis breakdown by resident/non-resident

Council asked for breakdown of reservations by resident vs non-resident. In 2005 and part of 2006, this did not impact the fee paid. In 2007, residency status became a factor in the fee and as expected several non-PV groups meeting in our center had their applications submitted by Prairie Village residents reflected in the dramatic increase in the number of permits filed by residents particularly for meetings and the number of single-use permits with the elimination of a flat fee for multiple uses. An analysis is attached.

Costs:

The agreement for custodial services at the Community Center for 2007 has a base fee of \$366 per month based on a 5-day week (Sunday thru Thursday), making the annual maintenance cost \$4,392.00. The contract provides for payment of \$16 per hourly for special service requests; i.e. service on weekends.

The breakdown indicates that almost one-half of our reservations in 2006 & 2007 are on weekends, requiring the custodial service to make an additional trip.

Assuming there are weekend reservations 50 of the 52 weekends (95%) that require two hours work (an hour Friday evening & Saturday evening), the maintenance cost would increase by \$1,600 to \$5,992.00.

Current operational costs such as electricity, heating, etc. are not available at this time. In 2000, Bob Pryzby advised the Council the total operating costs for the Center in 1999 were \$3.44 per hour. Using the 2,683 hours the center was reserved in 2006, operating costs would be \$9,229.52. Some of these costs would be incurred by the City regardless of whether the facility was reserved or not.

	<u>2005</u>	<u>2006</u>	<u>2007</u>
Number of Permits Issued	61	98	100
Reservation Revenue Received	\$3,862.50	\$3,052.50	\$5,387.50
Jo. Co. Nutrition Program	<u>\$1,590.00</u>	<u>\$1,632.00</u>	<u>\$1,716.00</u>
TOTAL	\$5,452.50	\$4,684.50	\$7,103.50

Options:

- **No Changes - current fees cover custodial costs**
- **A \$25 non-refundable maintenance fee would increase revenue by approximately \$2,500**
- **Create a separate weekend reservation fee charging an additional \$5 for the weekend reservations. This would increase revenue by approximately \$2,345 (469 weekend hours in 2007; 467 weekend hours in 2006) fee could be established for weekend reservations**
- **The Alcohol permit fee of \$50 will increase revenue by approximately \$500**

Community Center Rental Fee Research

Cities	Community Centers/Meeting Rooms
City of Prairie Village	Resident Hourly - \$5 Non-Resident Hourly \$10
City of Overland Park	8 to 5 Weekdays - \$10 hr * Weeknight & Weekends - \$15 hr* Commercial rates double hourly fee* * \$5 processing fee/change fee added No Alcohol allowed
City of Lenexa	Civic - \$13/hr (weekdays) Civic - \$22/hr (weeknights & weekends) Resident - \$18/hr (weekdays) Resident - \$26/hr (weeknights & weekends) Non-Resident - \$37/hr (weekdays) Non-Resident - \$53/hr (weeknights & weekends)
City of Merriam	Resident -\$15/hr. weekdays Resident -\$25/hr. evening & weekends Non-Resident - \$18/ weekdays Non-Resident - \$32/evenings & weekends Commercial - \$22/weekdays Commercial - \$38/evenings & weekends
City of Leawood	Civic - \$40/hr Resident - \$50/hr Non-Resident - \$65/hr Commercial - \$85/hr
City of Mission	\$30/hr - 2 hour minimum* * with alcohol \$70/hr. & security required
City of Olathe	Resident - \$20/hour weekday Resident - \$30/hour weekends Non-Resident - \$40/hour weekday Non-Resident - \$60/hour weekends City Businesses - \$50/hour weekday City Businesses - \$70/hour weekends Civic - \$20/hour weekdays & \$30/hr weekends Non-city Businesses - \$60/hour & \$80/hr

Community Center Use Analysis

	Reservations Issued	Alcohol Permits	Meetings	Parties & Events	Single Use	Multiple Use	Evening Hours	Weekend Hours
2005								
Resident	38	6	21	16	17	19	21	13
Non-Resident	23	3	19	5	9	15	10	12
*2006								
Resident	69	6	28	38	56	13	24	38
Non-Resident	29	6	15	18	14	10	10	18
2007								
Resident	84	11	55	27	48	34	26	46
Non-Resident	16	1	7	9	13	3	6	13

* Mixed Fee Structure in Place

Note these figures do not include use by the Johnson County Park & Recreation District & Johnson County Nutrition Program (Interlocal Agreements)

Facility Utilization Report

9/11/2007
11:32 AM

Facility: Community Center
Center: Prairie Village Municipal Offices
Reservation Date: From Jan 1, 2006 through Dec 31, 2006
Site: City of Prairie Village

Facility Name (Number)	Days Availabl	Hours Availabl	Days Reserved	Hours Reserved	Usage By Day	Usage By Hour	Total Attend
Community Center (PVCC)	365	3,285.00	345	2,683.00	94.52%	81.67%	10612
Facility Type Sub-Total:	365	3,285.00	345	2,683.00	94.52%	81.67%	10612
Center Sub-Total:	365	3,285.00	345	2,683.00	94.52%	81.67%	10612
Grand Total:	365	3,285.00	345	2,683.00	94.52%	81.67%	10612

RSR

Facility Utilization Report

9/11/2007
11:33 AM

Facility: Community Center
Center: Prairie Village Municipal Offices
Reservation Date: From Jan 1, 2007 through Dec 31, 2007
Site: City of Prairie Village

Facility Name (Number)	Days Availabl	Hours Availabl	Days Reserved	Hours Reserved	Usage By Day	Usage By Hour	Total Attend
Community Center (PVCC)	365	3,285.00	346	2,282.25	94.79%	69.47%	12560
Facility Type Sub-Total:	365	3,285.00	346	2,282.25	94.79%	69.47%	12560
Center Sub-Total:	365	3,285.00	346	2,282.25	94.79%	69.47%	12560
Grand Total:	365	3,285.00	346	2,282.25	94.79%	69.47%	12560

RSR

Prairie Village Fee Structure History

It appears in 1979, the City had several rooms available for use by the community and set prices based on the size of the rooms. They began the breakdown of reservation groups followed by the City until 2005 with

Group A: Governing Body, Committees, Homes Associations, etc.

Group B: Educations, cultural, recreational, civic groups, generally with not profit status.

Group C: Parties, events and meetings where no admission is charged

Group D: Events where admission is charged or items sold

They also offered at an additional cost set-up of the room and had a special Sunday reservation rate.

In 1983, the original Community Center was demolished. The new community and youth center contained one primary room for use. In 1986, the fees were adjusted to reflect one room.

In 1988, after the complete renovation of the Community Center and use of the Center as a Johnson County Nutrition Center Site a non-refundable maintenance fee was added. Later in 1988, a cost of living adjustment was made to the hourly fees.

In 1994 with the direction set by the Council to increase usage of the Community Center and community programming, no fee was charged for Groups A & B and the maintenance deposit was made refundable. A new Group E was added for Community Classes sponsored by residents or businesses.

2000 due to the difficulty of enforcing the maintenance fee the maintenance fee was changed to non-refundable and Groups D & E were eliminated due to lack of need.

In 2001, the Council Policy on the reservation of the Council Chambers was changed to allow reservation only if staff were present during the entire time of the reservation due to the investment of communication equipment in the chamber.

In 2003, due to concerns with the cost of operation of the center, a charge are added to Group B of \$20 for single use and \$50 for two to 12 uses with uses in excess of 13 being charged at \$5 per hour. This addressed the many community groups holding meetings at the center.

In 2005, the City purchased new reservation software for use with the recreation programs. To allow the use of the same software for facility reservations and the possibility of on-line reservation, the fee and fee structure was changed as follows:

Group A - Governing Body, Committees, etc	- No Charge
Group B - Residents	- \$5 per hour
Group C - Non-Residents	- \$10 per hour.

VILLAGE VISION ACTION AGENDA / INITIAL PRIORITIES

Approved January 27, 2007

Adopted May 21, 2007

Improve Development/Redevelopment Process

- Update the zoning ordinance to reflect contemporary land use issues while preserving the identity and character of Prairie Village
Assigned to Planning Commission

- Consider revising zoning ordinance to allow more residential, commercial, and office development, particularly in walkable, mixed-use areas of greater intensity.
Ordinance adopted

- Consider updating building codes to facilitate renovation and rehabilitation activities
Assigned to Planning Commission

Keep Neighborhoods Vibrant

- Examine incentive programs to encourage home renovation
Community America program
>>>>Others needed?
((1)Engage in public education programs about state and local Funds that might be available (2) Consider tax rebate incentives)

- Allow for greater variety of housing types
Mixed use ordinance

- Develop and promote use of design style guide for renovation to create housing that meets preferences of today's homebuyers and is sensitive to character of existing neighborhoods.
Design Style Guide Task Force - Laura Wassmer

- Offer workshops to educate and inform about issues related to zoning, building codes, and home maintenance in residential areas.
Budgeted in 2008

Encourage Appropriate Redevelopment

- **Permit higher residential densities and mixed uses near existing commercial areas and along arterial roadways**

75th Street Corridor Task Force – Pat Daniels

- **Consider developing a redevelopment plan for Meadowbrook Country Club**

Developer's plan on Planning Commission agenda 10/2/2007

Improve Communications

- **Enhance communication between government officials and the public. Enhance transparency of processes and financial accountability**

Communication Committee - Andrew Wang

- **Consider more aggressively marketing Prairie Village to attract new business establishments and expand the tax base.**

>>>> Consideration and/or action needed

- ((1)Enlist help of consultant (2)Develop data base that describes benefits of doing business in Prairie Village (3)Review ways other cities market)**

CONSIDER AGENDA ITEMS

Following is the current list of agenda items for Council Committee and Legislative/Finance Committee. Some of the items can be assigned to staff, some can be combined and others can be deleted without action. A recommendation for Council to consider is made for each item.

COUNCIL COMMITTEE

1999

- *COU99-13 Consider Property Audits
Recommend this be assigned to staff with annual reporting to Council

2000

- *COU2000-42 Consider proactive plan to address reuse of school sites that may become available
This item is now part of Village Vision and can be eliminated from this agenda
- *COU2000-44 Provide direction to PVDC regarding its function / duties
A Community Development Corporation is recommended for consideration in Village Vision, this item can be eliminated from this agenda and considered as part of implementation of Village Vision strategy
- *COU2000-45 Review current City definition for blight and redefine it where appropriate
This was assigned when the City was considering using "blight" as the basis for redevelopment. Rejected in previous Council discussions but never deleted.
- *LEG2000-25 Review fee schedules to determine if they are comparable to other communities and where appropriate, recommend increase
General policy is 3% increase annually. Assign to staff to determine if 3% increase is appropriate

2003

- LEG2003-12 Consider Resident survey - choices in services and service levels,
Considered, postponed until Village Vision complete.

2004

- *COU2004-10 Develop programs to promote and encourage owner occupied housing
Recommended in Village Vision, can be deleted here
- *COU2004-11 Identify potential redevelopment areas and encourage redevelopment proposals
Although not specifically stated in Village Vision, this is the general overall direction of the report, this item can be deleted.
- COU2004-12 Pursue development of higher value single-family housing
Village Vision recommended more mixed-use and moderately price housing, this item should be discussed by Council
- *COU2004-13 Proactively encourage redevelopment to increase property values
Major focus of Village Vision, this item can be deleted
- COU2004-14 Meet with the Homes Association of the Country Club District (HACCD) to obtain their input regarding deed restrictions
Deed restrictions are being collected by staff. More direction related to possible outcome of the meeting is needed by staff.

2005

- COU2005-19 Consider term limits for elected officials and committees
Term limit for committee members was discussed and rejected, limit for Council members was not discussed. Can be combined with 2007-02
- *COU2005-21 Develop a policy for use of Fund Balance
During the last budget process a policy was discussed with the general decision that it should not be written but be general in nature and considered on an annual basis. This could be deleted.

- COU2005-27 Consider concept of Outcomes Measurement or Quantifying Objectives
Not considered
- *COU2005-44 Consider YMCA Partnership
Assigned to Community Center Committee as part of Village Vision recommendation - can be deleted
- *LEG2005-49 Consider Building Permit and Plan Review Fees
Same as LEG2000-25, can be deleted.

2006

- COU2006-26 Consider Project 190862: 75th Street from Nall Avenue to Mission Road (CARS)
Ongoing project
- COU2006-27 Consider Project 190855: Tomahawk Road Bridge Replacement
Ongoing project
- COU2006-33 Consider Lease of Public Works from Highwoods Properties, Inc.
Ongoing
- COU2006-38 Consider Park & Recreation Committee Report
Ongoing - some recommendations in the report are also in Village Vision
- COU2006-55 Consider Project SP105: 2007 Crack Seal/Slurry Seal/Microsurfacing Program
Ongoing project

2007

- COU2007-02 Consider Reducing the size of the Council
This item can be combined with COU2005-15 Term limits
- COU2007-10 Consider Recognition of Prairie Village families with service personnel in Iraq, Afghanistan or other dangerous areas
Not completed
- COU2007-11 Consider SP107: 2007 Street Repair Program
Ongoing
- COU2007-19 Consider Project 190860: 2007 Street Resurfacing Program
Ongoing
- COU2007-22 Consider Project 190718: 2007 Storm Drainage Repair Program
Ongoing
- COU2007-27 Consider Project 190864 - 2008 Paving Program
Ongoing
- COU2007-31 Consider City Administrator/City Manager forms of government
Ordinance being prepared by City Attorney
- COU2007-33 Consider Project 190719: 2008 Storm Drainage Repair Program
Ongoing
- COU2007-35 Consider Project 190709: 83rd Street/Delmar Drainage Improvements
Ongoing
- COU2007-40 Consider Code Enforcement - Interior Inspections
Ongoing
- COU2007-43 Consider Providing Public Works Services to the City of Mission Hills
Ongoing
- COU2007-47 Consider using MUTCD "Stop for Pedestrian" signs.
Not considered
- COU2007-49 Consider Project 190868: Roe - 91st to Somerset Drive
Ongoing
- COU2007-51 Consider Village Vision Implementation Strategy
Need to consider if the strategy developed during the Saturday meeting with Consultant covers this
- COU2007-53 Consider EasyRide Program
General recommendation in Village Vision
- COU2007-54 Consider Project 190708: Tomahawk Road / Nall to Roe
Ongoing
- COU2007-58 Consider Zoning Ordinance Revision PVMC 19.10
9/17 agenda

Recommendation:

Delete items starred *

Combine 2007-02 and 2005-15 to read “Consider size of Council and term limits”

Resulting Agenda would be:

- LEG2003-12 Consider Resident survey - choices in services and service levels,
- COU2004-12 Pursue development of higher value single-family housing
- COU2004-14 Meet with the Homes Association of the Country Club District (HACCD) to obtain their input regarding deed restrictions
- COU2005-27 Consider concept of Outcomes Measurement or Quantifying Objectives
- COU2006-26 Consider Project 190862: 75th Street from Nall Avenue to Mission Road (CARS)
- COU2006-27 Consider Project 190855: Tomahawk Road Bridge Replacement
- COU2006-33 Consider Lease of Public Works from Highwoods Properties, Inc.
- COU2006-38 Consider Park & Recreation Committee Report
- COU2006-55 Consider Project SP105: 2007 Crack Seal/Slurry Seal/Microsurfacing Program
- COU2007-02 Consider size of Council and term limits
- COU2007-10 Consider Recognition of Prairie Village families with service personnel in Iraq, Afghanistan or other dangerous areas.
- COU2007-11 Consider SP107: 2007 Street Repair Program
- COU2007-19 Consider Project 190860: 2007 Street Resurfacing Program
- COU2007-22 Consider Project 190718: 2007 Storm Drainage Repair Program
- COU2007-27 Consider Project 190864 - 2008 Paving Program
- COU2007-31 Consider City Administrator/City Manager forms of government
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- COU2007-51 Consider Village Vision Implementation Strategy
- COU2007-53 Consider EasyRide Program
- COU2007-54 Consider Project 190708: Tomahawk Road / Nall to Roe
- COU2007-58 Consider Zoning Ordinance Revision PVMC 19.10

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, September 17, 2007
7:30 p.m.**

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC PARTICIPATION

V. CONSENT AGENDA

All items listed below are considered to be routine by the Governing Body and will be enacted by one motion (Roll Call Vote). There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the regular agenda.

