



*City Council  
Meeting*

*June 1, 2009*

*Dinner will be provided by:*

*Cupini's*



*Spinach Salad  
Cheese Tortellini*



*Marble Cake from Hy-Vee*

COUNCIL COMMITTEE

June 1, 2009

6:00 p.m.

Council Chamber

AGENDA

MICHAEL KELLY, COUNCIL PRESIDENT

AGENDA ITEMS FOR DISCUSSION

\*COU2009-59 Consider Ordinance establishing Moratorium on Wireless Communication Towers  
Dennis Enslinger

COU2009-60 Presentation about on-site fitness room and Consider allocation of funds  
Wes Jordan

COU2009-61 Consider 2009 Police Pension Plan Contribution  
Charles Clark

COU2009-62 Consider Approval of a Charter Ordinance regarding Primary and General Elections  
Katie Logan

COU2007-51 Village Vision  
Presentation about Community Improvement District (CID) and Land-banking  
Statute Provisions  
Katie Logan

\*Council Action Requested the same night

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE DECLARING A MORATORIUM ON APPLICATIONS FOR A SPECIAL USE PERMIT RELATED TO WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS CONSTRUCTED OR INSTALLED FOR USE BY COMMERCIAL CARRIERS.**

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

SECTION 1. The City Council has directed the Planning Commission and city staff to evaluate and make recommendations on the current ordinance and policy provisions related to wireless communications towers and antennas:

SECTION 2 Under its police powers to promote the health, safety and welfare of the community, the City desires to impose a reasonable moratorium, or brief suspension of action on applications for special use permits for wireless communications towers and antennas to allow time for the City to review, consider, and adopt new ordinance or policy provisions related to the issuance of special use permits:

SECTION 3. A moratorium is hereby declared on the submission and review of special use permits for wireless communications towers and antennas within the City for a period of five months from the effective date of this Ordinance, provided however, that the City Council may rescind the moratorium at an earlier date if it determines that such action is reasonable and appropriate, or required by law:

SECTION 4. 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 1st DAY OF June, 2009

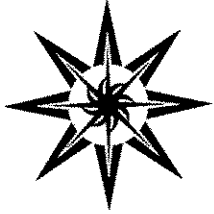
\_\_\_\_\_  
Ronald L. Shaffer, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Joyce Hagen Mundy, City Clerk

\_\_\_\_\_  
Catherine Logan, City Attorney



**POLICE DEPARTMENT**

Council Meeting Date: June 1, 2009

**COU2009-60 - Consider allocation of funds for a fitness room in the basement of City Hall.**

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**RECOMMENDATION**

Staff recommends the City Council approve the funds necessary to convert the basement storage area into a fitness facility.

**COUNCIL ACTION REQUESTED ON:**

**June 16, 2009**

**SUGGESTED MOTIONS**

Move to approve construction of a fitness room in City Hall with a budget not to exceed \$27,500.

Move to approve a transfer from the General Fund to the Capital Projects Fund in the amount of \$21,000 to be funded from the 2009 JIAC budget allocation (\$17,000), the 2009 Police Department training budget (\$2,000) and the 2009 building maintenance budget (\$2,000) for construction of the City Hall Fitness Room.

**BACKGROUND**

The City has realized the numerous benefits of improved employee health and fitness for several years. Staff has been proactively trying to develop wellness initiatives to lower health care premiums, reduce sick leave, increase productivity, and to mitigate workers compensation claims. The Police Department has also mandated fitness testing and is requiring sworn personnel to participate in fitness sessions. In addition, all other employees are invited to participate in the fitness sessions with the officers. Department instructors have been certified through the Cooper Institute in physical assessment and nutrition. The fitness room would enhance the overall targeted fitness goals and offer a 24-hour workout facility, which is available to every employee and City Council member.

