

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE**

October 2, 2017

The City Council of Prairie Village, Kansas, met in regular session on Monday, October 2, 2017 at 7:30 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas.

ROLL CALL

Mayor Laura Wassmer called the meeting to order and roll call was taken with the following Council members present: Chad Herring, Jori Nelson, Serena Schermoly, Steve Noll, Eric Mikkelson, Andrew Wang, Sheila Myers, Brooke Morehead, Dan Runion, Courtney McFadden, Ted Odell and Terrence Gallagher.

Staff present: Tim Schwartzkopf, Chief of Police; Keith Bredehoeft, Public Works Director; Katie Logan, City Attorney; Wes Jordan, City Administrator; Lisa Santa Maria, Finance Director; Alley Williams, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk. Also present was Chris Brewster, City Planning Consultant.

INTRODUCTION OF STUDENTS & SCOUTS

Mayor Wassmer welcomed a student from Shawnee Mission North High School attending for her government class.

PRESENTATIONS

Recognition of Johnson County Park and Recreation District - NRPA National Medal Award for Excellence in Park and Recreation Management

Mayor Wassmer welcomed Jill Geller, Director of Johnson County Park and Recreation District and other Park District Representatives Jeff Stewart, Randy Knight and Nancy Wallerstein. Ms. Geller shared the video presentation of their receipt of the National Gold Medal Award for Excellence in Park and Recreation from the National Park and Recreation Association at their recent annual conference in New Orleans. The award recognizes agencies serving populations of 400,000 or more for excellent performance in resource management, long-term planning, programming, environmental stewardship and volunteer involvement.

Ms. Geller noted that they were also finalists for this award in 1991, 1993, 1994, 1995 and 2016. She noted that JCPRD last won the award in 1995. Ms. Geller acknowledged that the partnership with the City in the acquisition and development of Meadowbrook was a significant part of their application and thanked the city for its part in making this award possible. Mayor Wassmer stated the city was pleased to be part of this collaborative effort and that Meadowbrook Park will be a great asset to the community.

PUBLIC PARTICIPATION

With no one else wishing to address the Council public participation was closed at 7:40 p.m.

CONSENT AGENDA

Chad Herring moved to add to the Consent Agenda action taken at the earlier committee meeting to approve the next step of the BBN contract as #5. The motion was seconded by Sheila Myers and passed.

Terrence Gallagher asked that the September 18, 2017 City Council minutes be amended with the clarification added on page 7 to his statement regarding that Johnson County Park & Recreation services would be at no cost to the city; however, there may be costs to residents participating in the programming.

Ted Odell asked for comment on the bid award for the Tree Trimming Contract from Mr. Bredehoeft noting the excellent work provided by Arbor Masters who held this contract last year. Mr. Bredehoeft acknowledged the past work of Arbor Masters; but noted that KC Tree, who submitted the low bid, has had this contract for four of the past five years and performed well for the city.

Mayor Wassmer noted that on the Consent agenda includes the appointment of City Prosecutor and Pro-Tem City Prosecutor and asked Jerry Merrill to introduce himself to the Council. Mr. Merrill stated that he previously worked in the District Attorney's office under Steve Howe and currently serves as the Prosecutor for the City of Edgerton. He is pleased to serve as Pro-Tem Prosecutor for Ashley Repp. Mayor Wassmer stated that Ms. Repp recently gave birth to a baby girl and would be introduced to the Council later.

Jori Nelson moved for the approval of the Consent Agenda for Monday, October 2, 2017 with the addition of #5 and noted amendment to the minutes of September 18th including item 2:

1. Approval of the regular City Council meeting minutes as amended - September 18, 2017
2. Approve the award of the 2017 Tree Trimming Contract to Kansas City Tree Company in the amount of \$59,730 for trimming of trees in City right-of-way and parks.
3. Approve Resolution 2017-02 approving the Prairie Village State of the Arts reception as a special event and authorize the sale, consumption and possession of alcoholic liquor and cereal malt beverages within the designated public areas of the event.
4. Ratify the appointment of Ashley Repp as City Prosecutor and Jerry Merrill as Pro-Tem City Prosecutor for a term to end June 30, 2019.

5. Approve the next step in the services agreement with BBN Architects to hold a resident meeting to solicit feedback from the community on the preliminary concept of Village Square as part of the update to the Harmon and Santa Fe Parks Master Plan.

A roll call vote was taken with the following members voting “aye”: Herring, Nelson, Schermoly, Noll, Mikkelson, Wang, Myers, Morehead, Runion, McFadden, Odell and Gallagher.