By Staff:

1. Approve Regular Council Meeting Minutes – September 4, 2007
2. Claims Ordinance 2642
3. Approve Construction Change Order #4 with Radmacher Brothers Excavating Company, Inc. in the amount of \$3,317.00.
4. Approve amendments to Council Policy CP001 – Public Committees to include the Homes Association Committee.
5. Approve contracting with Property Room Internet Auction Company to dispose of unclaimed property in the Police Department's evidence room.
6. Approve the 2008 Public Safety agreement with the City of Mission Hills.
7. Adopt Resolution 2007-04 proclaiming the week of October 1-5, 2007 as Prairie Village Peanut Butter Week.
8. Authorize the Mayor to execute proclamations for "Constitution Week" and "In Recognition of Congregation Ohev Sholom's 130th Anniversary."

By Committee:

9. Approve an alcohol permit fee of \$50 and request staff to research the rental of facility fees. (Council Committee of the Whole Minutes – September 4, 2007)
10. Approve the Mission Hills Public Safety Budget as presented. (Council Committee of the Whole Minutes – September 4, 2007)

VI. STAFF REPORTS

Shawnee Mission East Traffic Report

Chief Wes Jordan, Tom Fulton of Olsson Associates and Andy Anderson, Jr. of the DLR Group.

VII. COMMITTEE REPORTS

COU2006-57 Consider Special Use Permit for Communications Antenna at 7700 Mission Road – David Belz

VIII. OLD BUSINESS

IX. NEW BUSINESS

X. ANNOUNCEMENTS

XI. 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

September 17, 2007

**COUNCIL
CITY OF PRAIRIE VILLAGE
September 4, 2007
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, September 4, 2007, 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 present: Al Herrera, Ruth Hopkins, David Voysey, Andrew Wang, Laura Wassmer, Pat Daniels, Charles Clark, Wayne Vennard, Diana Ewy Sharp and David Belz.

Also present were: Barbara Vernon, City Administrator; Katie Logan, representing the City Attorney; Police Chief Wes Jordan; Tim Schwartzkopf, Captain; Bob Pryzby, Public Works Director; Karen Kindle, Finance Director; and Jeanne Koontz, Executive Assistant.

Mayor Shaffer led all present in the Pledge of Allegiance.

Mayor Shaffer stated Council member Michael Kelly is absent because he is in Ukraine with the Sister City Committee. Barbara Vernon said he called this morning to report he arrived safe and sound. Currently he is about 75 miles from Dolyna and will arrive in Dolyna tomorrow.

Bob Pryzby introduced his sister-in-law Jerry Pryzby who is visiting for awhile.

PUBLIC PARTICIPATION

There was no one present to address the Council.

CONSENT AGENDA

Andrew Wang moved the approval of the Consent Agenda for Tuesday, September 4, 2007:

1. Approve Regular Council Meeting Minutes - August 20, 2007

2. Approve the transfer of \$4,875,000 from the General Fund to the Capital Projects Fund.
3. Approve transfers from the Special Highway Fund to the Capital Projects Fund as the Gas Tax revenue is received up to the amount budgeted of \$644,000.
4. Approve transfers from the Special Park & Recreation Fund to the Capital Projects Fund as the Alcohol Tax revenue is received up to the amount budgeted of \$100,000.
5. Approve the Addendum of the Treasury Online User Agreement with Intrust Bank.
6. Approve Construction Change Order #3 with Radmacher Brothers Excavating Company, Inc. in the amount of \$1,928.00 for Project 190718 - 2007 Storm Drainage Repair.
7. Approve Engineering Change Order #1 for an increase of \$83,000.00 using \$70,000.00 from Capital Infrastructure Program Project 190719 and \$13,000.00 from the Public Works Operating Budget, to the agreement with George Butler Associates, Inc.
8. Approve Construction Change Order #4 with J.M. Fahey Construction Company in the amount of \$440.00 for Project 190862 - 2007 C.A.R.S. - 75th St (Nall Avenue to Mission Road).
9. Approve Construction Change Order #2 with J. M. Fahey Construction Company in the amount of \$2,775.00 for Project 190862 - C.A.R.S. - 75th St (Nall Avenue to Mission Road).
10. Approve Construction Change Order #2 to Musselman and Hall Contractors in the amount of \$6,224.51 with this funding coming from the operations budget for Project SP105: 2007 Crack Seal/Slurry Seal/Micro Surfacing Program.
11. Approve Construction Change Order #3 with J.M. Fahey Construction Company in the amount of \$15,100.00 for Project 190862 - 2007 C.A.R.S. - 75th St (Nall Avenue to Mission Road).
12. Approve the disposal of Asset #0556, a 1993 Gyclean Anti-freeze Recycler by auction.
13. Approve the renewal of the agreement with Johnson County for the use of the Community Center for the operation of a Senior Nutrition Program with no fee increase.
14. Direct the City Administrator to draft an ordinance revision changing the committee structure from the current three Council Committee structure to only the Council Committee of the Whole.

A roll call vote was taken with the following members voting "aye": Herrera, Hopkins, Voysey, Wang, Wassmer, Daniels, Clark, Vennard, Ewy Sharp and Belz.

STAFF REPORTS

City Administrator

Barbara Vernon reported she recently attended the first meeting of City Administrators reviewing the fire district merger. She said Shawnee Mission hospital

uses a lot of services from the fire department. At this point Merriam is providing the majority of fire services necessary for this tax exempt entity. Questions were raised about alternate ways to finance these services and are being considered.

Finance

Karen Kindle explained the 2nd Quarter 2007 Financial Report. A chart was added at the beginning of the report to show the fund balance in comparison with the General Fund. The last page is a tracking of the status of the school sales tax. Revenue used from the school tax has been for only a couple of economic development expenditures, most of the money is still reserved. Revenue is up 4.6% year to date because the City has received most of the property tax revenue for the year. Expenditures are on track to stay within the 2007 budget.

Shawnee Mission East Traffic Issue

Bob Pryzby reported he met with Shawnee Mission East staff and City staff about two weeks ago. The subject of the meeting was the traffic problems which always occur at the beginning of each school year. A couple of issues came out in the meeting.

One big problem is parents driving North on Mission Road, stopping in the middle of the road and dropping their kids off to run across four lanes of traffic. Through the course of the meeting he was told Shawnee Mission East's plans did not represent the current situation at the school. Mr. Pryzby said when he spoke at the Planning Commission meeting a traffic study would only be required if they changed their plans. Mr. Pryzby said he met with their engineer from Olsson, Tom Fulton, and Tom said the district is prepared to give the City a letter stating they are not going to change anything at the entrances. If the entrances are not changed, a traffic study cannot be required. There is still a safety issue. The circle drive was going to be faculty parking in the original plans but now there is talk that they will still use it for student drop offs. Another issue is the loss of 500 parking spaces during construction. The loss of these spaces is

not confirmed but, if it is true, a traffic study would need to be done on the impact of the loss of those spaces. The School District says they are still waiting on the City to respond to the parking proposal, which would gain 148 spaces.

Mr. Pryzby suggested making the south drive an exit only and the north drive an entrance only. He also suggested reversing the direction of the circle drive. This will create a longer queue lane and alleviate some of the traffic issues. There would be “no left turns” out of either exit. He said these changes could occur simply by posting signs at these locations. He said his biggest concern is the 500 car parking space loss for a minimum of 2 years.

Charles Clark asked if the signage is our choice. Mr. Pryzby said it is their decision since it is on private property. Mr. Clark said the entrances and exits could be made one-way right now. Pat Daniels stated he likes the re-routing of the traffic and asked if it is conceivable that the school should restrict who can bring their car. Mr. Pryzby said he does not want to suggest to them what to do with the loss of 500 spaces but feels they need to confirm/deny and resolve this loss with the City.

Ruth Hopkins said several years ago the school had an issue with parking and stopped issuing parking permits to sophomores. She said the administration of the school feels strongly that what happens on their property is their problem and what happens outside is not. She feels they will think the 500 cars are not their problem and feels there is little they will be willing to do to help. Mr. Pryzby said they issue a parking permit to every senior or junior who requests it. Mr. Clark asked if they could lease parking spaces from the churches during the week. Mr. Pryzby said Claridge Court has leased the last two portions of the Mission Road Bible Church parking lot.

Chief Jordan said that he and Bob are in agreement on this issue. He said each year there are traffic problems at the beginning of the school year. This year the Police Department increased staff to control traffic. There used to be no left turn signs at the

South exit but they have been removed. This created more traffic congestion. There was a marked increase in traffic being stopped on Mission Road because of the traffic situation. Police Officers gave warnings for a 1 ½ weeks to people who were letting their kids off in the middle of Mission Road and at the curb. Since the warnings did not change driving patterns, they started issuing citations. A couple of complaints have been received, one of which received media coverage. The Chief said his officers were not hiding and he felt there was no other recourse than to issue citations. He feels there will be the same issue when there is construction at Corinth Elementary. He said they are also having problems at Prairie School with cars turning left exit because the bridge is out. He suggested posting "no left turn" signs in the City's easement at Shawnee Mission East.

Ms. Wassmer said she does not think the "no left turn" signs will work and suggested a partial barricade that will not allow people to turn left. Chief Jordan agreed there are different options to explore.

Mrs. Sharp said her concern is the children trying to walk across Mission Road. She asked if the City can require the school to make the drive entrance and exit only. Mayor Shaffer said the City does not have authority over private property. Katie Logan said the City does have general authority to regulate traffic in and out of parking lots onto city streets. She said the Council might have to take more formal action, having the police department post signs. Mayor Shaffer said we could make the suggestion to the School District first.

Mayor Shaffer asked Chief Jordan and Bob Pryzby to continue to work on this issue with the School District and asked that this portion of the minutes be forwarded to the District for their information

COMMITTEE REPORTS

Finance Committee - Charles Clark

Charles Clark reported the Finance Committee recently met to discuss the Mission Hills Contract for Public Works services. He said Bob Pryzby dealt thoroughly with Council questions and the Finance Committee reviewed the figures. Mission Hills proposed a model of on demand services which they currently have with private contractors. The committee will propose a model more like the Public Safety model. Mission Hills would get the same services as Prairie Village residents. He said the committee wants to give them a chance to consider the implications of the change and see if they are still interested. If they are interested, the committee will consult with the City Attorney and come back to the Council with details.

Mayor Shaffer thanked Charles, Bob, Wayne and David for their hard work on this project. Laura Wassmer asked about the financial implications of the proposal. Mr. Clark said it will be like the Police Contract. We will save money by spreading fixed costs and administrative time. Mr. Clark asked if there was a consensus to move forward. The Council consented to move forward with the Mission Hills contract for Public Works services.

75th Street Corridor Committee - Pat Daniels

Pat Daniels reported the committee has had two meetings so far which were both well attended. He reported a degree of unanimity between the committee members that he believes will enable the committee to move forward. The committee decided to send out the RFQ originally proposed at the first meeting. The RFQ will primarily be sent to land planners. He thanked Barbara Vernon with her help in the process. He said the RFQ has been revised to reflect a longer schedule. He expects to come back with a consultant for approval in December.

Laura Wassmer said everyone on the committee wants to have mixed use. They suggested using charming architecture like Brookside and Crestwood. One comment

was they did not envision having single family houses on 75th Street or single driveways out front. Pat Daniels added that the committee does not want to limit the consultant to these ideas but wants the consultant to bring back the ideas.

Executive Selection Committee - Charles Clark

Charles Clark reported the committee will be interviewing for the City Administrator position on October 2nd and 3rd.

OLD BUSINESS

There was no Old Business to come before the Council.

NEW BUSINESS

Shawnee Mission East Traffic Issues
No further report on this issue.

There was no other New Business to come before the Council.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Sister City	09/10/2007	7:00 p.m.
Park & Recreation Committee	09/12/2007	7:00 p.m.
Council Committee of the Whole	09/17/2007	6:00 p.m.
City Council	09/17/2007	7:30 p.m.

=====

The Prairie Village Arts Council is pleased to feature an oils exhibit by Barney Newcom in the R.G. Endres Gallery during the month of September. The opening reception will be September 14th from 6:30 to 7:30 p.m.

The Kansas State Historical Society and the Northeast Johnson County Chamber of Commerce join with the Shawnee Indian Mission Foundation to cordially invite you to attend the Future of History - a special after hours celebration of the Shawnee Indian Mission State Historic Site. Special Presentation begins at 6:30 pm on September 13th. Shawnee Indian Mission State Historic Site will be alive with music, exhibits, and period-dressed interpreters as we celebrate the Future of History!

The League of Kansas Municipalities Annual Conference is October 6-9 at the Overland Park Convention Center.

Flu shots for City employees and Council members are scheduled to be given Monday, October 15th from 8:30 - 10 a.m. at Public Works and from 1 - 3 p.m. in the Multi-Purpose room at City Hall.

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.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:40 p.m.

Jeanne Koontz
Executive Assistant

**CONSIDER PROJECT 190718 – 2007 STORM DRAINAGE REPAIR
PROGRAM: CONSTRUCTION CHANGE ORDER #4**

Background:

The original plans called for a timber curb to be placed along the existing edge of the tennis courts at the Harmon Park Rain Gardens. After clearing and grubbing it was evident that the edge of the courts were failing and that the proposed timber curb would not work and that a concrete curb and gutter would be a better design to capture the water off of the tennis courts and prevent erosion of the adjacent embankment. This change results in an increase of \$3317.00 (0.3% increase in the current contract amount).

Financial Impact:

Funds are available in the Capital Infrastructure Program under Project 190718.

Suggested Motion:

Move to approve Construction Change Order #4 with Radmacher Brothers Excavating Company, Inc. in the amount of \$3317.00..

CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT
CONSTRUCTION CHANGE ORDER NO. 4

SKW

Consultant's Name: Shafer, Kline & Warren, Inc.
 Project Title: 2007 Storm Drainage Program Project No 190718
 Date Requested: 30-Aug-07
 Owner's Project No.: 190718-1 Contract Date: 5-Mar-07
 Contractor's Name: Radmacher Brothers Excavating Company, Inc.

REQUIRED CHANGES IN PRESENT CONTRACT

Item Number	Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
16	223	\$ 7,805.00	LF	Timber Curbs	0.0	\$ 35.00	\$ 0.00
16C	0	\$ 0.00	LS	Modified Concrete Curb & Gutter	1.00	\$ 11,122.00	\$ 11,122.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
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		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
TOTAL		\$ 7,805.00					\$ 0.00
						TOTAL	\$ 11,122.00
					Net Increase Decrease		\$ 3,317.00

Explanation of Changes

Project No. 190718-1; 2007 Storm Drainage Program This change order is to provide for the installation of concrete curb & gutter in lieu of the specified timber curb adjacent to the tennis court. When the contractor cleaned out the area next to the court he found the edges of the court had deteriorated and had cracked away and seperated. This change provides for cutting away the deteriorated portion and replacing the existing wood curb with concrete curb.

Original Contract Price for 2007 Storm Drainage Program	\$ 1,081,000.00
Current Contract Price, as adjusted by previous Change Orders No. 3	\$ 1,102,813.00
NET increase or decrease this Change Order	\$ 3,317.00
New Contract Price	\$ 1,106,130.00

Change to Contract Time:
N/A

The Engineering Consultant does not anticipate a related Engineering Change Order .

William M. Asbury
William M. Asbury
Project Manager, Shafer, Kline & Warren, Inc.

8/30/07
Date

Thomas Trienens
Tom Trienens, P.E.
Manager of Engineering Services, City of Prairie Village, KS

8/30/07
Date

Ronald L. Shaffer
Mayor, City of Prairie Village, KS

Date

Roger Rupard
Roger Rupard
Project Manager, Radmacher Brothers Excavating Co., Inc.

8-30-07
Date

CONSIDER COUNCIL POLICY CP001 – PUBLIC COMMITTEES

Background:

At the August 20, 2007 Council Meeting, the Council established a formal Homes Association Committee. The mission of the committee is to provide a forum for homes associations to communicate with each other as well as with the City. Council Policy CP001 – Public Committees has been amended to include the Homes Association Committee.

MOTION:

RECOMMEND THE CITY COUNCIL APPROVE AMENDMENTS TO COUNCIL POLICY CP001 – PUBLIC COMMITTEES TO INCLUDE THE HOMES ASSOCIATION COMMITTEE.

CONSENT AGENDA



City Council Policy: CP001 - Public Committees

Effective Date: March 20, 2006

Amends: CP001 - dated May 3, 1999

Approved By: Governing Body

I. SCOPE

II. PURPOSE

A. To establish public committees which will allow citizen involvement and provide recommendations to the Governing Body.

III. RESPONSIBILITY

A. The Mayor and Council shall be responsible for appointing members to serve on the committees established by this policy.