**COST BREAKDOWN**

<b>COMPONENT</b>	<b>COST</b>	<b>VENDOR</b>
Equipment	\$15,300	Fitness Gallery
Flooring	\$ 1,800 (estimate)	Local
Paint	\$ 100 (estimate)	Local
Electrical	\$ 1,850	Teague
HVAC	\$ 7,450	O'Dell
Contingency	\$ 1,000	
<b>TOTAL</b>	<b>\$27,500</b>	

**FUNDING SOURCE**

The following sources will be used to fund the Fitness Room. With the exception of the Blue Cross/Blue Shield Wellness Dollars, all of these sources are in the General Fund and would be transferred to the Capital Projects Fund to project 190921. The Blue Cross/Blue Shield Wellness Dollars would be deposited in the project upon receipt.

<b>SOURCE</b>	<b>AMOUNT</b>
2009 Blue Cross/Blue Shield Wellness Dollars	\$ 6,500
2009 JIAC Allocation	17,000
2009 Police Training Budget	2,000
2009 Building Maintenance Budget	2,000
<b>TOTAL</b>	<b>\$ 27,500</b>

**ATTACHMENTS (Cost estimates)**

1. Fitness Gallery
2. Teague Electric
3. O'Dell Service

**PREPARED BY**

Wes Jordan  
Chief of Police  
Date: May 27, 2009

Date:04/13/09

Proposal F

**TO:**  
**Prairie Village Police Dept.**  
 7710 Mission Road  
 Prairie Village, KS 66208  
 913-642-6868 ext. 4816  
 Attn: Eric Mccullough

**FROM: Cale Van Cleave**  
**Fitness Gallery**  
 10363 Metcalf Ave.  
 Overland Park, KS 66212  
 Phn: 913-381-6202  
 Fax: 913-381-7147

We are pleased to submit the following bid:

**Job Description:** Delivery and Installation of Fitness Equipment.  
 Full Service of that Equipment with two follow up visits for routine maintenance.

**MATERIALS**

QUANTITY	DESCRIPTION	M.S.R.P.	Your Cost/ Bid
	<b>Spirit Fitness cardiovascular equipment</b>		
2.00	Spirit XT-675 treadmills with contact HR	\$5,998.00	<b>\$3,290.00</b>
1.00	Spirit XE-700 ellipticals with contact HR	\$2,599.00	<b>\$1,515.00</b>
1.00	Spirit XBU-75 upright bike with contact HR	\$1,599.00	<b>\$1,062.00</b>
	<b>Tuff Stuff Strength equipment</b>		
1.00	Apollo 5 standard gym with leg press, lat pulldown leg ext / curl, pec fly, press station, over 70 ex. 4 people can use at any time	\$8,499.00	<b>\$4,899.00</b>
1.00	RPR-265 power rack	\$799.00	<b>\$615.00</b>
2.00	RLB-325 multi purpose bench	\$698.00	<b>\$540.00</b>
1.00	RDR-304 three teir dumbbell rack	\$549.00	<b>\$333.00</b>
2.00	CXT-150 olympic plate holder	\$458.00	<b>\$282.00</b>
1 pr. Each	5-75 lb. pro hex cast iron dumbbells (5lb. Increment)	\$1,100.00	<b>\$1,236.00</b>
1 set	Hampton 300 lbs of cast iron plates	\$402.00	<b>\$309.00</b>
1.00	Hampton 7ft econ. Olympic bar	\$120.00	<b>\$83.00</b>
1.00	Hampton olympic curl bar	\$99.00	<b>\$97.00</b>
1 ea.	Exercise ball -- 45cm and 55cm ball	\$59.00	<b>\$28.00</b>

Print Name \_\_\_\_\_

Authorized Signature \_\_\_\_\_

\*I Agree to the terms and conditions of this proposal and authorize the purc.

Terms: 50% down -- 50% due upon delivery or first stated delivery date  
 4-6 week lead time for delivery

<b>Freight:</b>	\$0.00	<b>\$0.00</b>
<b>Delivery/ Install</b>	\$1,200.00	<b>\$1,010.00</b>
<b>Sub Total:</b>	\$24,179.00	<b>\$15,299.00</b>
<b>Tax if Applicable</b>	N/A	N/A
<b>TOTAL:</b>	\$24,179.00	<b>\$15,299.00</b>

**YOU SAVE:** **\$8,880.00**

Price valid until: **30 Days**



**FAX COVER SHEET**

**DATE: 3-6-09**

**TO: City of Prairie Village**

**ATTN: Mike H**

**FAX: 913-642-0117**

**FROM: TEAGUE ELECTRIC**

**ATTN: RAY RUSSELL**

**RE:**

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We are transmitting \_\_\_ pages including this cover sheet. If you do not receive all pages in good condition, please call 913-529-4600

**NOTES:**



To: City of Prairie Village

Attn: Mike H.