COMMITTEE REPORTS

Council Committee of the Whole

Discussion regarding possible changes to traffic flow on 69th Street between Delmar and Tomahawk Road

Keith Bredehoeft stated that due to safety concerns with the intersection at 69th Street and Tomahawk Road residents have requested that the City consider changing 69th Street to a one way street between Delmar Street and Tomahawk Road. The large landscaped island at Tomahawk creates a unique connection at Tomahawk Road. Residents feel that the neighborhood is changing with recent rebuilds with younger families moving in. They are concerned with overall safety due to the absence of sidewalks and the unique intersection at Tomahawk. Making 69th Street one way would eliminate the two way traffic at this intersection and cause vehicles to slow as they enter the one way street.

An additional benefit from making this a one way street is that 69th could easily have sidewalks added in the future with a street rehabilitation project. Currently, 69th Street has no sidewalks and adding a sidewalk would have significant impact to large trees at the back of curb on both sides of the street.

Mr. Bredehoeft stated that given the concerns of the residents TranSystems was hired to do a study to determine if 69th Street could be made one way. The study

confirmed that the change is viable. The study reflected that traffic moved to other streets by taking this action is not anticipated to be significant. Prior to the study, residents on 69th Street did sign a petition with 78% supporting the concept of making 69th Street a one way street.

Mr. Bredehoeft stated that if council supports the change to a one way street, the changes would be made on a temporary basis initially with delineators, pavement markings, and signs. If, after a period, there are no negative effects on the surrounding the neighborhoods, curbs would be added to make the one way permanent.

John Mortensen, 4022 West 69th Street, noted he has lived on this street for several years and thanked public works staff for their work in addressing their concerns. This is a narrow street with a large amount of pedestrian and vehicle traffic creating a concern for safety particularly negotiating the intersection. He noted that there are 17 children under the age of 7 living in the area.

Dan Moon, 3912 West 69th Street, has lived on the east end of the street for ten years and has seen increased traffic with Starbucks and Chipotle. He is concerned with the “blind corner”. He added that this is the only street connecting to the shopping center without sidewalks. With the narrowness of the road and mature trees near the street it would be very difficult to add a sidewalk. The proposed action has support of 78 percent of the residents on 69th Street and he would like to have a public information meeting to discuss the proposed change with the entire neighborhood.

Sheila Myers noted that she drove this street and there was a significant amount of street parking and asked if that was usual. Mr. Moon replied there was a birthday party in the neighborhood. Mr. Moon said that three new homes have been built in the past three years which has increased construction traffic during the day. Mrs. Myers

asked how this would impact other streets. Mr. Bredehoeft replied that the information meetings would involve the entire area, not only 69th Street residents, so that issue can be addressed. He repeated that the change would be phased in with temporary markings to allow for the evaluation of the impact on neighboring streets.

Jori Nelson moved the City Council approve moving forward with neighborhood meetings to consider the possible change of 69th Street between Delmar and Tomahawk to a one way street. The motion was seconded by Chad Herring.

Ted Odell stated that he understood the safety concerns, but expressed concern with this action sending a message to other residents who may to take similar action to address traffic on a cut-through street or needing a sidewalk. He asked if other alternatives had been explored.

Terrence Gallagher stressed the need to make sure that not only the residents on this street have input into this action. He noted the Bike & Pedestrian Trail plan is still being worked on and he would not want the City to take action that would be in conflict with the master bike plan that is still being developed.

Dan Runion stated he is not opposed; however, feels that if action is taken there needs to be specific conditions that are unique to this street to justify this action and would not open the city up to additional requests from other neighborhoods.

Andrew Wang stated he agreed with Mr. Gallagher and Mr. Runion stating that this does not just impact the residents on 69th Street. There will be traffic unable to travel 69th Street that will now be using other residential streets. He is not supportive of initiating major traffic changes based on something that has not happened with the residents who would benefit not taking into account those that may be negatively impacted by the change. He is uncomfortable with residents feeling they have a right of

ownership to the public streets adjacent to their homes. Changes to traffic flow and patterns based primarily on what the people who live on the street is not how the city should be planning traffic flow.

Jori Nelson confirmed the proposed motion only authorizes the holding of public information meetings on the proposed action. Mr. Bredehoeft replied residents in the surrounding area will have notices of the meeting sent to them with drawings of the proposed change.

The motion was voted on and passed by a vote to 10 to 2 with Mr. Odell and Mr. Wang voting in opposition.