IV. DEFINITIONS

V. POLICY

A. There are established, in the city, public committees with the following requirements for membership, meetings and duties:

1. **Communications Committee**

- a. The Mayor shall appoint a Councilmember to serve as Chairman and one to serve as Vice-Chairman of this committee for a one year term. In addition, the committee will include six members, preferably representing various areas of the city, and two student representatives appointed by the Mayor with the consent of the Council. These six members will be appointed to serve a three year term and will serve without compensation. The youth representatives will serve one year terms. Vacancies which occur in these six appointments shall be filled by appointment of the Mayor with the consent of Council for the unexpired term.
- b. The Communications Committee will meet as needed.
- c. The Communications Committee will recommend to the Governing Body policies and guidelines on matters pertaining to: television programming on Channel 13A, newsletter content, community relations and relations with the media. The Committee will follow the guidelines established in City Council Policy #610 approved by the Council on May 17, 1984 and revised February 3, 1997.

2. **Insurance Committee**

- a. The Mayor shall appoint council members as Chairman and Vice-Chairman. In addition, the Mayor will appoint four other members who have an insurance background.
- b. The Committee will meet as needed to monitor and discuss insurance issues relating to the City, and to recommend insurance bid award, when applicable.

3. **Prairie Village Arts Council**

- a. The Mayor shall appoint a Councilmember to serve as the reporting member of this committee for a one year term. In addition, the committee will include a Chairman and ten members, preferably representing each Ward in the city, and two youth representatives appointed by the Mayor with a consent of the Council. These eleven members will be appointed to serve a three year term and will serve without compensation. The youth representatives will serve one year terms. Vacancies which occur in these twelve appointments shall be filled by appointment of the Mayor with the consent of Council for the unexpired term.
- b. The Prairie Village Arts Council will meet as needed at a time and place designated by the Governing Body and/or the Chairman.
- c. The Prairie Village Arts Council will recommend to the Governing Body policies and guidelines on matters pertaining to: promotion and development of the arts in Prairie Village, acquisition of art for the city's identification graphics, landscaping of city facilities, and development of cultural activities for the city.

4. **Environment/Recycle Committee**

- a. The Mayor shall appoint two Council members to serve as reporting members of this committee to serve for a one year term.

CP001 - Public Committees

- b. The Environment/Recycle Committee will meet from time to time when called by the Chairperson or Vice-Chairperson or three members of the committee.
 - c. Committee to serve a three year term without compensation. The committee will include two youth representatives who will serve one year terms. Vacancies shall be filled by the Mayor & Council for the balance of the unexpired term.
 - d. Members shall select the officers of the committee including, but not limited to; a Chairperson and Vice-Chairperson to serve for a one year term without compensation.
 - e. The Environment/Recycle Committee will recommend to the governing body policies, guidelines or programs including but not limited to maintaining and enhancing air quality, reducing waste disposal in landfills, increasing awareness of the need to conserve natural resources and generally educating the public on methods to protect the environment.
5. **Prairie Village Sister City Committee**
- a. The Mayor shall appoint a councilmember to serve as the reporting member of this committee for a one year term. In addition, the committee will include a Chairperson, Vice-Chairperson, and a Secretary/Treasurer. These three members will serve for a one year term and will serve without compensation.
 - b. The Prairie Village Sister City Committee shall meet from time to time when called by the Chairperson or by the Vice-Chairperson.
 - c. Members of the Prairie Village Sister City Committee shall select the officers of the committee, including, but not limited to: a Chairperson; Vice-Chairperson; and a Secretary/Treasurer. The committee shall include two youth representatives who shall serve one year terms.
 - d. The Prairie Village Sister City Committee will recommend to the Governing Body policies, guidelines, or programs including, but not limited to: promotion of cultural ties between the City of Prairie Village and its sister cities; cultural learning opportunities for Prairie Village children and adults; economic and business development opportunities between Prairie Village businesses and its sister cities; and to promote exchanges of students and city leaders as appropriate to promote cultural, educational, economic, and social ties wherever possible.
6. **ADA Advisory Committee**
- a. The Mayor shall appoint a Council-member to serve as Chair for a one year term. The Mayor shall appoint, with consent of the City Council, other committee members representing various sections of the community, including both persons with disabilities and professionals involved in providing services to persons with disabilities for a term of three years without compensation. Re-appointments will be permitted. Vacancies, which occur in the three year term, shall be filled by appointment for the balance of the term by the Mayor with the consent of the Governing Body. The ADA Coordinator will be a member of the Committee.
 - b. The Committee shall meet from time to time when called by the Chair or the ADA Coordinator.
 - c. The Committee shall advise the City of issues related to the City's continued efforts to comply with Title II of the Americans with Disabilities Act in the City's sponsored services, programs or activities.
7. **Homes Association Committee**
- a. The Mayor shall appoint a council member to serve as Chair of this committee for a one year term. In addition, the committee will include members, who are preferably officers of active Prairie Village Homes Associations, appointed by the Mayor with the consent of the Council.
 - b. The Homes Association Committee will meet as needed at a time and place designated by the Governing Body or the Chairman of the committee.
 - c. The Homes Association Committee will recommend to the Governing Body policies and guidelines on matters pertaining to the Homes Associations in Prairie Village.
8. **Ad Hoc Committee**
- a. The Mayor will appoint a Chairman and members to serve on Ad Hoc Committees as needed. One member of the Council will be appointed by the Mayor to serve as the reporting member of the committee.
 - b. Meetings of the committee will be held as designated by the Mayor, the Governing Body and/or the Chairman of the committee.
 - c. The Committee shall discuss issues as requested by the Mayor and/or the Governing Body.
 - d. Ad Hoc Committees will be established by the Mayor to discuss a particular subject and make recommendations related to the subject matter to the Mayor and Council. These committees shall continue to meet as long as necessary, but will not be considered permanent committees.

CONSENT AGENDA

Request Approval for Contract with Property Room Internet Auction Company

Issue:

Enter into a contract with Property Room Internet Auction Company to dispose of the Police Department's unclaimed property. The company will help sell and/or dispose property in a more timely fashion, which ultimately frees up more storage space within our facility.

Background:

The last auction the Police Department participated in was three years ago. That auction company has since filed for bankruptcy. The majority of the items sold in the past were bicycles and electronics that were in poor condition and did not have much monetary value. Since the last auction, we have accumulated many of the same types of items. The Property Room and the garage attached to City Hall are currently near capacity.

This new company has agreed to pick up all items on a monthly basis, provide thorough record keeping, and broaden the auction to a wider group of people. They will take a fee of 50 percent, which is 30 percent higher than our previous company; however, with the amount of staff hours this will save the Department, and because most items sold are of very limited value, switching to this company will eventually save the Department money.

Recommendation:

STAFF RECOMMENDS CONTRACTING WITH THE PROPERTY ROOM INTERNET AUCTION COMPANY AS A MUCH MORE EFICIENT SOLUTION TO CREATING SPACE, REDUCING STAFF TIME, AND COLLECTING FUNDS FOR UNCLAIMED PROPERTY.

PROPERTY DISPOSITION SERVICES AGREEMENT

PropertyRoom.com, Inc., a Delaware corporation ("PropertyRoom"), enters into this agreement (the "Agreement"), with the customer identified below (the "Owner") for the auction and disposition of personal property (the "Disposition Services"), in accordance with the Terms and Conditions and Addenda, if any, attached hereto and listed below.

Beginning _____, (the "Start Date") Owner engages the Disposition Services of PropertyRoom. This Agreement will terminate on _____, (the "Termination Date"), or at such other time as provided herein.

<p>OWNER INFORMATION:</p> <p>_____</p> <p>[Owner Name]</p> <p>_____</p> <p>[Address]</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>[Phone]</p>	<p>SCHEDULES, SUPPLEMENTS AND OTHER ATTACHMENTS: (Mark only if included)</p> <p>Terms and Conditions yes _____</p> <p>Addendum No _____</p>
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THIS AGREEMENT INCLUDING ALL OF THE TERMS AND CONDITIONS SET FORTH ON THE ATTACHED TERMS AND CONDITIONS, AND ALL OTHER ATTACHMENTS INDICATED IN THE BOX ABOVE, IS THE PARTIES' ENTIRE AGREEMENT AND CANNOT BE MODIFIED EXCEPT IN WRITING BY THE DULY AUTHORIZED REPRESENTATIVES OF BOTH PARTIES.

EXECUTED on the date(s) indicated below:

[Legal Name of Owner]

PropertyRoom, Inc.

By: _____

By: _____

[Name and Title]

Date: _____

By: _____
[Name and Title]

By: _____
[Name and Title]

By: _____
[Name and Title]

PropertyRoom.com, Inc.
26421 Crown Valley Parkway, Suite 200
Mission Viejo, California 92691
Phone: 800-799-2440

Federal Tax ID 86-0962102

TERMS AND CONDITIONS

1. **Property to be Sold.** From time to time, Owner will designate items of personal property (the "Property") that it desires to provide to PropertyRoom for Disposition Services. PropertyRoom retains the right to accept or reject certain items in its sole discretion.

2. **Title.** Owner shall retain legal title to the Property until it is purchased by auction or otherwise disposed of in accordance with this Agreement at which time Owner will be deemed to have transferred title to the purchaser or other acquirer of the item of Property. Owner appoints PropertyRoom as its attorney-in-fact to sign any and all documents necessary to assign to purchasers of Property all of Owner's right, title and interest in and to Property sold or disposed. All cash receipts, accounts receivable, contract rights, notes, general intangibles, and other rights to payment of every kind, arising out of the sales and dispositions of Property (collectively the "Proceeds") belong to Owner, subject to PropertyRoom's right to PropertyRoom's Net Proceeds and funds attributable to Credit Card Costs and other transaction costs. Owner's Property shall, at all times before sale or disposition, be subject to the direction and control of Owner.

3. **Method of Selling Property.** PropertyRoom will, on Owner's behalf, list Property for sale by auction to the public on the World Wide Web of the Internet on one or more domain names selected by PropertyRoom. To the extent that any Property is not sold by auction, PropertyRoom may, in any commercially reasonable manner selected by PropertyRoom, dispose of Property. PropertyRoom will determine all aspects, terms and conditions of auctions of Property and dispositions of Property not purchased at auction, subject to the ultimate control of Owner. PropertyRoom will be responsible for all phases of submitting the Property for auction, including, but not limited to, determining when Property will be auctioned, setting the opening and reserve prices of Property, if any; determining the selling price, setting the length of time a Product will be auctioned; creating text and graphics to describe and depict Property submitted for auction; collecting all purchaser information (such as purchaser's name, billing address, shipping address, and credit card information); approving purchasers' credit card purchase transactions; and collecting auction proceeds for completed sales from purchasers. PropertyRoom shall use its best efforts in auctioning and selling the Property on the Internet and disposing of Property that does not sell at auction. PropertyRoom shall sell and dispose of all Property "as is" without any liability to the Owner. PropertyRoom is solely responsible for identifying and resolving sales and use tax collection issues arising from Property sales, including the necessity of charging and collecting such taxes.

4. Allocation of Sales Proceeds.

a. The total amount paid by the purchaser shall be called the "Sales Price". The Sales Price shall include the winning bid amount (the "Winning Bid") and all costs, shipping and handling charges, taxes, and insurance costs associated with the transaction and paid by the purchaser.

b. For each item of Property, Owner will be credited with 50% of the first \$1,000 of the Winning Bid and 75% of the portion, if any, of the Winning Bid that exceeds \$1,000. From this amount, the owner's pro rata share of transaction fees, if any, assessed by the credit card processor ("Credit Card Costs") will be deducted.

c. Credit Card Costs will be borne by Owner and PropertyRoom in proportion to the percentage of the revenue credited to the parties for each underlying transaction.

d. Amounts received by the Owner will be called "Owner's Net Proceeds".

The following example illustrates how proceeds of a sale are to be allocated. Assume an item of Property sells at auction for a Winning Bid of \$100; the buyer pays shipping and handling of \$10, insurance of \$2, and sales tax of \$6. The buyer pays the Sales Price of \$118.00 by credit card, and the Credit Card Costs are 2% of the Sales Price. The Credit Card Cost is therefore \$2.36 ($\$118 \times .02$). The Owner and PropertyRoom each share 50% of the underlying Winning Bid, therefore Credit Card Costs are also shared equally (\$1.18 each). The Owner's Net Proceeds are \$48.82 (\$50.00 less \$1.18).

5. **Payment Terms.** Not less than once every month, PropertyRoom will pay to Owner the amount of Owner's Net Proceeds payable for completed sales during the preceding month. Sales are deemed completed when all items comprising a line item on the original manifest or other list of Property are sold. With each payment of Owner's Net Proceeds, PropertyRoom will make available to Owner a detailed report setting forth the following information for the immediately preceding month: (i) the completed sales during the prior month, including the total amount of related proceeds collected, the Owner's and PropertyRoom's share of Credit Card Costs, the Owner's Net Proceeds; (ii) other dispositions of Property during the month; (iii) the Property, if any, inventoried by PropertyRoom at the end of the month.

6. **PropertyRoom's Obligations Concerning Property in Its Possession.** With respect to Property in PropertyRoom's possession: (i) PropertyRoom will exercise due care in the handling and storage of any Property; (ii)

PropertyRoom shall keep the Property free of liens, security interests, and encumbrances, and shall pay when due all fees and charges with respect to the Property; (iii) PropertyRoom shall sign and deliver to Owner any UCC-1 financing statements or other documents reasonably requested by Owner; (iv) PropertyRoom shall obtain and maintain insurance in an amount (determined by PropertyRoom) not less than the replacement value of Property in its possession. The insurance will cover the Property against fire, theft, and extended coverage risks ordinarily included in similar policies. PropertyRoom shall give Owner a certificate or a copy of each of the upon Owner's request.

7. Owner's Obligations. Owner will use its best efforts to provide to PropertyRoom such Property as becomes available for sale to the public. Owner will complete paperwork reasonably necessary to convey custodial possession of the item of property to PropertyRoom, including a written manifest or list that describes the item of Property in sufficient detail for identification. Owner agrees that it will not provide Property that is illegal or hazardous, including but not limited to explosives, firearms, counterfeit or unauthorized copyrighted material ("knock-offs"), poisons or pharmaceuticals.

8. Restrictions on Bidding. PropertyRoom and its employees and agents may not directly or indirectly bid for or purchase auctioned Property on the PropertyRoom web site.

9. Representations and Warranties of Owner. Owner hereby represents, warrants and covenants as follows: (i) Property delivered to PropertyRoom is available for sale to the general public without any restrictions or conditions whatever; and (ii) Owner has taken all required actions under applicable law that are conditions precedent to Owner's right to transfer title to the Property to purchasers (the "Conditions Precedent").

10. Books and Records. PropertyRoom will keep complete and accurate books of account, records, and other documents with respect to this Agreement (the "Books and Records") for at least three years following expiration or termination of this Agreement. Upon reasonable notice, the Books and Records will be available for inspection by Owner, at Owner's expense, at the location where the Books and Records are regularly maintained, during normal business hours.

11. Term and Termination. Unless terminated earlier, the term of this Agreement will begin on the Start Date and terminate on the Termination Date. This Agreement may be terminated if there is a breach by either party of any obligation, representation or warranty contained in this Agreement, upon thirty days prior written notice to the other party unless the breach is cured within the thirty day period, provided, however, if the breach is not capable of being cured within thirty days, the breaching party will have a reasonable amount of time to cure the breach if it begins to cure during the thirty day period and proceeds diligently thereafter. The written notice will specify the precise nature of the breach. The rights of the parties to terminate this Agreement are not exclusive of any other rights and remedies available at law or in equity, and such rights will be cumulative. The exercise of any such right or remedy will not preclude the exercise of any other rights and remedies. Notwithstanding any termination by either party of this Agreement, PropertyRoom will continue to remit amounts due to Owner under this Agreement in connection with any sales made before the effective date of the termination. At the time of termination, any unsold inventory shall continue to be auctioned by Property Room or returned to Owner, at owner's election and cost.

12. Indemnification. Subject to the limitations specified in this Section 12, each party will indemnify, hold harmless and defend the other party and its agents and employees from and against any and all losses, claims, damages, liabilities, whether joint or several, expenses (including reasonable legal fees and expenses), judgments, fines and other amounts paid in settlement, incurred or suffered by any such person or entity arising out of or in connection with (i) the inaccuracy of any representation or warranty made by the party hereunder, (ii) any breach of this Agreement by the party, or (iii) any negligent act or omission by the party or its employees or agents in connection with the performance by the party or its employees or agents of obligations hereunder, provided the negligent act or omission was not done or omitted at the direction of the other party.