Re: New work out area Police Department.

1. Add 2-20amp 120volt circuits for Treadmills.
  2. Add outlet for TV.
  3. Add cable outlet for TV.
  4. Add 3-convenience outlets.
  5. Add 20amp 120volt for air handler unit.
- Wiring to be installed in conduit and MC cable.

Estimated cost for this project is \$1,850.00

Note: I'm working on the distress button or phone. I will need to check out the existing system.

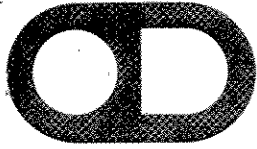
Thank you: Ray Russell

12425 W. 92<sup>ND</sup> STREET  
LENEXA, KS 66215  
(913) 529-4600 PHONE  
(913) 529-4611 FAX



COMMERCIAL CONSTRUCTION  
RESIDENTIAL CONSTRUCTION  
DEVELOPMENT SOLUTIONS  
SIGNATURE SERVICE





April 24, 2009

Mike Helms  
3535 Somerset  
Prairie Village, KS 66208

**Re: Install Air Conditioner for Gym**

Dear Mike,

We are pleased to quote the mechanical work on the subject project. Our price is based on installing 1 new 2 1/2ton split York air conditioner.

The items listed below are included in our bid:

1. Equipment and piping
  - York 2 ½ ton Condensing Units with Low Ambient
  - York 2 ½ ton Horizontal Air Handling Unit
  - Secondary condensate pan
  - Condensate Pump
  - Copper refrigerant piping
  - Condensate line
  - Pad
2. Electrical
  - Thermostat
  - Hook up power to units
    1. Note: electrician will need to bring power to condenser and air handler. (with-in 3' of the equipment)
3. KC Coring will make wall penetration
4. Start-up and Test
5. Labor and material

The items listed below are excluded entirely from our bid:

1. Smoke Detector
2. Plumbing
3. Painting



# O°DELL SERVICE

P.O. BOX 34410  
NORTH KANSAS CITY, MO 64116  
(816) 842-3414  
FAX: (816) 842-9506

4. Permits / Fees or Bonds
5. Dry wall cutting and patching
6. Installation of conduit
7. Structural supports and alterations.
8. Any work relating to any existing hazardous materials.
9. Overtime
10. Any work pertaining to any other building HVAC

Our price for the above work is:

**Mechanical.....\$7,540.00**  
**(Seven thousand five hundred forty dollars and zero cents)**

We will not perform any work relating to the removal of, or rendering harmless, asbestos, polychlorinated biphenyl (PCB), mold, or lead. In the event that material is encountered on the site which is reasonably believed to be asbestos, polychlorinated biphenyl (PCB), mold, or lead, work will stop in the affected area and notice given to the owner/architect. Work in the affected area will be resumed in the absence of asbestos, PCB, mold, or lead, or when it has been rendered harmless.

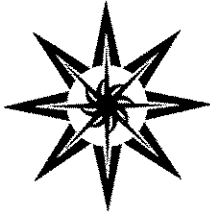
We appreciate the opportunity and look forward to working with you on this project. Should you have any questions, please contact the undersigned.

Price is good for 60 days.  
Respectfully submitted,  
**O'Dell Service Co.**

Danny McIntyre  
Project Manager

### Work Authorization

Name \_\_\_\_\_ Date \_\_\_\_\_



**POLICE PENSION BOARD**

Council Meeting Date: June 15, 2009  
Committee Meeting Date: June 1, 2009

**COU2009-61: Consider 2009 Police Pension Plan Contribution**

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**SUGGESTED MOTION**

Move to approve the 2009 Police Pension Plan contribution amount of \$430,000 and to use contingency to fund the \$210,000 difference between the 2009 budgeted contribution amount of \$220,000 and the recommended contribution amount of \$430,000.