Mayor Wassmer noted that Ashley Repp had arrived and invited her to the podium to introduce herself to the Council. Ms. Repp stated she has been a prosecutor for over six years and is currently the prosecutor for the City of Gardner and works part-time at a law firm. She is pleased to accept the appointment to serve as prosecutor for the City of Prairie Village. Mayor Wassmer also introduced Deanna Scott the Municipal Court Administrator for the city. Mrs. Scott has been with the city for a year.

COU2017-40 Consider approval of proposed amendments and changes to the animal control and regulation ordinance

Chief Tim Schwartzkopf thanked the Council for all its feedback. He noted that Mr. Herring had sent some minor changes that have been reviewed by the City attorney and added to the ordinance. None of the changes are substantive. During the committee meeting, he became aware of some residents being licensed without getting a rabies vaccination if a statement was submitted by their veterinarian stating that they were unable to be vaccinated due to health conditions of the animal. He discussed this situation with the Animal Control Officers and researched if this was done elsewhere.

Exemptions for health reasons are permitted in some cities in Johnson County. He and animal control are comfortable with this if the conditions allowing the exemption are very narrow applying only to health issues - not the age of the animal. The language used by the City of Leawood addresses this situation well.

Dan Runion stated he supports this provision. Andrew Wang confirmed that a professional verification would be required. Ted Odell stated he is ok with the provision, but noted that the city does not have a problem with rabies because of the requirement and feels it is important to keep it narrow. Chad Herring agreed and asked if the final language could come back to the Council at its next meeting.

Chief Schwartzkopf read the following proposed language: “A rabies vaccination shall not be required if a licensed veterinarian recommends that a dog or cat not be inoculated with rabies vaccine for health purposes and the person responsible provides the office of the City Clerk with a statement from a licensed veterinarian on official letterhead specifying the reason that the animal shall not be vaccinated for health purposes.”

Chad Herring moved the City Council adopt Ordinance 2368 amending Chapter II entitled “ Animal Control and Regulation” with the additional language added allowing exemption from rabies vaccination for health purposes when verified by a licensed veterinarian. The motion was seconded by Jori Nelson.

A roll call vote was taken with the following members voting “aye”: Herring, Nelson, Schermoly, Noll, Mikkelson, Wang, Myers, Morehead, Runion, McFadden, Odell and Gallagher.

Jori Nelson thanked Chief Schwartzkopf and his staff for their extensive work on the new animal regulations.

Planning Commission

PC2017-02 Approval of Amendment to the Special Use Permit for Kansas City Christian School

Chris Brewster, City Planning Consultant, provided a brief background on the property identified as 4801 West 79th Street. This site was originally built as a public elementary school in 1954. After the school was closed, it was sold to Kansas City Christian School Academy and reopened as a private school. It was issued a Special Use Permit for the school on January 18, 1999 subject to four conditions relative to the design, construction and operation of the school. The site plan for the school was approved by the City in February, 1999. One of the conditions was that any expansion of the school, or amending the approved site plan would require an amendment to the Special Use Permit.

In 2008 the school applied for an amended Special Use Permit and Site Plan. At that time, a number of issues related to parking utilization, drop-off procedures and school transportation were raised by the neighbors, and the amended permit and site plan dealt primarily with reconciling those issues. The applicant worked with the City and neighbors to resolve these issues with operational policies.

The enrollment numbers associated with these issues were as follows:

- 1999 SUP - 543 students (162 of which were high school)
- 2008 SUP amendment - 469 students (274 of which were high school)
- Current enrollment - 445 students (155 of which are high school)

Through the amended Special Use Permit process, the parking and transportation issues were resolved with better utilization of current parking and facilities, reconfiguration of classrooms, and other associated transportation policies. No new facilities were built, however parking capacity was expanded to address these issues.

The amended Special Use Permit was approved on September 2, 2008 with the renewal of the four conditions of the original SUP, plus the following conditions:

5. That Kansas City Christian School adopt a policy that all students will park on site and develop a procedure for implementation and enforcement of the policy.
6. The number of high school classrooms shall be limited to 11.
7. No more than four busses shall be parked in the rear of the school when not picking up or dropping off students, and shall not be idling for more than five minutes during pick-up and drop-off.
8. Kansas City Christian provide to the City at the beginning of each school year an updated student count reflecting the number of students in each grade and the number of classrooms used for each grade level.