13. Limitations on Liability. UNDER NO CIRCUMSTANCES WILL EITHER PARTY BE LIABLE TO THE OTHER PARTY FOR INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL OR EXEMPLARY DAMAGES (EVEN IF THAT PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES), ARISING FROM BREACH OF THE AGREEMENT, THE SALE OF PROPERTY, OR ARISING FROM ANY OTHER PROVISION OF THIS AGREEMENT, SUCH AS, BUT NOT LIMITED TO, LOSS OF REVENUE OR ANTICIPATED PROFITS OR LOST BUSINESS (COLLECTIVELY, "DISCLAIMED DAMAGES"); PROVIDED THAT EACH PARTY WILL REMAIN LIABLE TO THE OTHER PARTY TO THE EXTENT ANY DISCLAIMED DAMAGES ARE CLAIMED BY A THIRD PARTY AND ARE SUBJECT TO INDEMNIFICATION PURSUANT TO SECTION 12. LIABILITY ARISING UNDER THIS AGREEMENT WILL BE LIMITED TO DIRECT, OBJECTIVELY MEASURABLE DAMAGES. THE MAXIMUM LIABILITY OF ONE PARTY TO THE OTHER PARTY FOR ANY CLAIMS ARISING IN CONNECTION WITH THIS AGREEMENT WILL NOT EXCEED THE AGGREGATE AMOUNT OF PAYMENT OBLIGATIONS OWED TO THE OTHER PARTY HEREUNDER IN THE YEAR IN WHICH LIABILITY ACCRUES; PROVIDED THAT EACH PARTY WILL REMAIN LIABLE FOR THE AGGREGATE AMOUNT OF ANY PAYMENT OBLIGATIONS OWED TO THE OTHER PARTY PURSUANT TO THE AGREEMENT. NOTWITHSTANDING ANYTHING HEREIN TO THE CONTRARY, OWNER'S LIABILITY IS NOT

LIMITED UNDER THIS AGREEMENT WITH RESPECT TO LIABILITY ARISING FROM OWNER'S FAILURE TO SATISFY TIMELY ALL CONDITIONS PRECEDENT.

14. Notices. Any notice under this Agreement must be in writing. Initially the addresses of the parties will be as follows: (i) If to PropertyRoom: PropertyRoom.com, Inc, Attn: Steven Lupinacci, President, 26421 Crown Valley Parkway, Suite 200, Mission Viejo, California 92691; and (ii) If to Owner: At the address stated below Owner's Signature block on the first page of this Agreement. The parties may, from time to time and at any time, change their respective addresses and each will have the right to specify as its address any other address by at least ten days' written notice to the other party.

15. Severability. Whenever possible, each provision of this Agreement will be interpreted in such a manner as to be effective and valid under applicable law, but if any provision of this Agreement is held to be prohibited by or invalid under applicable law, such provision will be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this Agreement.

16. Complete Agreement. This Agreement and any related documents delivered concurrently herewith, contain the complete agreement between the parties relating to the subject of this Agreement and supersede any prior understandings, agreements or representations by or between the parties, written or oral, which may be related to the subject matter hereof in any way.

17. Attorneys' Fees and Legal Expenses. If any proceeding or action is brought to recover any amount under this Agreement, or for or on account of any breach of, or to enforce or interpret any of the terms, covenants, or conditions of this Agreement, the prevailing party will be entitled to recover from the other party, as part of the prevailing party's costs, reasonable attorneys' fees, the amount of which will be fixed by the court, and will be made a part of any judgment rendered.

18. Further Assurances. PropertyRoom and Owner will each sign such other documents and take such actions as the other may reasonably request in order to effect the relationships, services and activities contemplated by this Agreement and to account for and document those activities.

19. Governing Law. The internal law, and not the law of conflicts, of the state in which the Owner is located will govern all questions concerning the construction, validity and interpretation of this Agreement and the performance of the obligations imposed by this Agreement. The proper venue for any proceeding at law or in equity will be the state and county in which the Owner is located, and the parties waive any right to object to the venue.

20. Relationship of the Parties. The relationship created hereunder between Owner and PropertyRoom will be solely that of independent contractors entering into an agreement. No representations or assertions will be made or actions taken by either party that could imply or establish any agency, joint venture, partnership, employment or trust relationship between the parties with respect to the subject matter of this Agreement. Except as expressly provided in this Agreement, neither party will have any authority or power whatsoever to enter into any agreement, contract or commitment on behalf of the other, or to create any liability or obligation whatsoever on behalf of the other, to any person or entity. Whenever PropertyRoom is given discretion in this Agreement, PropertyRoom may exercise that discretion solely in any manner PropertyRoom deems appropriate.

21. Force Majeure. Neither party will be liable for any failure of or delay in the performance of this Agreement for the period that such failure or delay is due to acts of God, public enemy, war, strikes or labor disputes, or any other cause beyond the parties' reasonable control (each a "Force Majeure"), it being understood that lack of financial resources will not to be deemed a cause beyond a party's control. Each party will notify the other party promptly of the occurrence of any Force Majeure and carry out this Agreement as promptly as practicable after such Force Majeure is terminated. The existence of any Force Majeure will not extend the term of this Agreement.

22. Counterparts. This Agreement may be signed in any number of counterparts.

Addendum to Property Disposition Services Agreement

This addendum is attached to and made part of the Prairie Village Police Department Property Disposition Services Agreement dated _____ (the "Agreement").

The Agreement is modified as follows:

SECTION 7: Owner's Expense The Following words are added to this Section

Third Sentence after the word "WILL" : Use its best efforts not TO

SECTION 12 Indemnification: The Following words are added to this Section....

First Sentence after the words Section 12; and to the Extent permitted By Law.....

_____ Date
for "Owner"

_____ Date
for PropertyRoom.com Inc

CONSENT AGENDA

CONSIDER MISSION HILLS 2008 LAW ENFORCEMENT AGREEMENT

Issue:

Should the City of Prairie Village formalize its law enforcement relationship with the City of Mission Hills for the 2008 calendar year?

Background:

Each year the Cities of Prairie Village and Mission Hills formalize their law enforcement relationship with an agreement between the municipalities.

The Prairie Village City Council approved the 2008 Public Safety budget for Mission Hills at its September 4, 2007, meeting -- the Mission Hills City Council also adopted the same budget during its regular City Council meeting that same day.

Recommendation:

STAFF RECOMMENDS THE PRAIRIE VILLAGE CITY COUNCIL APPROVE THE 2008 PUBLIC SAFETY AGREEMENT WITH THE CITY OF MISSION HILLS.

MISSION HILLS AGREEMENT – 2008

THIS AGREEMENT, made this ____ day of _____, 2007, between the City of Prairie Village, Kansas, a municipal corporation, hereinafter referred to as "Prairie Village," and the City of Mission Hills, Kansas, a municipal corporation, hereinafter referred to as "Mission Hills."

WHEREAS, Prairie Village and Mission Hills are adjoining cities and share many of the same problems and concerns for police protection; and

WHEREAS, in the opinion of the governing bodies of Prairie Village and Mission Hills, the consolidated operation of law enforcement and policing of the two cities will be to the mutual benefit and the general welfare of the persons and properties of both municipalities; and

WHEREAS, K.S.A. 12-2908, and amendments thereto, authorize the parties hereto to enter into a contract with respect to performance of government services; and

WHEREAS, the governing bodies of said cities have determined to enter into an agreement as authorized and provided by K.S.A. 12-2908 and amendments thereto,

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein made and contained, it is mutually agreed as follows:

A. Services Provided. Prairie Village shall furnish to Mission Hills during the term of this agreement, the following items:

1. Police Cars. It is agreed and understood that Mission Hills has previously paid for four police cars that are currently being used primarily in the City of Mission Hills and said cars are identified as:

Unit 349 - 2003 Ford Crown Victoria

Identification Number 2FAHP71W23X199641
registered to the City of Prairie Village, Kansas;

Unit 547 – 2005 Ford Crown Victoria
Identification Number 2FAFP71WX5X165828
registered to the City of Prairie Village, Kansas;

Unit 548 – 2005 Ford Crown Victoria
Identification Number 2FAFP71WX5X132795
registered to the City of Prairie Village, Kansas,
and

Unit 648 – 2006 Ford Crown Victoria
Identification Number 2FAFP71W56X128798
registered to the City of Prairie Village, Kansas.

During the terms of this agreement, Mission Hills shall be responsible for the replacement costs of any new vehicles needed. The Chief of Police shall notify the Mission Hills City Administrator when fleet bids are being offered. Replacement vehicles for Mission Hills will be offered as part of the fleet purchase, above the costs of this contract, if desired and approved by Mission Hills. New vehicles will be titled to the City of Prairie Village. Collision and liability insurance on the vehicles purchased by Mission Hills shall be maintained and paid for by Prairie Village.

Mission Hills shall pay all expenses relating to the maintenance of said vehicles, including, but not limited to, gasoline, oil, lubrication, tires, repairs and equipment changeover. Maintenance of said vehicles shall be under the direction and supervision of the Chief of Police. Routine maintenance will be provided by a vendor agreed upon by the Mission Hills City Administrator and the Chief of Police. Labor provided by the Prairie Village Public Works Department will be at no charge for labor, plus all costs of parts. Gasoline shall be provided through the Prairie Village gasoline

pump. A monthly itemized bill shall be prepared and forwarded to Mission Hills for payment, which shall be above the costs of the contract agreement listed in Paragraph B. Major repair items such as engine or transmission overhaul shall be approved by the Mission Hills City Administrator prior to work being performed and will be billed directly to Mission Hills. If a Mission Hills police unit is inoperable for a period of time - as determined by a Police Department Shift Supervisor or Command Staff member, due to the vehicle being unable to be operated safely, or where further use may cause damage to the vehicle - Prairie Village shall provide a replacement vehicle and may bill Mission Hills at the rate equal to the 2008 IRS standard mileage rate per mile for a car used for business purposes for its use, above the costs of this contract.

It is agreed and understood that if both parties agree to terminate the conditions of this contract, those vehicles purchased by the City of Mission Hills, but titled to the City of Prairie Village, shall be transferred back to the ownership of Mission Hills for the sum of \$1.00.

2. Police Personnel. Prairie Village shall provide to Mission Hills the services of police officers, detectives, and other personnel as adopted by budget formulas to provide efficient and effective law enforcement services. The Chief of Police will approve staffing/scheduling in consultation with the Mission Hills City Administrator. With respect to the additional officers, Prairie Village shall not be required to provide a replacement officer or effect a reduction in the amount due Prairie Village by Mission Hills under this Agreement when such an officer is unavailable due to an excused absence. An "excused absence" is an absence provided for under Prairie Village's personnel policies and for which the officer receives monetary compensation or compensatory time directly from Prairie Village for the absence, but does not include any such absence for which the officer is receiving monetary compensation for the absence from Workers' Compensation or other insurance. If any additional officer is unavailable for any reason other than an excused absence, Prairie Village shall either assign a replacement officer for the position or effect an appropriate reduction in the amount due Prairie Village by Mission Hills under this Agreement. Prairie Village shall

use its best efforts to ensure that excused absences of police officers assigned to Mission Hills shall not be disproportionately higher than excused absences of police officers assigned to Prairie Village.

Prairie Village shall provide the services of such supervisory and support personnel as shall be necessary for the operation of said police cars and to provide normal police services.

Prairie Village shall pay the salaries, payroll taxes, Workers' Compensation and related benefits and shall bear all expenses and liabilities with respect to said police personnel, which may accrue from or be attributable to the employer-employee relationship.

All Prairie Village Police officers, and all cars used by such police officers, including the cars designated as the Mission Hills police cars, shall be subject to the jurisdiction of the Prairie Village Chief of Police, whether operating in Mission Hills or Prairie Village. The Prairie Village Chief of Police shall have exclusive supervision of the operation of the police cars designated as the Mission Hills cars and the personnel operating same, and shall handle all complaints or calls for services through the Police Department's Offices at the Public Safety Center, Prairie Village, Kansas. The Chief of Police will consult and cooperate with Mission Hills in scheduling and supervising the operation of Mission Hills cars and personnel operating same.

Mission Hills will designate an individual who shall serve as its representative to consult with the Chief of Police. All Prairie Village Police officers shall be deputized to act as police officers in Mission Hills and all Prairie Village personnel, in carrying out the police functions for Mission Hills as contemplated by this Agreement, shall be deemed to be acting for, and as the police arm of, Mission Hills.

It is further mutually agreed by the governing bodies of the respective cities hereto that each will respectively do all acts necessary and proper as

provided in K.S.A. 19-2645 and K.S.A. 19-2646, and acts amendatory and supplemental thereto, for carrying out the applicable provisions of this Agreement.

3. **Court Personnel.** Prairie Village shall also provide a Clerk of the Court for the Mission Hills Municipal Court for two court sessions per month. Said Clerk shall be assigned by the Court Administrator of the Prairie Village Municipal Court. Said Clerk of the Court shall perform all duties as required by law and shall be deemed to be acting for and on behalf of the City of Mission Hills while performing said duties. Prairie Village shall not be liable in any manner for the actions of said clerk of the Court in the performance or nonperformance of said duties. Prairie Village shall be reimbursed for the costs of providing said Court personnel, which amount is included in the total contract amount as provided in Paragraph B of this Agreement.

4. **Humane Officer.** For purposes of animal control, Prairie Village shall provide to Mission Hills the services of a humane officer, when such services are needed. Said humane officer shall be under the supervision of the Chief of Police. It is agreed that when on duty, the humane officer shall respond to calls for service within Mission Hills that are the normal function of this service. In addition, the Mayor or City Administrator of Mission Hills can request scheduled hours in Mission Hills on a regular basis, which shall be provided if personnel are available. The cost of this service is not included in the contract amount as provided in Paragraph B, and shall be documented and billed at the rate of \$29.40 per hour.

It is further agreed that Prairie Village has entered into a contract agreement with Animal Medical Center for the professional care and boarding of animals taken into custody by the Police Department. This service is not included in the contract amount as provided in Paragraph B, and shall be billed to Mission Hills by Prairie Village as required by the service provided by Animal Medical Center.

5. **General Law Enforcement Services.** Prairie Village shall provide to Mission Hills law enforcement services necessary to efficiently maintain public safety

in the City of Mission Hills. These services include, but are not limited to, administration of the Police Department; 9-1-1 and non-emergency PSAP for communications to the Police Department and police vehicles; Records for maintaining law enforcement files; Crime Prevention Program for education to reduce community vulnerability to crime and establish "community-oriented policing," Investigations function that provides for the investigation of Part I and Part II crimes perpetrated by adults and youths; D.A.R.E. to provide a prevention aspect to adolescent drug use; the Property Room and evidence system, and the Department's comprehensive training.

B. Reimbursement Costs. Mission Hills shall reimburse Prairie Village for the cost of services and equipment provided to the City of Mission Hills as heretofore provided, the total amount of One Million, One Hundred Fifty Nine Thousand, Eight Hundred and Ninety Two and 00/100 Dollars (\$1,159,892.00), said amount to be paid by Mission Hills at the rate of Ninety Six Thousand, Six Hundred Fifty Seven and 66/100 Dollars (\$96,657.66), per month during the term of this Agreement, said payment to be made not later than the 15th day of each month.

Said amount is based on the standard employee work schedule of the City of Prairie Village and includes the cost of supervision and insurance, radio dispatching, officer supplies, uniform replacement, salary of personnel, overhead and other costs which will be incurred by Prairie Village in fulfilling the obligations of this Agreement. The estimated costs of services and equipment to be provided under this Agreement have been compiled in a proposed budget for the year 2008, previously furnished to Mission Hills by Prairie Village. This budget was used in determining the costs to be reimbursed by Mission Hills; however, the parties recognize that the actual costs for the items furnished may differ from those estimated.

In the event of a difference which results from a change in the wage structure of Prairie Village personnel from that contemplated in the proposed budget, or pursuant to Paragraph A., 2., any additional officer is unavailable for any reason other than an excused absence and Prairie Village elects not to assign a replacement officer,

an appropriate increase or decrease will be made in the amount due Prairie Village by Mission Hills thereunder. However, the parties agree that no other difference, if any, in the actual costs of the services and equipment provided from that contemplated in the proposed budget will be cause for increasing or decreasing the amount due Prairie Village from Mission Hills hereunder.

C. Reports. The Chief of Police of Prairie Village shall at least once a month submit to Mission Hills a complete written report of the operations of the police cars used in Mission Hills and information pertaining to police activity and protection provided within said city.

D. Liability Insurance and Uninsured Claims. The parties recognize that actions (or omissions) in connection with services to be provided by Prairie Village under this Agreement may result in, or give rise to, claims against Mission Hills or Prairie Village, or both, for alleged damages or injuries. For the purpose of limiting financial exposure with respect to such claims, Prairie Village has obtained liability insurance relating to the operation of the Police Department and relating to the operation of vehicles used in providing the services contemplated by this Agreement. Part of the cost of these policies is allocated to Mission Hills and included in the total contract amount as provided in Paragraph B of this Agreement. Mission Hills is named as an insured party on both such insurance policies.