COUNCIL ACTION REQUESTED ON JUNE 15, 2009

**BACKGROUND**

Each year, the City's actuary performs an actuarial valuation of the Police Pension Plan. The valuation report provides a status update on the liabilities and the funding of the plan. In 2008, the condition of the financial markets deteriorated considerably, causing significant investment losses to the plan. During 2008, the value of the plan's assets decreased from \$9,389,900 on January 1<sup>st</sup> to \$7,188,357 on December 31<sup>st</sup>, a loss of 23.4%. While the value of the assets decreased, the liabilities of the plan did not. The result is a considerable change in the contribution required to properly fund the plan.

During development of the 2009 Budget, staff estimated the Police Pension Plan contribution for 2009 based on 2008 actuarial valuation report; however, the budget was developed and approved prior to the crisis in the financial markets. Staff is recommending that the difference between the recommended contribution and the budgeted contribution be funded from contingency.

Recommended contribution for 2009:	\$430,000
Contribution amount included in the 2009 Budget:	<u>\$220,000</u>
Difference:	\$210,000

The situation in the financial markets has not improved in the first part of 2009. Staff is estimating a contribution of \$450,000 in 2010 and has programmed that amount into the 2010 Budget at this time.

**FUNDING SOURCE**

The 2009 Budget includes \$220,000 for the Police Pension contribution. Contingency is requested to fund the difference, \$210,000, between the budgeted amount and the recommended contribution amount of \$430,000.

**ATTACHMENT:** Police Pension Board meeting minutes from May 11, 2009.

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Prepared By:  
Karen Kindle  
Finance Director  
Date: May 27, 2009

POLICE PENSION PLAN BOARD  
May 11, 2009

The Police Pension Plan Board met on May 11<sup>th</sup> at 2:00 PM. Present and presiding, Chairperson Charles Clark. Members present: James Whittier and Tim Schwartzkopf. Staff: Quinn Bennion and Nicholas Sanders. Also in attendance: KC Mathews – UMB Bank and Glen Gahan – The Silverstone Group.

Mr. Sanders requested the approval of the distribution of a pensioners contributions to the Plan. All Board members approved the distribution.

Secondly, Mr. Sanders informed the Board that it had been discovered that a pensioner's monthly benefit did not adjust accordingly for the social security offset. Mr. Sanders informed the Board that the pensioner had been notified and has had their benefit payment suspended until the overpayment had been paid back to the Police Pension fund.

**Reports**

Mr. Mathews from UMB Asset Management Group discussed the investment performance of the Plan. Mr. Mathews stated that the asset allocation was within the parameters set by the Plan and that it is good to review the asset allocation policy every three (3) to five (5) years. Mr. Mathews stated that the Board may need to review the 'Cash' and 'Large Cap' target percentage of the asset allocation as well as expanding the definition of 'Other' to include investments in gold.

Mr. Mathews stated that the Plan is at 11% in 'Cash' as of May 11, 2009. The Balance of the fund as of May 10, 2009 was \$7,116,461 compared to a balance of \$6,691,285 on March 31, 2009. Mr. Mathews shared that the fund is down 20.81% at one (1) year, but it has outperformed in comparison to the benchmarks set by the City's Investment Policy by four hundred (400) basis points.

Mr. Schwartzkopf questioned whether or not there should be updates made the City's Investment Policy. Mr. Mathews suggested that he review it and provide recommendations to the Board.

Mr. Bennion inquired about a letter from UMB regarding changes in investments. Mr. Mathews stated that he had not seen the letter before and that UMB was not increasing any fees; however, would look into it and respond to Mr. Bennion.

Mr. Gahan presented the Actuarial Valuation for the Plan. The 2009 actuarial required contribution (ARC) is \$445,120 compared to the 2008 ARC of \$251,000. Mr. Gahan stated that had the Plan had a net 8% investment gain the ARC would be \$265,000.

Mr. Clark inquired as to why the 2008 contribution was \$240,000 when the ARC was \$251,000. Mr. Bennion responded that it was due to the contribution being made early in the year. Mr. Bennion also informed the Board that the City was budgeting \$450,000 in the 2010 budget for the Police Pension Plan contribution.