The current application is for the renovation and expansion of the existing 55,642 square foot building adding 26,353 square feet of new space and renovating 10,268 square feet of the existing building, providing new and renovated rooms through the expansion and renovation of interior spaces. Specifically, the expansion involves:

- A second story addition over the center 1/3rd of the existing school building and associated with the primary entrance to the west of the existing gymnasium.
- A two story multi-purpose space to the rear of the existing building (southwest corner over current paved play area above an existing underground space).
- A small single story addition to the southeast corner of the building.

The expansions will occur over some existing parking areas, but through reconfiguration of the existing parking lots, five additional parking spaces will be provided.

The traffic study conducted has been reviewed and approved by the city's traffic engineer and the Director of Public Works and finds that sufficient parking is available for student and staff parking as well as an additional 24 available spaces. The analysis was done using existing conditions for projected usage.

The Storm Drainage Report has been reviewed and approved by the city's engineer and Director of Public Works and finds the proposed project will have a negligible increase in impervious area compared to the existing conditions. Peak runoff

and volume will not be substantially affected. No additional detention or improvements to the adjacent storm water sewer system are necessary.

From the standpoint of design, the proposed project is a considerable improvement of the existing facility. The proposed parking is in excess of what is required by code. The applicant held a neighborhood meeting on August 8, 2017 in conformance with the City's Citizen Participation Policy and provided a report on the meeting and attendees.

The Planning Commission has added a ninth condition for approval based on projected enrollment acknowledging that the utilization of the property and its impact on surrounding properties, not the actual number of students enrolled, is the primary consideration for this land use.

Mr. Brewster stated that three issues were raised during the public hearing. The first being no student parking on the streets. The second being noise created from the student pick-up procedures, which has already be addressed by the school. The third being increased parking for special events. The school stated that has secured an off-site parking area for special events with shuttles taking participants to the school.

Mayor Wassmer welcomed Kelly VanElders and other representatives of the school and the project design team in attendance.

Mr. VanElders stated that the reason for the proposed changes are primarily for an enhancement of the learning experience for their students. He noted the school currently does not have locker room facilities (to be added), art and music rooms are to be expanded, five additional classrooms will be added in the new second story for the middle school students who currently share classrooms with the high school students. The expansion will allow these students to have their own area. They are not expanding

the high school facilities. A new multi-purpose room/lunch room is being added. This will allow for another location to hold team practices and reduce the amount of time students are at the school. Mr. VanElders showed pictures of the proposed enhancements and expanded areas as well as a floor plan of classroom locations reflecting the ability to group like student bodies together in designated areas.

The proposed time line for the project was reviewed with the goal of completion of the project by October, 2018.

Eric Mikkelson stated this is city planning 101 and stated he is supportive of high quality education for all schools.

Chad Herring acknowledged the amount of work that has gone into this project and response by the school officials. He confirmed with Public Works Director Keith Bredehoeft the findings of the Storm Drainage Study that the project will not create an increase in stormwater runoff. Mr. Bredehoeft replied the project does not create any additional impervious surface that would increase water runoff.

Mr. Herring noted resident concern with the school facilities being rented out to other entities. Mr. VanElders responded that over the past five years the facility was rented out ten times. He noted in the summer the school has been rented by Children's Mercy for an Autism Day Camp during the weekdays. This program has secured the necessary permits for operation from the City.

Sheila Myers noted a resident's request to further restrict street parking. Mr. Jordan replied that this is being reviewed by the Police Department noting the restriction was put in place to restrict student parking; however, that has to be balanced with the need for an area for parking to address pick-up of students and needs to be consistent with the procedures in place at other schools.

Eric Mikkelson moved the Governing Body grant an Amendment to the Special Use Permit for Kansas City Christian Private School at 4801 West 79th Street subject to the following conditions recommended by the Planning Commission:

1. The applicant shall meet all conditions and requirements of the Planning Commission for the approval of a site plan.
2. The Special Use Permit not have a termination or expiration time established for it.
3. If the applicant violates any conditions of the zoning regulations and requirements as part of the Special Use Permit, the permit may be revoked by the City Council.
4. The applicant cannot further expand or amend the Site Plan without an amendment to the Special Use Permit requiring a public hearing before being approved.
5. Kansas City Christian School adopt a policy that all students will park on site and develop a procedure for implementation and enforcement of the policy.
6. The number of designated high school classrooms shall be limited to 12.
7. No more than four busses shall be parked in the rear of the school when not picking-up or dropping-off, and shall not idle more than five minutes during pick-up and drop-off.
8. Kansas City Christian provide to the City at the beginning of each school year an updated student count reflecting the number of students in each grade and the number of classrooms use for each grade level.
9. The permit anticipates a projected enrollment capacity of 525 students, and any enrollment significantly beyond this capacity or reconfiguring of classrooms that creates impacts beyond those anticipated by this baseline may require a revised site plan or may result in revocation of the permit at the discretion of the City.