In addition, both Prairie Village and Mission Hills carry general liability insurance and both parties agree that they will use their best efforts to cause the insurance companies providing such insurance coverage to waive any subrogation rights which such companies may have against Prairie Village or Mission Hills, as the case may be, with respect to expenses incurred and amounts paid under such policies on behalf of the party carrying such insurance.

The parties also recognize that claims may be made against Mission Hills or Prairie Village or both for alleged injuries or damages which are not covered by any

of such insurance policies. With respect to such uninsured claims: The parties agree that Mission Hills should bear all or most of the costs related to such claims (including defense costs and payments for settlement or judgment) in those situations in which the action or omission which gives rise to the claim relates primarily to a risk that would not have been incurred by Prairie Village if Prairie Village were not providing services to Mission Hills under this Agreement; and Prairie Village should bear all or most of the costs related to such claims (including defense costs and payments for settlement or judgment) in those situations in which the action or omission which gives rise to the claim relates primarily to the operation or policies of the Prairie Village Police Department and services provided to Mission Hills under this Agreement are only incidental to the situation.

Accordingly, the parties agree that the circumstances surrounding any claim which is not covered by insurance and which relates to or arises from actions (or omissions) in connection with services provided or to be provided by Prairie Village under this Agreement will be examined at the time such claim is made for the purpose of determining the appropriate percentage of the costs related to such claim which are to be paid by Mission Hills and the appropriate percentage of such costs which are to be paid by Prairie Village.

E. Effective Date. This Agreement shall be in effect from January 1, 2008, through December 31, 2008, and shall not be assigned. It is agreed that during the term of this Agreement neither party may terminate or modify the Agreement without the consent of the other, except as otherwise provided by this Agreement.

IN WITNESS WHEREOF, the Mayor of Prairie Village, Kansas has signed this Agreement on behalf of the City of Prairie Village, as such mayor, and the City of Prairie Village has caused these presents to be attested by its Clerk and the seal of said city to be hereto attached; and the Mayor of Mission Hills, Kansas has signed this Agreement on behalf of the City of Mission Hills, as such mayor, and the City of Mission

Hills has caused these presents to be attested by its Clerk, and the seal of said city to be hereto attached, the day and year first above written.

THE CITY OF PRAIRIE VILLAGE, KANSAS

By: _____
Ronald L. Shaffer - Mayor

ATTEST:

Joyce Hagen Mundy - City Clerk

THE CITY OF MISSION HILLS, KANSAS

By: _____
David J. Fromm - Mayor

ATTEST:

Jill Clifton – City Clerk

M E M O R A N D U M

DATE: September 17, 2007
TO: City Council
FROM: Mayor Shaffer
RE: **Peanut Butter Week**

Since 1985, the City of Prairie Village has annually held a food drive in which the commodity of peanut butter is collected for the Harvesters Community Food Network. Our community participates in the drive through our churches and schools. The 2007 dates will be October 1-5, 2007. This will be the 23rd annual Peanut Butter Week.

Adoption of Resolution 2007-04 proclaiming the week of October 1-5, 2007 as Prairie Village Peanut Butter Week will be included on the Consent Agenda.

Resolution 2007-04

WHEREAS, the citizens of Prairie Village take great civic pride in their community and the good deeds performed therein; and

WHEREAS, the citizens of Prairie Village strive to maintain the high quality of life now enjoyed by most citizens and also recognize there are less fortunate in the Greater Kansas City area; and

WHEREAS, Prairie Village has a unique opportunity to lend its support to Harvesters in their efforts to lessen some of the hunger of the people in the Greater Kansas City area (including Johnson and Wyandotte Counties) by supporting them in their goal of distributing the high protein food, peanut butter, to social and charitable agencies, serving over 22,000 households; and

NOW, THEREFORE, BE IT RESOLVED, that I, Ronald L. Shaffer, Mayor of the City of Prairie Village, do hereby designate October 1-5, 2007 as

PEANUT BUTTER WEEK

in the City of Prairie Village, Kansas, and call upon all citizens to support this worthwhile cause by donating jars of peanut butter or by providing a cash donation for the purchase of peanut butter.

Adopted this ____ day of September, 2007.

Ronald L. Shaffer, Mayor

ATTEST:

Joyce Hagen Mundy
City Clerk

Memo

To: City Council
From: Mayor Ron Shaffer
Date: 09/12/2007
Re: PROCLAMATIONS

I have been requested to issue the following proclamations:

“Constitution Week” – September 17 – 23, 2007

“In Recognition of Congregation Ohev Sholom’s 130th Anniversary”
October 27, 2007

Authorization for the Mayor to execute proclamations for “Constitution Week” and “In Recognition of Congregation Ohev Sholom’s 230th Anniversary” will be included on the Consent Agenda.

CITY OF PRAIRIE VILLAGE

Constitution Week September 17 – 23, 2007

Whereas, September 17, 2007 marks the two hundred and nineteenth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

Whereas, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

Whereas, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as constitution week;

NOW THEREFORE, I, Ronald L. Shaffer, by virtue of the authority vested in me as Mayor of the City of Prairie Village in the State of Kansas do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

And ask our citizens to reaffirm the ideals the framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Prairie Village, Kansas, to be affixed at my office in the City of Prairie Village, Kansas, the 17th day of September, 2007.

Mayor Ronald L. Shaffer

City Clerk

Date

CITY OF PRAIRIE VILLAGE

In Recognition of Congregation Ohev Sholom's 130th Anniversary

WHEREAS, Ohev Sholom, a member of the United Synagogue of Conservative Judaism, is the oldest continuously operating Jewish House of Worship in the state of Kansas; and

WHEREAS, the Congregation Ohev Sholom was founded in 1877 as the result of a merger between Gomel Chesed and Shearith Israel Synagogues; and

WHEREAS, the first building erected by Gomel Chesed Synagogue, at 925 State Line was dedicated by Rabbi M. Gershonowitz on September 3, 1893 with Congregation Ohev Sholom moving into their first building at 7th and Sandusky in Kansas City, Kansas in 1925; and

WHEREAS, Ohev Sholom began the transition from 7th and Sandusky to 75th and Nall in the 1950's with the current location being completed in two stages. The school building was finished in 1961, while the remaining structure was finished about a decade later; and

WHEREAS, Congregation Ohev Sholom offers a schedule of programs that include Regular Daily Morning Services, Weekly Sabbath Services, and Active and Vibrant Sisterhood, a Robust Breakfast Club, Social Action Activities and Programs for Adult Education and Community Action including participation in building a Habitat for Humanity house; and

WHEREAS, Congregation Ohev Sholom's Religious School is an exciting part of the programming and spans kindergarten to tenth grade with Congregation Ohev Sholom also offering an Adult Education Program that includes Torah Study, lectures and mini-courses, lunches, brunches and speakers; and

WHEREAS, Congregation Ohev Sholom conceived and executed the metro Kansas City area's first **KosherFest-A Celebration of Jewish Food** – and will continue that tradition on June 1, 2008 and thereafter; and

WHEREAS, Congregation Ohev Sholom will celebrate its 130th Anniversary, October 27, 2007.

NOW, THEREFORE, I Ronald L. Shaffer, Mayor of the City of Prairie Village, Kansas, do hereby proclaim October 27, 2007 as

Congregation Ohev Sholom Day

And do hereby call upon and urge all citizens to recognize the Congregation's 130 years of faithful Jewish service to the City.

Mayor Ronald L. Shaffer

City Clerk

Date

COUNCIL COMMITTEE OF THE WHOLE
September 4, 2007

The Council Committee of the Whole met on Tuesday, September 4, 2007 at 6:00 p.m. The meeting was called to order by Council President Andrew Wang with the following members present: Mayor Shaffer, Al Herrera, Ruth Hopkins, David Voysey, Laura Wassmer, Pat Daniels, Charles Clark, Wayne Vennard, Diana Ewy Sharp and David Belz. Staff members present: Barbara Vernon, City Administrator; Wes Jordan, Chief of Police, Tim Schwartzkopf, Captain; Bob Pryzby, Director of Public Works; Karen Kindle, Finance Director; Joyce Hagen Mundy, City Clerk; Katie Logan with the City Attorney's office; and Jeanne Koontz, Executive Assistant.

COU2007-56 Consider Alcohol Permit Fee for facility reservations

The City policy allows for the serving of wine, champagne and 3.2 beers with the issuance of an alcohol permit at the community center. No fee has been established for this permit. The serving of alcohol for gatherings at the community center has had a significant impact on the cleaning and maintenance costs of that facility. Over the past year the City has experienced increased cleaning costs following a rental of the Community Center when an alcohol permit has been issued with the reservation. In reviewing policies followed by other cities, we have found many cities charge a substantial fee for allowing alcohol to be served at their facilities and some require that security services are provided when alcohol is served. The cities of Mission and Leawood require on-site security when alcohol is served. Joyce Hagen Mundy recommended an alcohol permit fee of \$50 be approved.

Laura Wassmer stated our rates are very cheap when compared to other cities. She recommended increasing the hourly rental rate to cover the cost of cleaning the facility. She also recommended increasing the alcohol permit fee to \$100. Mrs. Mundy said the facility reservation rates are low to make them accessible to residents. The fee now is less than the fee charged in 1986. She offered to gather statistics and data from other cities and present the findings to the council at a later date. Ms. Wassmer clarified the resident rate is \$5 per hour.

Andrew Wang asked how our facility compares to other city facilities where the cost is higher. Mrs. Mundy said the research she has done in the past compares meeting rooms like ours.

Mr. Wang asked what happens when extra clean up is required. Mrs. Mundy said renters disregard the directions not to use the nutrition center kitchen and the floor is usually much stickier. It takes much longer to clean up.

Wayne Vennard asked if the renters who make the mess are allowed to rent again. Mrs. Mundy said most of the messes are created by one-time parties. She said complaints are recorded and a note is made to not rent to them again.

David Belz asked where the \$50 fee was derived. Mrs. Mundy said the fee is a compromise between fees of neighboring cities.

Al Herrera asked if this problem was mostly with the non-residents. Mrs. Mundy said approximately 2/3 of the renters are non-residents.

Ms. Wassmer suggested raising the hourly rate for non-residents to \$20/hour since the \$10/hour does not cover cleaning costs. She reiterated that \$100 does not seem to be too much if alcohol is involved.

Charles Clark suggested giving staff time to consider overall changes and approving the \$50 fee in the meantime.

Mr. Clark made a motion to approve the \$50 fee. Ruth Hopkins seconded his motion. Laura Wassmer asked why we would approve the fee before investigating the costs. Mr. Clark said money could be collected now while doing the study.

Charles Clark restated the following motion, which was seconded by Ruth Hopkins. The motion passed 8 - 2 with Laura Wassmer and Al Herrera voting nay.

RECOMMEND THE COUNCIL APPROVE AN ALCOHOL PERMIT FEE OF \$50 AND REQUEST STAFF TO RESEARCH THE RENTAL OF FACILITY FEES.

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2007-57 Consider Public Safety Budget for Mission Hills

Chief Jordan said this is the third year of using the new formula which was derived by former Chief Grover, Jaime Shell, and Courtney Christensen. He will be giving this presentation to the City of Mission Hills right after this presentation. He said his goal this year is to explain the budget so everyone understands the percentages.

The 2008 budget request is a 4.08 percent increase over 2007. The total budget request for 2008 is \$1,159,892.

Chief Jordan said charges for certain programs, community services, special investigations, school crossing guards or accounting, are not included in the fee calculation because Mission Hills does not use these service on a regular basis. He said they pay for community services by the hour.

The Mission Hills Patrol program budget is \$755,827. Mission Hills pays for 8.2 full time equivalent salaries (FTE). They pay for their vehicle costs directly.

The Mission Hills Administration program budget is \$70,156. The percentage used is 13.44%.

The 10 year crime summary shows Mission Hills crimes are 12.36% of the combined crimes of Prairie Village and Mission Hills. This percentage is used to figure the budget of Investigations and Crime Prevention. The Mission Hills Investigations program budget is \$58,947. The Mission Hills Crime Prevention program budget is \$10,751.

Laura Wassmer stated that in some years more time was been spent on crime prevention in Mission Hills. She asked whether this percentage should be examined again. Chief Jordan said he felt the percentage was accurate.

The Mission Hills DARE program budget is \$8,847. Approximately 10% of the students at Belinder and Prairie Elementary are from Mission Hills. This percentage is used to find the Mission Hills cost.

The Mission Hills Staff Services program budget is \$156,957. This includes all communications, dispatchers, and records clerks. The radio system was removed because Mission Hills does not own any of our infrastructure. Chief Jordan said the Council may want to revisit this issue.

Wayne Vennard asked if Mission Hills pays for a portion of the costs of the Public Safety infrastructure like heating the building or the lockers. Chief Jordan said the indirect costs are factored in for example they pay 13% of the electric and other utility costs.

The Mission Hills Professional Standards program budget is \$20,090. This includes training for the officers.

The Mission Hills Court program budget is \$78,318. This is based on a 10 year average which comes to 27% this year. They directly pay for Mission Hills judges' salaries, credit card fees and jail costs.

David Voysey asked if we plan for Mission Hills to share in the cost of the radio at all. Chief Jordan said there is not a plan for this. He said 10 years ago when the system was updated, Mission Hills did not pay for it. Mr. Voysey asked how long our contract is with the city. Chief Jordan said it is a yearly contract. He stated Mission Hills understands that there may be costs down the road for the radio. They will buy radios for their cars. Mr. Voysey said he wants them to understand that the radio system is a huge cost on our part. Charles Clark said it is an issue of whether the radio system is like the other infrastructure in the department. Chief Jordan said his concern is the possible ramifications of being a part-owner.

Pat Daniels asked if the percentages used in the budget still seem correct. Chief Jordan said he believes they are correct. He said the police department could not survive without Mission Hills. The same number of employees are still needed. David Belz asked the Chief if he plans on examining the percentages from time to time. Chief Jordan said there are some things that need to be reviewed but does not think anything is unfair.

Ruth made the following motion, which was seconded by David Belz and passed unanimously.

RECOMMEND THE CITY COUNCIL APPROVE THE MISSION HILLS PUBLIC SAFETY BUDGET AS PRESENTED.

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2006-57 Special Use Permit for Communications Antenna at 7700 Mission Road

Following a Public Hearing, in December 2006, the Planning Commission recommended the City Council approve renewal of the Special Use Permit to Cingular for an antenna on the tower at 7700 Mission Road.

During a meeting of the Council Committee on January 2, 2007, Council members asked the City Attorney to renegotiate the lease agreement to increase the amount of fee required.

The lease payment was negotiated in 1990. The company agreed to pay the City \$200 per month for 25 years and provide cell phones and cell time for use by the Police Department. The City is no longer using the phones or the cell time.

Barbara Vernon stated the special use permit is one issue and the lease is a completely separate issue. The Planning Commission has approved the special use permit but they have nothing to do with the lease.

Mrs. Vernon said she received a letter from Charlie Wetzler saying the company has agreed to increase their payment from \$200 to \$400 per month. They are not required to do this; it is a solid contract. Doubling their payment shows they are making an effort to be fair to the City. Mr. Wetzler has been speaking with them more frequently since they stopped making their payments. He is recommending the council accept their proposal and ask for automatic increases in the future.

Mr. Vennard clarified the company initially agreed to pay \$200 per month plus provide cell phones and user time. Mrs. Vernon said they will still provide the phones and user time but the Police Department stopped using it.

Katie Logan emphasized the special use permit and the lease are two completely separate issues. She said it would not be reasonable to deny the permit in order to increase the lease payment. She said the council can always instruct the attorney to obtain a better deal but the company is not obligated to give any more.

Mr. Vennard asked why the City gave up the cell phones and user time. Mrs. Vernon said the decision was made in the Police Department. They thought they could get a better deal with everything on one contract.

David Voysey said it is basically our fault that the value of the lease is no longer worth anything. He supported passing both issues.

Andrew Wang asked the term of the lease. Mrs. Vernon said the 25 year lease began in 1990 leaving 8 years on the lease. Mr. Wang asked what kind of leverage we would use to force them to pay a fair rate since we cannot withhold the permit. Ms. Logan said we do not have any leverage. Mr. Vennard clarified they have not been paying the \$200 in rent and asked if they have broken the lease. Mrs. Vernon said technically they have but the City has also failed to approve their request for a Special Use Permit.

David Voysey made the following motion, seconded by Ruth Hopkins which passed by 9 - 1 with Wayne Vennard voting nay.