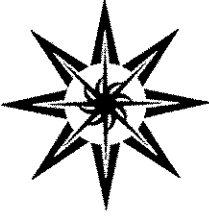
Mr. Sanders asked what the impact of changing the eligibility of the Plan to be upon date of hire. Mr. Gahan stated that there would be no impact to the Plan since participants receive credit for the first year of service after they become a member of the Plan, which is currently after one year of employment.

Mr. Whittier inquired as to whether or not any changes were necessary to the Plan. Mr. Gahan responded that there was not, unless there was an increased participant contribution to the Plan from the current 4%.

Mr. Clark asked whether or not the Plan should use the 8% return assumption. Mr. Gahan informed the Board that 8% is still a good, and common, assumption; some Plans use 7%, but 7.5% to 8.5% is still pretty common.

Mr. Schwartzkopf motioned that the Board recommend that the City contribute \$430,000 for 2009 to be paid by June 30, 2009. Mr. Whittier seconded the motion. All members voted 'aye'.

Charles Clark  
Chairperson



## CITY CLERK DEPARTMENT

Council Committee Meeting Date: June 1, 2009  
Council Meeting Date: June 15, 2009

### COU2009-62 Consider approval of a Charter Ordinance regarding Primary and General Elections

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#### RECOMMENDATION

Recommend the City Council adopt Charter Ordinance 24 exempting the City of Prairie Village from the provisions of K.S.A. 25-2108a and providing substitute and additional provisions on the same subject relating to the requirements for primary elections for City Officers

#### BACKGROUND

During the 2008 legislative session, changes were made regarding how and when primary elections for city offices were to be held. The law was not clear regarding when a primary must be held and how many candidates must be eliminated. For example, under the new law a primary will be held if needed to reduce the number of candidates for an office to no more than three and at least two must be eliminated. This has been interpreted by some that if there were four or more candidates for a position, it is reduced in the primary to three, rather than two. This could result in the election of a candidate who does not get a majority of the vote. The application of this new law created public confusion and scrutiny during the local elections this past spring.

During the 2009 legislative session SB103 was introduced to take the law back to its original intent; however, the bill was connected with the campaign finance reform bill and no action was taken on the bill.

Therefore, Mayor Shaffer has asked the City Attorney to prepare a charter ordinance to exempt the City from the current provisions of K.S.A. 25-2018a allowing the City to return primary and general elections to the traditional process with two final candidates. The cities of Mission and Overland Park have already adopted similar ordinances.

#### ATTACHMENTS

Charter Ordinance 24

#### PREPARED BY

Joyce Hagen Mundy  
City Clerk  
Date: May 28, 2009

CHARTER ORDINANCE NO. \_\_\_\_\_

**A CHARTER ORDINANCE EXEMPTING THE CITY OF PRAIRIE VILLAGE, KANSAS, FROM THE PROVISIONS OF K.S.A. 25-2108a, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT RELATING TO THE REQUIREMENTS FOR PRIMARY ELECTIONS FOR CITY OFFICERS.**

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

SECTION 1. The City of Prairie Village, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself and make inapplicable to it the provisions of K.S.A. 25-2108a, and any amendments thereto, which is applicable to the City of Prairie Village but the act of which it is a part is not uniformly applicable to all cities, and the City hereby provides further substitute and additional provisions as set forth herein.

SECTION 2. Primary elections.

(a) There shall be a primary election of city officers on the Tuesday preceding by five weeks the first Tuesday in April of every year that the City of Prairie Village has a city election, except as otherwise provided in subsection (b) of this section.

(b) No primary election for city officers shall be held unless by holding such primary one (1) or more persons will be eliminated as candidates for office. In the event there are not more than two (2) candidates for any one office, the names of the candidates for such office shall not appear on the primary election ballots, and there shall be no primary election for city officers, but the names of such candidates shall be placed on the general city election ballot.

SECTION 3. Severability.

In the event that any portion or section of this Charter Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, that decision shall not in any manner affect the remaining portions of this section of this ordinance or chapter which shall remain in full force and effect.