The motion was seconded by Andrew Wang.

A roll call vote was taken with the following members voting “aye”: Herring, Nelson, Schermoly, Noll, Mikkelson, Wang, Myers, Morehead, McFadden, Odell and Gallagher, Wassmer; voting “nay” Runion.

MAYOR’S REPORT

Mayor Wassmer expressed condolences to the families of the victims of the shooting in Las Vegas. This, and similar shootings, are senseless acts of violence. She believes it is time to explore options for keeping assault weapons off the street; stating that she would like to see assault rifles only in the hands of law enforcement. Mayor

Wassmer thanked City Administrator Wes Jordan, city staff and the city council for keeping things running smoothly in the city during her recent absences.

STAFF REPORTS

Public Safety

- Chief Schwartzkopf reported that Wednesday, October 4th is National Coffee with a Cop Day and it will be celebrated at Starbucks in the Prairie Village Shopping Center from 7 a.m. to 9 a.m.

Public Works

- Keith Bredehoeft reported the city's application for a grant for North Park was not selected for funding. Nine applications were submitted with funding given to two.
- The City Wide Bike/Pedestrian Advisory Committee met last week to review and provide input on conceptual plans. The plans will be revised based on comments with the committee giving a final approval prior to them being presented to the public for comment.

Ted Odell asked what the 69th Street traffic study cost and when a traffic study is conducted. Mr. Bredehoeft replied the traffic engineer will do a traffic study when evaluation of the project is beyond the capabilities of public works staff to review. The analysis are done as part of their contract with the city for traffic engineering services.

Eric Mikkelson confirmed that the closing on the church property is still set for October 31st.

Administration

- Wes Jordan reported that he and Alley Williams will be meeting with the church officials on Wednesday for their walk-through prior to purchase.
- The October 16th meeting will include the presentation of Don Baker's findings relative to the recent flooding and a presentation by Brian Gates with the YMCA, KCP&L presentation which will include discussion on electric vehicle charging stations.
- The city's employee insurance quote for 2018 came in with a 03.25% increase caused by fees related to the affordable care act.

OLD BUSINESS

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

NEW BUSINESS

Dan Runion asked if First Washington had private security officers for the shopping centers. Chief Schwartzkopf replied yes and that he and Captain Roberson are meeting with them. Mayor Wassmer said that she believes the Merchants Association hires the security. There is security at The Village Shops but she does not believe there is any at Corinth Square. Chief Schwartzkopf will follow up and get the information to the Council

Serena Schermoly reported that there will be four new teen council members. She also reported that former teen Council member Tyler Ruzich is running for Governor and will be interviewed by CBS news.

ANNOUNCEMENTS

Planning Commission	10/03/2017	7:00 p.m.
JazzFest Committee	10/05/2017	5:30 p.m.
Prairie Village Foundation	10/10/2017	5:30 p.m.
Park & Recreation Committee	10/11/2017	6:30 p.m.
Environment/Recycle committee on Education	10/12/2017	5:30 p.m.
Council Committee of the Whole	10/16/2017	6:00 p.m.
City Council	10/16/2017	7:30 p.m.

The Prairie Village Arts Council is pleased to present the 11th annual State of the Arts Exhibit in the R.G. Endres Gallery during the month of October. The artist reception will be from 6 to 8 p.m. on Friday, October 13th.

The 33rd Annual Prairie Village Peanut Butter Week in support of Harvesters Food Bank will be held October 9th - 13th. Support the drive through donations at City Hall or at your local church or school.

Mark your Calendars for the Shawnee Mission Education Foundation 25th Annual Fall Breakfast on October 10.

Save the Date for the Annual National League of Cities Conference in Charlotte, November 15-18, 2017. RSVP to Meghan Boom.

Save the Date for the Annual NEJC Chamber Gala on Saturday, November 18 at the Overland Park Marriott

ADJOURNMENT

Sheila Myers moved that the City Council meeting be adjourned. The motion was seconded by Brooke Morehead and passed unanimously. With no further business to come before the City Council the meeting was adjourned at 8:40 p.m.

Joyce Hagen Mundy
City Clerk