RECOMMEND THE COUNCIL ADOPT AN ORDINANCE RENEWING THE SPECIAL USE PERMIT FOR THE INSTALLATION OF WIRELESS COMMUNICATION ANTENNAS AND EQUIPMENT AT 7700 MISSION ROAD FOR A TEN YEAR PERIOD SUBJECT TO CONDITIONS ESTABLISHED BY THE PLANNING COMMISSION AND RECOMMEND THE COUNCIL AUTHORIZE THE CITY ATTORNEY TO PREPARE AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY AND CINGULAR INCREASING THE LEASE FEE FROM \$200 TO \$400 PER MONTH

COUNCIL ACTION REQUIRED

COU2007-51 Consider Village Vision: Retreat Recommendations

Diana Ewy Sharp said she thought it would be good to consider the retreat recommendations.

Andrew Wang said under the Village Vision portion the major recommendations are:

- Under the Mayor's guidance, Council members should select areas of the Village Vision that they would like to work on.

- Immediately review the “priority list’ that was discussed during the retreat and insure that everyone is on the same page as to its purpose.
- Select one “achievable” project and put it at the top of the priority list.
- Immediately allocate \$2.5 million dollars into categories to reflect the projected needs of the Village Vision.
- Develop some guidelines for citizen participation in the implementation process.

Mrs. Sharp said she thinks the retreat benefited everyone. The allocation of the \$2.5 million should be done sooner than later. She said if everyone is in agreement with the recommendations she would recommend examining the allocation recommendation.

Mr. Wang said he believes the Finance Committee is examining this issue. David Voysey said the Finance Committee has not been working on this specific issue. They have been focusing on setting up the economic development reserve fund. Charles Clark said some of the Village Vision items do not have to do with economic development and would not come out of that fund. Mr. Voysey stated the definition of an economic development item that qualifies for the reserve fund will come back to the Council. He said the committee is focusing on guidelines to draft the ordinance.

David Belz said it sounds like the Council needs to consider the economic development issue before money is allocated. Mr. Voysey said the issue is more in the definition of economic development. Mr. Clark said some of the issues are quality of life issues instead of economic development issues.

Mr. Wang said he does not think discussion needs to be put on hold because it is not very much money. Mr. Voysey said there are action steps that can be taken before the ordinance is drawn up. The top 5 priorities need to be defined.

Mayor Shaffer asked the Council to speak with him if they have any special interests they would like to pursue.

Mr. Wang said he would like to follow the Village Vision document as it is being implemented in order to understand what specifically is being done in the different action agenda items. Laura Wassmer said examining the document quarterly would be enough. Pat Daniels reminded the Council that they are not the only people working on the Village Vision; the Planning Commission has some of the action items. Ruth Hopkins said each Council Member could take on a project; it will take a long time to know how much money is needed for each project.

Mr. Belz said the recommendation by Jim Hunt was to split the \$2.5 million up into categories so there was a piece for different action items as opposed to whichever project gets there first. Mr. Daniels thinks projects will begin popping

up and the costs will be softer in the beginning not the heavy capital dollars that will be needed at some point.

Mrs. Hopkins said her fear is that people are making plans without communicating and taking their plans too far. She said she wants weekly not quarterly updates. She emphasized the importance of communication with the Mayor, Council, and City Administrator. Mr. Wang agreed with Mrs. Hopkins' comments. He said if smaller groups are working on plans, it has to be out in the open.

Mrs. Sharp recommended discussing the Mentor program recommendation under the Mayor/Council Relations. Mr. Wang said he thought this duty was assigned to the Council President. He said at this point it is very informal and asked whether a formal system was needed. Mrs. Sharp said from the report it sounded like we were lacking in that area. Mrs. Hopkins said she thinks an informal approach is too intimidating for a new person and suggested mentoring with your ward mate. Mr. Belz said he thinks it would work better to have a one-on-one mentor. Mr. Wang said he thinks an informal process is the only way it could be successful. He said some people need it and some don't. Your ward mate is not always the right mentor for you. Mrs. Sharp suggested having staff look at the way that other cities handle this issue. Ms. Wassmer suggested when there are new people, see who they connect with and ask the Council president to set up an informal mentor relationship. Mr. Voysey agreed with Wassmer but thought someone besides the Council president should be responsible.

Mrs. Sharp asked for a website update. Mr. Wang said there is a certain amount of updating that can be done by city staff for instance adding more content. He said one of the committee members has ideas but they have not had time to meet.

Council President Andrew Wang adjourned the Council Committee of the Whole meeting at 7:25 p.m.

Andrew Wang
Council President

ORDINANCE 2139

AN ORDINANCE APPROVING THE RENEWAL OF A SPECIAL USE PERMIT FOR THE INSTALLATION OF WIRELESS COMMUNICATIONS ANTENNA AND EQUIPMENT ON THE PROPERTY DESCRIBED AS FOLLOWS: 7700 MISSION ROAD, PRAIRIE VILLAGE, KANSAS.

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

Section I. Planning Commission Recommendation. At its regular meeting on December 5, 2006, the Prairie Village Planning Commission held a public hearing, found the findings of fact to be favorable and recommended that the City Council approve the renewal of a Special Use Permit for the wireless communications antenna installation on the communications tower at 7700 Mission Road and related equipment placed inside the equipment compound, subject to nine specific conditions contained in the minutes of the Planning Commission for that date.

Section II. Findings of the Governing Body. The Governing Body concurred with the findings of fact of the Planning Commission as contained in the minutes of the Planning Commission meeting of December 5, 2006, relating to the application for the renewal of a Special Use Permit, docketed as PC2006-16 and approved the Special Use Permit renewal for 7700 Mission Road for a Wireless Communications installation subject to the following conditions:

1. That the renewal of the special use permit shall be for a maximum of ten years. At the end of the ten-year period, and any subsequent ten-year renewal periods, the applicant shall resubmit the application and shall demonstrate to the satisfaction of the Planning Commission and the City Council that a need still exists for the antennas and that all the conditions of approval have been met. The permit may then be extended for an additional ten years and new conditions may be required.
2. All equipment cabinets and wiring shall be contained within the existing walled area.
3. The antennas and the frames for mounting them shall be painted a color that blends with the other antennas and the tower so the visibility is minimized.
4. If the applicant is found to be in non-compliance with the conditions of the special use permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected. If a special use permit becomes null and void, the applicant shall remove the antennas, equipment cabinets and all other appurtenances and shall restore the site to its original condition.
5. The applicant shall comply with all state and federal regulations.
6. The applicant shall have a structural inspection of the antennas performed by a licensed professional engineer prior to every ten-year renewal and submit it as a part of the renewal application.
7. The plans for the antenna connections shall be prepared and sealed by a structural engineer licensed in the State of Kansas with construction observation provided by a design engineer that is not an employee of the tower's owner.
8. The Compound Plan submitted as a part of the original application shall be incorporated as a part of the approval of this application.
9. The coax line installed on the tower shall be either inside the monopole or enclosed in an encasement that is painted the same color as the tower.

Section III. Granting of Special Use Permit. Be it therefore ordained that the City of Prairie Village renew the Special Use Permit for 7700 Mission Road for use by Cingular Wireless Communications for the installation wireless communications antennas on the communications tower at 7700 Mission Road, Prairie Village, Kansas with related equipment to be placed inside the equipment compound, subject to the specific conditions listed above.

Section IV. Take Effect. That this ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2007.

CITY OF PRAIRIE VILLAGE, KANSAS

By: /s/ Ronald L. Shaffer
Ronald L. Shaffer., Mayor

ATTEST:

APPROVED AS TO FORM:

/s/ Joyce Hagen Mundy
Joyce Hagen Mundy, City Clerk

/s/ Charles E. Wetzler
Charles E. Wetzler, City Attorney

MAYOR'S ANNOUNCEMENTS

Monday, September 17, 2007

Committee meetings scheduled for the next two weeks include:

Prairie Village Arts Council	09/19/2007	7:00 p.m.
Environmental Recycle Committee	09/26/2007	7:00 p.m.
Council Committee and Planning Commission	10/01/2007	5:00 p.m.
Joint Meeting		
Council	10/01/2007	7:30 p.m.

The Prairie Village Arts Council is pleased to feature an oils exhibit by Barney Newcom in the R. G. Endres Gallery during the month of September.

The art exhibit in the R. G. Endres Gallery for October will be the State of the Arts Exhibit. It will be a juried show featuring 31 entries from local artists. There will be three prizes of \$500.00 each and the winners will be announced at the reception on October 12th from 6:00 to 8:00 p.m.

The League of Kansas Municipalities Annual Conference is October 6-9 at the Overland Park Convention Center.

Flu shots for City employees and Council members are scheduled to be given Monday, October 15th from 8:30 - 10 a.m. at Public Works and from 1 - 3 p.m. in the Multi-Purpose room at City Hall.

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

INFORMATIONAL ITEMS
September 17, 2007

1. Planning Commission Actions - September 4, 2007
2. Board of Zoning Appeals Actions - September 4, 2007
3. Board of Zoning Appeals Minutes - February 6, 2007
4. Planning Commission Minutes - August 7, 2007
5. 75th Street Corridor Committee Minutes - August 28, 2007
6. 23rd Annual Peanut Butter Week - October 1st - 5th
7. Mark Your Calendars
8. Committee Agenda

PLANNING COMMISSION ACTIONS
Tuesday, September 4, 2007

**PC2007-13 Request for Conditional Use Permit for Communication Utility Boxes at
7135 Buena Vista**

The Planning Commission approved a Conditional Use Permit to allow installation of the VRAD utility box and the replacement SAI box in the island at the intersection of Alhambra and Buena Vista Streets subject to the following conditions:

- 1 That the applicant obtain a right-of-way permit and install the utility boxes as shown on the site plan.
- 2 That the applicant shall have the Landscape Plan approved by the Tree Board and shall install the landscaping as shown on the plan immediately after installation of the utility box.
- 3 That the Conditional Use be approved for an indefinite period of time.
- 4 That should the equipment boxes become obsolete and not functional they shall be removed from the site within six months.
- 5 That a revised plan be submitted to staff for approval with the relocation of the meter.
- 6 That the sod and landscaping removed in the relocation of the SAI box be replaced immediately.

PC2007-19 Proposed Amendment to Chapter 19.10 entitled "District R-2 Two Family Residential District" to allow for single family attached dwellings.

The Planning Commission approved the proposed ordinance revision adding a new Section 19.10.005 entitled "Use Regulations" to the zoning regulations as presented with the deletion of #3 and forwarded the revision to the City Council for adoption.

**PC2007-111 Site Plan Approval - Building Line Modification
4529 West 65th Street**

The Planning Commission approved by Resolution a side yard building setback modification from 25 feet to 17 feet for only the proposed porch area as shown on the site plan presented.

**PC2007-112 Site Plan Approval - Cactus Grill, PV-LLC
3901 Prairie Lane**

The Planning Commission approved the proposed site plan for the Cactus Grill at 3901 Prairie Lane subject to the following conditions:

- 1) That all lighting used to illuminate the outdoor area be installed in such a way as to not create any glare off the site.
- 2) That a barrier be installed to prevent tables and chairs from encroaching into the walkway.
- 3) That the release be redrafted if necessary to allow the use of outdoor eating

**PC2007-113 Site Plan Approval - Building Elevation
8100 Rosewood Drive**

The Planning Commission approved the requested one-foot change in elevation subject to the application preparing and submitting a foundation landscape plan for staff review and approval.

BOARD OF ZONING APPEALS ACTIONS
Tuesday, September 4, 2007

**BZA2007-02 Request for Variance from PVMC 19.08.030 B for Side Yard
Setback at 4529 West 65th Street**

The Board of Zoning Appeals granted a variance to the side yard setback from 25 feet to 17 feet for the addition of a screened in porch as shown on the site plan submitted for 4529 West 65th Street contingent upon the applicant receiving approval of a building line modification from the Planning Commission.

**BZA2007-03 Request for Variance from PVMC 19.06.035 for Rear Yard Setback
at 8321 Reinhardt**

The Board of Zoning Appeals granted a variance to the rear yard setback from 25 feet to 10 feet for the area of the proposed building expansion only as shown on the site plan submitted for 8321 Reinhardt.

**BOARD OF ZONING APPEALS
CITY OF PRAIRIE VILLAGE, KANSAS
MINUTES
TUESDAY, FEBRUARY 6, 2007**

ROLL CALL

The meeting of the Board of Zoning Appeals of the City of Prairie Village, Kansas was held on Tuesday, February 6, 2007, in the Council Chambers of the Municipal Building. Chairman Robb McKim called the meeting to order at 6:35 p.m. with the following members present: Randy Kronblad, Marc Russell, Bob Lindeblad and Ken Vaughn. Also present in their advisory capacity to the Board of Zoning Appeals were: Ron Williamson, Planning Consultant, Bob Pryzby, Director of Public Works and Joyce Hagen Mundy, Board Secretary.

APPROVAL OF MINUTES

Bob Lindeblad moved to approve minutes of October 3, 2006 as written. The motion was seconded by Ken Vaughn and passed by a vote of 5 to 0.

Nancy Vennard arrived.

**BZA2007-01 Request for a Variance from P.V.M.C. 19.08.020
Front Yard Setback reduction from 30 feet to 10 feet
2002 West 71st Terrace
Zoning: R-1b
Applicant: Jeff House, DJ Builders, LLC**

Chairman Robb McKim reviewed the procedures for the public hearing. The Board Secretary confirmed that the Notice of Public Hearing was published in the Johnson County Legal Record on Tuesday, January 9, 2007 and all property owners within 200' were mailed notices of the hearing.

Daniel Walberg, 13830 Santa Fe Trail Drive, with DJ Builders, LLC, stated he is proposing to construct a single family residence on a vacant lot located on the north side of 71st Terrace, one lot west of State Line Road. This lot has never been developed and has a waterway that traverses it near the front half of the lot. Two other homes in the neighborhood have a layout similar to that proposed because of the channel. Engineering studies on the land were conducted by Greg Miles with Wallace Engineering and submitted to the Director of Public Works for review.

Mr. Walberg stated he also met with the fire district to see if they had any concerns with the proposed plan. They did not.

Bob Lindeblad asked if the history of the lot was known. Mr. Walberg responded the lot was purchased two years ago. The lot was split by the owner to the west who sold the property. It was purchased with a due diligence clause based on the buildability of the lot. Discussions with the Codes Department indicated the lot met the necessary dimensions and zoning regulations for building.

Bob Lindeblad asked if they had been advised that a variance would be needed. Mr. Walberg replied they had not, but noted initial discussions included the construction of a pedestrian bridge over the top of the channel.

Marc Russell asked if there were any easements on the property. Ron Williamson responded there are no easements on file and this was confirmed by Mr. Miles.

Bob Lindeblad asked who would be responsible for maintaining the structure. Mr. Walberg replied it would be the responsibility of the property owner.

Ken Vaughn noted the plans show a floor elevation on the house of 996.50 and a garage floor elevation of 965.50 and assumed this was an error. Mr. Miles stated the floor elevation of the house should be 966.50.

Ron Williamson noted this lot is 60 feet wide by 130 feet in depth and meets the minimum requirements of the R1-b Zoning District. The applicant plans to construct a dwelling on the north side of the concrete channeled ditch approximately 68 feet back from the front property line. The zoning ordinance requires that any single-family dwelling unit provide a garage or carport for at least one vehicle on the site. It further states that if garage or carport is detached from the main dwelling unit it should be located not less than 60 feet from the front property line. In this case the applicant is proposing to build the garage approximately ten feet from the front property line and therefore is requesting the variance to reduce the setback to ten feet. Construction of the garage on the north side of the concrete channel with the dwelling would require the extensive construction of a bridge over the channel and would be impractical. There will, however, be a pedestrian bridge crossing the channel.

Ron Williamson noted this is not the first application for this type of development of a lot along this drainage channel. The Board of Zoning Appeals previously approved a similar plan for 2100 and 2106 W. 71st Terrace which is just two lots to the west of this property. It should also be noted that the houses located at 2006 and 2010 W. 71st Terrace setback approximately 12 to 15 feet from the front property line. Because of the way this channel runs through the block from Eaton Street to State Line Road, the location of the dwellings have been adjusted either toward the street or toward the rear lot line in order for the lots to be developed. Setback adjustments have been made on most of the lots in this block.

Bob Lindeblad expressed concern that a car parked in front of the garage would block the sidewalk indicated on the plans and stated he would like to see the

garage farther back. The applicant responded there is not a sidewalk on this lot and the plans apparently are incorrect.