SECTION 4. Publication

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

SECTION 5. Effective Date.

This is a Charter Ordinance and shall take effect 61 days after final publication unless within the 60 days of its final publication a petition signed by a number of electors of the City of Prairie Village equal to not less than ten percent of the number of electors who voted at the last preceding regular City election shall be filed in the office of the City Clerk of the City of Prairie Village demanding an election on the Charter Ordinance, in which case the Charter Ordinance shall become effective only if and when approved by a majority of the electors voting thereon.

PASSED by the Governing Body of the City of Prairie Village, Kansas, with not less than two-thirds of the members elect voting in favor thereof on \_\_\_\_ day of \_\_\_\_\_, 2009.

Signed: \_\_\_\_\_  
Ronald L. Shaffer, Mayor

ATTEST:

Signed: \_\_\_\_\_  
Joyce Hagen Mundy, City Clerk

APPROVED AS TO FORM:

Signed: \_\_\_\_\_  
Catherine P. Logan, City Attorney



**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE  
June 1, 2009  
7:30 p.m.**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC PARTICIPATION
- V. CONSENT AGENDA

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

**By Staff:**

- 1. Approve Regular Council Meeting Minutes - May 18, 2009
- 2. Approve three VillageFest 2009 contracts.
- 3. Approve the contract with the Shawnee Mission School District for the School Resource Officer Program for the 2009-2010 school year.
- 4. Approve the rejection of all bids received for Project 190653: El Monte Fountain Improvements.
- 5. Approve Revised Final Plat for Walgreens at 95<sup>th</sup> and Mission Road (Walgreens Redevelopment)

**By Committee:**

- 6. Adopt Resolution 2009-04 adopting the "Prairie Village Parks Master Plan-2009" to guide the development and funding of future parks and recreation enhancements. (Council Committee of the Whole Minutes - May 18, 2009)
- 7. Approve a revision to the 2009 Prairie Village Fee Schedule to eliminate the Administrative Court Fee of \$15.00. (Council Committee of the Whole Minutes - May 18, 2009)

- VI. MAYOR'S REPORT  
Presentation to Jan Durr, Crossing Guard

Presentation - Pat Daniels and Ken Vaughn for Worn Moccasins

Presentation - Sister City Dolyna Delegation from the Ukraine

- VII. COMMITTEE REPORTS  
Council Committee of the Whole  
COU2009-59 Consider Moratorium on Wireless Communication Towers - David Voysey
- VIII. STAFF REPORTS
- IX. OLD BUSINESS
- X. NEW BUSINESS

XI. ANNOUNCEMENTS

XII. ADJOURNMENT

If any individual requires special accommodations -- for example, qualified interpreter, large print, reader, hearing assistance -- in order to attend the meeting, please notify the City Clerk at 381-6464, Extension 4616, no later than 48 hours prior to the beginning of the meeting.

If you are unable to attend this meeting, comments may be received by e-mail at [cityclerk@PVKANSAS.COM](mailto:cityclerk@PVKANSAS.COM)

# **CONSENT AGENDA**

**CITY OF PRAIRIE VILLAGE, KS**

**June 1, 2009**

**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
May 18, 2009**

The City Council of Prairie Village, Kansas, met in regular session on Monday, May 18, 2009, at 7:30 p.m. in the Council Chambers of the Municipal Building.

**ROLL CALL**

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

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

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

**PUBLIC PARTICIPATION**

Ian Barthlos, 4007 West 69<sup>th</sup> Street, addressed the City Council on behalf of the Prairie Village Homes Association Board regarding the City's request for a \$36,000 contribution towards the repair of the El Monte Fountain. He stated this was discussed at length by the Board who is interested in retaining the fountain, but is not in the position financially to contribute such a high percent of their current operating budget. He expressed concern that the homes association was being asked to pay 60% of the cost while the City was paying 40%. He expressed frustration in that they were not involved in determining the type or degree of repairs. They would have liked to have

been included earlier in the process. It is his understanding that several years ago, the homes association agreed to deed the island to the City with the stipulation that the statue be maintained. According to the letter they received, if the Homes Association does not contribute \$36,000 towards the repair of the fountain, repairs would not be made. They are concerned and confused regarding what will happen to the fountain, whether it will become the full responsibility of the homes association to maintain, if the homes association can not, will it be removed by the City or will it remain as it is? They would like to see other lower cost alternatives explored.