Mr. Williamson noted the stormwater management plan submitted to Public Works has been approved subject to the applicant obtaining approval from the Board of Code Appeals to reduce the 30' setback requirement between the top of the bank and any buildings. This is a requirement of the Stormwater Management Ordinance rather than the Zoning Ordinance.

Bob Lindeblad asked for the city's position on the maintenance of the channel. Bob Pryzby responded if there is no easement (which there is not in this case), Public Works is charged with removing any debris causing a blockage, but it is not responsible for any maintenance or repair of the channel. Mr. Lindeblad suggested "hold harmless" language be added to any approval. Mr. Pryzby stated the permit was issued contingent upon approval of the variance. Mr. Lindeblad stated the reason for the required setback is to avoid flooding and erosion. Mr. Pryzby noted he reviewed the plans from the flooding perspective and found them to be satisfactory.

Chairman Robb McKim opened the hearing to comments from the public:

Jan Leisenring, 1900 West 71st Terrace, a long-time resident gave additional history on the land which was split. She thought the lot created from the lot split was too small to be built on, noting the earlier owner had been denied a permit.

Mrs. Leisenring advised the Board and applicant the north side of the property does flood during rains. She agreed there should be room for a person to walk behind a car parked in front of the garage without going into the street and confirmed there is no sidewalk on this property.

Nancy Vennard advised Mrs. Leisenring the proposed lot is the same size as several other lots in the area.

Sharon Paton, 1905 West 71st Terrace, lives across the street from this property and stated she has no objection to the requested variance for the garage. She is pleased to see the lot being developed and feels it will improve area property values.

With no one else wishing to address the Board, the public hearing was closed at 7:00 p.m.

The Board reviewed the criteria required for the granting of a variance.

A. Uniqueness

That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property or the applicant.

In order for the property to meet the condition of uniqueness, it must have some peculiar physical surroundings, shape or topographical condition that would result in a practical difficulty as distinguished from a mere inconvenience to utilize the property without granting the variance.

This lot is unique topographically in that it does have a channel that crosses it dividing the lot into two separate parcels for development purposes which does make it difficult to develop. In order to have a developable piece of land, a more unique site plan must be developed and the standard setbacks will need to be adjusted to accommodate it.

Bob Lindeblad stated a 60' wide lot is a buildable lot, noting it appeared the lots were initially platted with 40' widths. He noted a channel running across a property is definitely a unique condition and moved that the Board find favorably on Condition A relative to Uniqueness. The motion was seconded by Ken Vaughn and passed unanimously.

B. Adjacent Property

That the granting of the permit for the variance would not adversely affect the rights of adjacent property owners or residences.

It does not appear that the granting of the variance would adversely affect the rights of the adjacent property owners because the four properties to the west have either put the house or the garage closer to the street than the standard setback requirements of the ordinance. The house to the east at the corner of State Line and 71st Terrace has its garage entry off of State Line Road and therefore it would not be affected development of this property.

Randy Kronblad noted the adjacent properties have similar setbacks as proposed and moved that the Board find favorably on Condition B relative to impact on Adjacent Property. The motion was seconded by Ken Vaughn and passed unanimously.

C. Hardship

That the strict application of the provisions of these regulations from which a variance is requested will constitute an unnecessary hardship upon the property owner represented in the application.

The City's zoning regulations require that a dwelling unit provide enclosed parking for at least one space and the applicant has proposed to provide enclosed parking for two spaces. Because of the configuration of the

concrete channel that is running through the property, it would be virtually impossible to provide a bridge across the channel and provide a garage on the north side of the channel. It would utilize too much of the land area to do that making the site virtually undevelopable. The applicant would not be able to reasonably develop this piece of property unless this variance is granted to allow the garage to be placed within ten feet of the front property line.

Ken Vaughn stated requiring the developer to construct a bridge over the channel to access the garage is an unreasonable hardship and moved that the Board find favorably on Condition C relative to the creation of an unnecessary Hardship. The motion was seconded by Randy Kronblad and passed unanimously.

D. Public Interest

That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

The proposed garage would setback approximately the same distance as the two garages to the west and therefore it will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

Bob Lindeblad stated his only concern is the potential of a vehicle parked in front of the garage blocking the right-of-way. He acknowledged he does not see any other solution and can not rule against the request on a potential problem. Bob Lindeblad moved that the Board find favorably on Condition D relative to the impact on the Public Interest. The motion was seconded by Ken Vaughn and passed unanimously.

E. Spirit and Intent of the Regulation

The granting of the variance desired would not be opposed to the general spirit and intent of these regulations.

It is the purpose and intent of the ordinance that setbacks be established so that there is useful space available on the site for open area and open play area and that a property owner have a reasonable use of the lot. The proposed dwelling and garage cover approximately 2,015 square feet and the lot is 7,800 square feet for lot coverage of 25.8%. If the porch is included in the lot coverage calculation then the lot coverage increases to 29.4%, which is still below the maximum 30% requirement as set out by the ordinance. Adequate open space is being provided on the lot even though it is being provided in a way that is somewhat different than it would be on a more traditional lot.

Bob Lindeblad noted the only way for this lot to be developed is with the proposed variance and moved that the Board find favorably on Condition E that the variance meets the Spirit and Intent of the regulations. The motion was seconded by Randy Kronblad and passed unanimously.

Ken Vaughn moved that the Board having found favorably on all five conditions approve BZA Application 2007-01 for the requested variance from PVMC 19.08.020 to reduce the front yard setback to ten feet for the construction of a garage only as shown on the site plan submitted with this application subject to the granting of a variance by the Board of Code Appeals to reduce the 30' setback requirement between the top of the bank and any buildings. The motion was seconded by Randy Kronblad and passed unanimously.

Bob Lindeblad urged Mr. Pryzby and the applicant to have a clear understanding, perhaps in writing, of the responsibilities for maintenance of the concrete channel.

NEW BUSINESS

There was no New Business to come before the Board.

OLD BUSINESS

There was no Old Business to come before the Board.

John Adam, 7119 Alhambra, stated he had heard of possible redevelopment of the area 1 block west of Mission and south of 71st Street and asked if the Board had any information on possible redevelopment. Board members advised him they were unaware of any proposed development in that area.

ADJOURNMENT

Randy Kronblad moved to adjourn the meeting of the Board of Zoning Appeals. The motion was seconded by Ken Vaughn and passed unanimously with the meeting being adjourned at 7:05 p.m.

Robb McKim
Chairman

**PLANNING COMMISSION MINUTES
MEETING OF AUGUST 7, 2007**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, August 7, 2007 in the Council Chamber, 7700 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Randy Kronblad, Marlene Nagel, Bob Lindeblad and Marc Russell.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, Planning Consultant; Bob Pryzby, Director of Public Works and Joyce Hagen Mundy, Planning Commission Secretary. Also in attendance: Pat Daniels, Council Liaison; Barbara Vernon, City Administrator and Jim Brown, Building Official.

APPROVAL OF MINUTES

Bob Lindeblad moved the Planning Commission minutes of July 10, 2007 be approved as submitted. The motion was seconded by Marlene Nagel and passed by a vote of 5 to 0.

PUBLIC HEARINGS

**PC2007-13 Request for Conditional Use Permit for Communication Utility Boxes at
7135 Buena Vista
Zoning: R-1b (Single Family Residential District)**

Staff reported they have gathered the requested traffic data from this area and will be meeting with the neighborhood residents on August 29th and have requested this be continued to the September 4th meeting.

Randy Kronblad moved consideration of PC2007-13 be continued to the September 4th meeting of the Planning Commission. The motion was seconded by Bob Lindeblad and passed unanimously.

NON PUBLIC HEARINGS

**PC2007-104 Request for Approval of Sign Standards and Signs
2200 West 75th Street**

Jerry Kleveter with Luminous Neon confirmed the applicant's request for this item to be continued to the September 4th meeting. Bob Lindeblad moved consideration of PC2007-104 be continued to the September 4th meeting of the Planning Commission. The motion was seconded by Marlene Nagel and passed unanimously.

PC2007-108 Request for Approval of Monument Signs Corinth Square Shopping Center

Planning Commissioner Randy Kronblad recused himself from the meeting due to a professional conflict of interest as an employee of the firm representing the applicant.

Greg Hugeback, with Gould Evans, representing Highwoods Properties addressed the Commission requesting approval of the new monument sign design to replace the three existing monument signs at the Corinth Square Shopping Center. The existing signs are located at the southwest corner of Mission Road and Somerset, the northeast corner of Mission Road and 83rd Street and on the south side of 83rd Street at the entrance to First Watch.

Mr. Hugeback noted the two signs on Mission Road are scheduled for immediate replacement while the sign on the south side of 83rd Street is proposed for replacement in the future when the signage for that area of the center is upgraded.

The proposed sign will go all the way to the ground with a stone veneer base that matches the stone throughout the center. The sign cabinet will be aluminum painted reddish brown with white acrylic letters in a font slightly smaller than that of the current sign. Unlike the existing signs, the sign will be internally lit with the current ground light fixtures being removed. The sign is 3 feet ten inches in height. The dimensions of the sign panel are 8'2" x 2'6", which is slightly over 20 square feet.

Mr. Hugeback stated the signs will be located within the existing landscaped areas; therefore, a landscape plan has not been submitted.

Ron Williamson stated he had spoken with Bob Jones of Highwoods Properties and advised him he would like to see the sign on 83rd Street replaced immediately also.

Mr. Williamson also noted the area of the sign face will need to be reduced to not exceed 20 square feet, unless the applicant would incorporate the existing leasing information found adjacent to Mission Road with the monument sign. If combined, the area of the sign may be increased from 20 square feet to 30 square feet.

Greg Hugeback stated he would need to speak with his client regarding combining the leasing information and the monument sign. He asked if doing so would require a resubmittal to the Planning Commission. Mr. Williamson stated if the basic design of the sign remains the same, the Commission could authorize review and approval by staff. Mr. Hugeback stated he would discuss the option with Bob Jones.

Bob Lindeblad moved the Planning Commission approve the replacement of three monument signs for the Corinth Square Shopping Center as submitted with the applicant reducing the sign face to 20 square feet or combining the leasing sign with the monument sign allowing for a 30 square foot sign face with the new sign to be approved by staff. The motion was seconded by Marlene Nagel and passed unanimously.

Marlene Nagel questioned if the leasing sign information was added to the monument sign if the existing leasing sign would be removed. Mr. Williamson responded it would be required to be removed in accordance with the regulations.

**PC2007-109 Request for Approval of Monument Sign
5311 West 75th Street - Pathway Church**

Robert Jarred, representing the Pathway Church, which is leasing space from the Congregation Ohev Shalom presented a revised sign submittal to the Planning Commission based on the staff comments on the original submittal. The proposed location of the sign remains as presented perpendicular to 75th Street approximately 57 feet west of the east driveway and 19 feet back of the curb.

The revised submittal presents a sign of similar size and shape to the existing Congregation Ohev Shalom sign. The face is made of dibond which is aluminum composite material made of two pre-painted sheets of .012" aluminum with a solid polyethylene core. Digital printing with a sandblast textured background gives the sign the same appearance as the sandblasted Congregation Ohev Shalom sign.

In order for the sign to be seen from both sides, two identical signs will be mounted on 4"x 4" wooden posts that will be painted to match the dark color border of the sign. The sign will be lit by two low profile solar spotlights, one on each sign of the sign.

A landscape plan was submitted with six Stella de oro lily plants along the line of the sign from post to post.

Marc Russell moved the Planning Commission approve the revised monument sign as submitted for 5311 West 75th Street. The motion was seconded by Bob Lindeblad and passed unanimously.

**PC2007-110 Request for Approval of Revised Sign Standards
3515 West 75th Street**

Rick Jones, with NSPJ Architects, presented revisions to the sign standards for the office building at 3515 West 75th Street to allow for a proposed new wall sign for the Bank of Prairie Village. The proposed sign includes the bank logo in a 1'8" square located to the right of the sign text. The proposed champagne grey individual lettering will be 14.5 inches in height and back lit. Mr. Jones noted the lighting for Nearing Staats Prelogar & Jones is 14" in height with a similar type face. The primary difference between the signs is the coloring.

Mr. Jones stated the bronze lettering for NSPJ is very difficult to see during the day; however, this is not a problem for their business. The visibility of signage is important for the successful marketing of the bank. The proposed sign is similar to the internally illuminated signage for the ATM recently approved by the Commission and the signage located on the retaining wall in front of the building.

Ron Williamson noted the issue is consistency. The proposed sign would have bronze lettering on one side of the building and grey lettering on the other side. He

feels both signs should be the same color and does not view the change to allow the new color to be an improvement from the current standard.

The three proposed changes to the existing sign standards are as follows:

A. Paragraph II G

The existing standard reads as follows:

G. No face illuminated, box, moving, flashing, or roof-mounted signage will be permitted.

The proposed change is as follows:

G. No moving, flashing, or roof-mounted signage will be permitted.

This change would allow the applicant to illuminate the company logo on the wall sign, which is a reasonable request.

B. Paragraph II.H.2

The existing standard reads as follows:

H.2. These signs shall be individual letters (characters) and shall be dark bronze in color.

The proposed change is as follows:

H.2. These signs shall be individual letters (characters) and shall be dark bronze or grey in color.

C. Paragraph II.H.5

There is no existing standard. A new paragraph is being offered which is as follows:

5. Logos as part of the sign shall be single faced, maximum 2.8 square feet in area with only the company logo on the face. If the logos are illuminated, they shall be internally illuminated maximum 5" deep flush mounted cabinets to match color of the letters with translucent face.

This change would permit logos. The size is minimized so the logo will not overpower the sign.

Rick Jones noted the configuration of the building with the sides of the building set back serves to separate the two signs. They generally can not be seen at the same time. Ken Vaughn stated he would rather have both the signs the same color but agreed the signs were widely separated not on the same plane and not seen at the same time.

Bob Lindeblad expressed concern with having consistency throughout the City noting the office building at 2200 West 75th Street with different tenants on the ends of the building. Mr. Jones responded he felt the Bank of Prairie Village signage on the ATM, the wall and the façade were all similar and the differences with the NSPJ signs were minimal.

Randy Kronblad agreed with Mr. Jones that the building set backs give separation to the two sides of the building; if the building were not stepped back he would not support the proposed revision. Mr. Vaughn agreed this is a unique situation.

Randy Kronblad moved the Planning Commission approve the revised sign standards for 3515 West 75th Street as submitted. The motion was seconded by Marc Russell and passed unanimously.

OTHER BUSINESS

Duplex Sell-off Discussion

Ron Williamson reported the City Administrator received a call from an individual who split his duplex lot. He apparently has recorded the document with the County. The split lot shows up on the appraisal records of the County. They have not obtained a lot split approval from the Planning Commission and therefore the division is illegal and the County should not have recorded it.

The property is located at 4301-4303 west 82nd Street and is zoned "R-2" Two Family Residential. This is on the west side of Somerset Drive across from Corinth Square. Sell-offs are first permitted in R-4 Condominium or Common Wall District. The problem is that the property does not meet requirements of either the R-2 or the R-4 Districts so the Planning Commission could not consider a lot split. The use is not permitted in R-2 and the lot is too small for R-4. It appears that at least one other duplex in the area, 4300-4302 West 82nd Street, may have split ownership as well.

Mr. Williamson noted there are several positive points in allowing duplexes to sell-off. It creates another housing choice which is supported by the Village Vision; it converts rental property to owner occupied property and should help stabilize property values.

There are no major negatives, but there are issues that need to be addressed when selling off attached units such as insurance, setbacks, access, maintenance, covenants, etc. In the event that either of these units were destroyed or partially destroyed, the City could not issue a permit to rebuild them because they are illegal uses.

Mr. Williamson reviewed information from a number of cities on how they address this issue. Some of the questions that need to be answered is this a subdivision issue or a zoning issue, does this need Planning Commission approval or can it be handled by staff.

The "R-2" District is very limited in its application. Only two areas in the City are zoned R-2, this area and the west side of the cemetery on the south side of 83rd Street. Perhaps a new use could be added to the "R-2" list of permitted uses or it could be a conditional use which might be called "Single-Family Attached".

Mr. Williamson proposed the following conditions for "Single-family attached" units:

- a. The common wall between attached units shall be on the side lot line separating the two lots and shall not be subject to side yard requirements providing there are no doors, windows, vents or other openings in the common wall.
- b. Not more than two units shall be attached in this district.

- c. No unit shall have a depth greater than four times its width.
- d. Any exterior wall which is not a common wall must meet all yard requirements.
- e. Each lot must have direct access to a public street.
- f. The deed to each lot must include covenants requiring the proper and timely reconstruction of any damaged or destroyed dwellings.
- g. The application for such conditional use must include a plot plan with the general location of buildings, parking areas, driveways, fences and other structures, the location of easements and utility lines, the number and type of all dwelling units, and the property lines within the proposed development.
- h. The property must be in conformance with the subdivision regulations and either be replatted or have a lot split approved.
- i. The dwelling units must meet building codes based upon the building being split in ownership.

Bob Lindeblad stated the city of Overland Park addresses this issue very simply. He would have like to have had their regulations included in the packet for review. Mr. Lindeblad does not feel this is a zoning issue and noted that Overland Park has done thousands of lot splits without any problems. It is done by staff approval with the lot split recorded at the county.

Ken Vaughn stated he would expect insurance companies to want some type of covenant or agreement for protection in case of damage.

Bob Lindeblad moved the Planning Commission authorize a public hearing for September 4th to consider amendments to the zoning regulations to address duplex sell-offs. The motion was seconded by Randy Kronblad and passed unanimously.

Village Vision Implementation

Ron Williamson noted the Village Vision listed eight either short term or ongoing items that were the responsibility of the Planning Commission.

1. Allow for a greater variety of housing types throughout Prairie Village
2. Develop and promote the use of a design style guide for renovation to create housing that meets the preferences of today's homebuyers and is sensitive to the character of existing neighborhoods
3. Permit higher residential densities and mixed uses near existing commercial areas and along arterial roadways
4. Consider developing a redevelopment plan for the Meadowbrook Country Club property.
5. Update the zoning ordinance to reflect contemporary land use issues while preserving the identity and character of Prairie Village
6. Consider revising the zoning ordinance to allow for more residential commercial and office development, particularly in walkable, mixed-use areas of greater intensity.
7. Enhance key corridors by encouraging more diverse pedestrian friendly development along commercial corridors
8. Ensure adequate parking appropriate for users' needs.

The new "MXD" District addressed items #1, #3 and #6. Item #4 is being done privately and will be submitted to the Planning Commission for its consideration.

Item #2 is one that was discussed at great length prior to the preparation of the Village Vision. It would be worthwhile to resurrect what had been done previously and bring it back to the Planning Commission for discussion. This issue is of significant concern to the residents of the City and generates many phone calls to City Council members and City Staff. Expansions and teardown/rebuilds are of major concern to neighbors.

Item #5 is partially addressed through the "MXD" District but the issues of sustainability and "green development" are not addressed in other districts. The Planning Commission has a wide background and experience among its members and a brainstorming session on "contemporary land use issues" as they relate to Prairie Village would be a good way to initiate action on this item. It must be kept in mind that Prairie Village is a built out community and the implementation strategies and tools need to be those that primarily relate to redevelopment.

Item #7 would require an in depth analysis of the major corridors that traverse the City. The Village Vision addressed 75th Street conceptually and now it needs to be addressed in detail. Mission Road has been addressed between Corinth Center and the Village Center, but the plan has not been adopted. Other corridors that need attention are State Line Road, Roe Avenue, Nall Avenue, 83rd Street and 95th Street.

Item #8 addresses the use of structural parking in order to open up surface parking areas for more intensive development. This could be included in #5.

Pat Daniels reported the City Council had its first opportunity to discuss possible actions to implement the action items in the Village Vision. The discussion was lively and positive. He reported the following three actions were taken by the City Council:

1. Immediately terminate the design contract with HNTB for work on 75th Street from Belinder to State Line Road; and that any CARS funding supporting that project be transferred to the Project on Roe from Somerset to 91st Street;
2. The Mayor appoint a steering committee of from four to six members with at least one member of the City Council and at least one member of the Planning Commission, to guide and direct implementation of a plan to upgrade the 75th Street corridor, including street, streetscape and related planning issues;
3. The City within thirty days send out a request for proposal to engage a land planning consultant to direct the design and implementation of the 75th Street Project.

Pat Daniels expressed his excitement in the potential for development of 75th Street but noted the need for expert professional leadership in the process. He stated he would expect to receive a response to the request for proposal from BWR and that they should be considered along with other respondents.

Ron Williamson discussed the possibility of creating residential overlay districts that would encourage/permit redevelopment in specific areas by amending zoning regulations in conformance with established deed restrictions. In looking at

commercial development, he noted the economic analysis conducted in conjunction with Village Vision found an oversupply of retail development within a ten minute radius of the City. He stated the City's existing commercial areas are economically underdeveloped and are spread out rather than built as high intensity land use. More dense and intense residential development could stimulate increased commercial development.

Mr. Williamson suggested a joint meeting of the Planning Commission and the City Council to hear the Home Builders Association presentation by Tim Underwood on "housing choices" and possible field trips to area mixed use developments to stimulate discussion of what would or would not work in Prairie Village.

Pat Daniels stated the sobering findings of Village Vision is if the City does not take steps to upgrade its community the numbers do not look good. There is a need to rejuvenate and add new development in the City. Mr. Daniels noted surrounding communities are taking action to rejuvenate their communities and it is essential for Prairie Village to do likewise.

Ken Vaughn added it is up to the City to inspire the residents and community to take action to improve their properties through its response to the direction given in the Village Vision.

Ron Williamson noted there is a strong wave of maintaining the existing character of the City and the Commission will need to work diligently to resolve conflicts with compatibility.

The Commission directed staff to work on coordinating a joint presentation to the City Council and Planning Commission on "housing choices".

It was noted the next meeting would be preceded by a Board of Zoning Appeals meeting to hear two appeals and would take place in the multi-purpose room as the City Council will be meeting at the same time.

ADJOURNMENT

With no further business to come before the Planning Commission, Chairman Ken Vaughn adjourned the meeting at 8 p.m.

Ken Vaughn
Chairman

75th Street Corridor Committee

August 28, 2007
Minutes

Members present: Chairman Pat Daniels, Mayor Ron Shaffer, Ken Vaughn, David Belz, Dale Warman, Bob Lindeblad, Cleo Simmonds, Nancy Vennard, Laura Wassmer and Michael Kelly. Staff present: Barbara Vernon and Bob Pryzby.

A motion to approve minutes of the August 14, 2007 meeting made by Bob Lindeblad, seconded by Nancy Vennard, was passed with a unanimous vote.

Pat Daniels said he thought the first meeting of this group was very helpful in beginning the process of developing a plan. He called this second meeting to get additional detail and to begin focusing on core issues related to the plan and to see how broad and/or diverse the ideas of this group are at this time. He invited members to briefly share their views.

Mike Kelly wants the area to have a quiet sophisticated style, a street lined with shops and homes modeled on the Brookside and Crestwood tradition.

Laura Wassmer also likes the Brookside architectural flavor, not modern. She is interested in mixed use development that makes 75th a signature travelway, balancing transportation with pedestrian uses. The connecting uses should be pulled together by the plan which integrates and connects uses.

Nancy Vennard said the idea of nodes suggested in Village Vision appeals to her. She does not want an appearance similar to that of Johnson Drive with continuous retail. She thinks parking should be in the rear with structures facing 75th Street. This will never be a winding street but planned nodes can create variety.

A member of the committee suggested that it may not be practical to bury utility lines but landscape standards can be adopted to camouflage utility lines along the corridor.

Bob Lindeblad said he would like to see landscaped medians at intervals. He said there should be no driveways on 75th Street and no single family homes along the street.

Cleo Simmonds said he wants the street to be changed from a speedway to a boulevard. He also said he is not ready to give up on the idea of burying utility lines. Dale Warman said burying lines costs approximately \$1 million per mile.

He suggested ways to move utilities away from the street and landscape so they are not so visible. Cleo also thinks the plan area should not just be along the street but include one-half to one block North and South of the street.

David Belz said he wants the plan to create economic development, incorporating the aesthetic features of a boulevard.

Ken Vaughn suggested the committee think more in general terms so as not to constrain the creativity of the consultant. The firm hired will review the Village Vision book, understand what the public wants and develop plans along those lines. He also suggested the committee address change slowly to prevent residents from making incorrect assumptions. Pat said we need to communicate the idea is not to tear down what is now on 75th Street but to develop a blueprint for the future. Ken agreed, saying his purpose would be to motivate developers to want to invest in the area.

Mayor Shaffer said 75th Street is a major street. Dale said it is valuable to have the traffic moving through the City and changes recommended will provide those drivers with reason to stop and spend time shopping and dining in Prairie Village.

Barbara Vernon said these ideas are all good and other residents will share good ideas in public meetings. The final plan needs to incorporate a variety of ideas in order to have the buy-in of the public.

Bob Pryzby said the committee may want to consider extending the plan to the North and South at major intersections. Pat agreed and suggested that since Overland Park is working with the Metcalf/75th Street corridor, joint planning is a possibility.

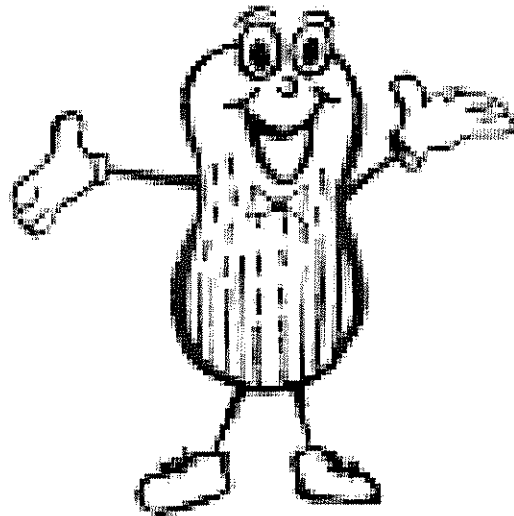
Pat said during the first meeting, members focused on preparing a Request for Qualifications (RFQ) for a land planner. With the type of development being discussed by committee members, he asked if a market analysis should be an early component of the study, if the planner will need more specific information. Lindeblad said the market analysis prepared as part of Village Vision is well done and will meet the needs of the planners. Ken agreed, adding the general information is included in the plan, when a specific project is being considered another analysis may be required. Committee members generally agreed a more specific market analysis is not needed at this time.

Pat asked staff to revise the dates in the RFQ by pushing them forward two weeks from this date. The revised RFQ and minutes of this meeting will be sent to members before the RFQ is mailed.

Pat Daniels
Chairman

23rd Annual Peanut Butter Week

October 1st - 5th



PLEASE BRING A JAR OF PEANUT BUTTER
TO THE COUNCIL MEETING ON
October 1, 2007

Council Members Mark Your Calendars September 17, 2007

September 2007 Barney Newcom oils exhibit in the R. G. Endres Gallery

October 2007 Prairie Village State of the Arts Exhibit in the R. G. Endres Gallery

October 1 City Council Meeting

October 6-9 League of Kansas Municipalities Annual Conference - OP Convention Center

October 12 Artist reception in R. G. Endres Gallery 6:00 to 8:00 p.m.

October 15 City Council Meeting

October 15 Flu shots scheduled at Public Works and City Hall

November 2007 Mid-America Pastel Society exhibit in the R. G. Endres Gallery

November 5 City Council Meeting

November 9 Artist reception in R. G. Endres Gallery 6:30 to 7:30 p.m.

November 13-17 National League of Cities Annual Conference in New Orleans

November 19 City Council Meeting

November 22-23 City offices closed in observance of Thanksgiving

November 26 Mayor's Holiday Tree Lighting - Corinth Shopping Center

November 30 NE Johnson County Chamber's Annual Dinner - Lake Quivira Country Club

December 2007 Christi Roberts-Bony mixed media R. G. Endres Gallery

December 3 City Council Meeting

December 7 Mayor's Holiday Gala

December 14 Artist reception in R. G. Endres Gallery 6:30 to 7:20 p.m.

December 17 City Council Meeting

December 25 City offices closed in observance of Christmas

January 2008

January 1 City offices closed in observance of New Years Day

January 7 City Council Meeting

January 21 City offices closed in observance of Martin Luther King Jr. Day

January 22 (Tues.) City Council Meeting

February 2008

February 4 City Council Meeting

February 18 City offices closed in observance of President's Day

February 19 (Tues.) City Council Meeting

March 2008

March 3 City Council Meeting

March 17 City Council Meeting

April 2008

April 7 City Council Meeting

April 21 City Council Meeting

May 2008

May 5 City Council Meeting

May 19 City Council Meeting

May 26 City offices closed in observance of Memorial Day

June 2008

June 2 City Council Meeting
June 16 City Council Meeting

July 2008

July 4 City offices closed in observance of Independence Day
July 4 VillageFest
July 7 City Council Meeting
July 21 Cit Council Meeting

August 2008

August 4 City Council Meeting
August 18 City Council Meeting

September 2008

September 1 City offices closed in observance of Labor Day
September 2 (Tues.) City Council Meeting
September 15 City Council Meeting

October 2008

October 6 City Council Meeting
October 20 City Council Meeting

November 2008

November 3 City Council Meeting
November 17 City Council Meeting
November 27 City offices closed in observance of Thanksgiving
November 28 City offices closed in observance of Thanksgiving

December 2008

December 1 City Council Meeting
December 5 Mayor's 2008 Holiday Party
December 15 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)

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 (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)
COU2005-19 Consider term limits for elected officials and committees (assigned 9/6/2005)
COU2005-21 Develop a policy for use of Fund Balance (assigned 9/6/2005)
COU2005-27 Consider concept of Outcomes Measurement or Quantifying Objectives (assigned 9/6/2005)
COU2005-44 Consider YMCA Partnership (assigned 12/14/2005)
COU2006-26 Consider Project 190862: 75th Street from Nall Avenue to Mission Road (CARS) (assigned 8/28/2006)
COU2006-27 Consider Project 190855: Tomahawk Road Bridge Replacement (assigned 8/28/2006)
COU2006-33 Consider Lease of Public Works from Highwoods Properties, Inc. (assigned 8/29/2006)
COU2006-38 Consider Park & Recreation Committee Report (assigned 09/27/2006)
COU2006-54 Consider Renewal of Special Use Permit at 7700 Mission Road (assigned 12/7/2006)
COU2006-55 Consider Project SP105: 2007 Crack Seal/Slurry Seal/Microsurfacing Program (assigned 12/27/2006)
COU2007-02 Consider Reducing the size of the Council (assigned 1/8/2007)
COU2007-10 Consider Recognition of Prairie Village families with service personnel in Iraq, Afghanistan or other dangerous areas (assigned 1/11/2007)
COU2007-11 Consider SP107: 2007 Street Repair Program (1/31/2007)
COU2007-19 Consider Project 190860: 2007 Street Resurfacing Program (assigned 2/14/2007)
COU2007-22 Consider Project 190718: 2007 Storm Drainage Repair Program (assigned 2/28/2007)
COU2007-27 Consider Project 190864 - 2008 Paving Program (assigned 3/9/2007)
COU2007-31 Consider City Administrator/City Manager forms of government (assigned 3/19/32007)
COU2007-33 Consider Project 190719: 2008 Storm Drainage Repair Program (assigned 4/11/2007)

- COU2007-35 Consider Project 190709: 83rd Street/Delmar Drainage Improvements (moved from POL 2004-15 - assigned 4/11/2007)
- COU2007-40 Consider Code Enforcement - Interior Inspections (assigned 5/2/2007)
- COU2007-43 Consider Providing Public Works Services to the City of Mission Hills (assigned 5/29/2007)
- COU2007-47 Consider using MUTCD "Stop for Pedestrian" signs. (assigned 6/19/2007)
- COU2007-49 Consider Project 190868: Roe - 91st to Somerset Drive (assigned 6/27/2007)
- COU2007-51 Consider Village Vision Implementation Strategy (assigned 6/27/2007)
- COU2007-53 Consider EasyRide Program (assigned 7/13/2007)
- COU2007-54 Consider Project 190708: Tomahawk Road / Nall to Roe (assigned 8/26/2004 - was POL2004-13)
- COU2007-56 Consider Alcohol Permit Fee for facility reservations (assigned 8./27/2007)
- COU2007-57 Consider Public Safety Budget for Mission Hills (assigned 8/28/2007)
- COU2007-58 Consider Zoning Ordinance Revision PVMC 19.10 (assigned 9/5/2007)
- COU2007-59 Consider Home Renovation Workshop (assigned 9/12/2007)
- COU2007-60 Consider Community Center Fees (assigned 9/4/2007)

LEGISLATIVE/FINANCE COMMITTEE

- LEG2000-25 Review fee schedules to determine if they are comparable to other communities and 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)
- LEG2005-49 Consider Building Permit and Plan Review Fees (assigned 12/21/2005)

PARKS AND RECREATION COMMITTEE

- PK97-26 Consider Gazebo for Franklin Park (assigned 12/1/97)

PLANNING COMMISSION

- 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)
- PC2007-01 Study City zoning regulations to address those items identified by the Village Vision Strategic Investment Plan in 2007 (assigned 8/20/2007)**

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)