Mayor Shaffer noted this item will be discussed later in the Council meeting and asked Mr. Barthlos to remain for that discussion. Dale Beckerman asked what the annual budget of the homes association was. Mr. Barthlos responded by collect \$30,00 annually in dues

David Harrison, 4407 West 92<sup>nd</sup> Terrace, addressed the City Council with a brief update on the proposed redevelopment of the Meadowbrook Country Club property. He stated all parties, the Club, Stratford and Opus, are continuing to work refining details of the planned development on an on-going basis and seeking alternative funding sources in these difficult economic times. All parties are still very interested in moving forward with this project and noted recent Kansas legislative action has provided another option for funding effective July 1<sup>st</sup>.

## PUBLIC HEARING

Mayor Shaffer opened the scheduled Public Hearing on the presentation of the proposed 2009 Community Development Block Grant Application for the City and called upon Chris Engel to review the potential projects and the process.

Chris Engel stated the City is considering making application to Johnson County for Community development Block Grant (CDBG) funds for fiscal year 2010. The CDBG program allows cities to apply for either \$100,000 or \$200,000. There is no match

requirement by the applicant; however, applications with matching funds improve the projects rating. Typical match amounts are generally 20% to 30% depending on the total project cost.

Community Development Block Grant funds may be used to carry out eligible economic development and public services. All CDBG applications must address one of three national objectives: benefit low and moderate income persons; aid in the prevention or elimination of slums or blight; or meet other community development needs having particular urgency.

Mr. Engel stated staff has identified the following three possible projects that would fit the required criteria:

**Project #1 - 75<sup>th</sup> Place - \$250,000 - benefiting 257 persons for an LMI rating of 46.2%**

- 75<sup>th</sup> Place between Booth Drive and Belinder Avenue is a 1,000 foot long residential street. The street has standing water in the gutter for long periods after the wet season. The proposed project would entail construction to replace all curb and gutter on both sides of the street and include mill and overlay. Replacing the curb and gutter will necessitate the replacement of the existing driveway aprons.

**Project #2 - 83<sup>rd</sup> Street from East City Line to Mission Road - \$270,000 - benefiting 165 persons for an LMI rating of 35.7%**

- 83<sup>rd</sup> Street is 1,366 feet long with sidewalks and curbing on both sides. 500 feet of sidewalk is in need of replacement. 15 ADA sidewalk ramps do not meet ADA standards. 1,600 feet of curbing is showing signs of rapid concrete deterioration. The payment has a 77 out of 100 rating. At the intersection with Mission Road the pavement exhibits extensive shoving due to stopping and starting traffic.
- The proposed project includes removing and replacing the failed curbing and sidewalk. The new sidewalk and ADA sidewalk ramps will be ADA standards. A concrete 8-inch thick concrete pad will be constructed where the shoving of the pavement has occurred. The balance of the pavement will be milled and overlaid. Deep depth reconstruction will be provided where base failure is found, and a new 2-inch bituminous pavement will be laid.
- The construction will result in the street meeting the latest City and ADA requirements that serves the medical office building, school and apartments.

**Project #3 - Booth Street and 77<sup>th</sup> Street - \$611,000 - benefiting 232 persons for an LMI rating of 34.2%**

- Booth Street is 2,386 feet long with a pavement width of 34 feet. Curbing is found on both sides of the street. Sidewalk is the full length on the east side of the street.
- The proposed project would remove and install new Type B curbing on both sides of the street; remove and install new five foot wide sidewalk on both sides; narrow the street from 34 feet to 26 feet measured from back of curb to back of curb; and construct a five foot wide green belt between the new curb and sidewalk.

- The present 2,000 feet of sidewalk does not meet the American with Disabilities Act (ADA) cross slope requirement of 2%, is broken; has curbing that is higher than the sidewalk creating a tripping hazard, has a street light pole in the middle of the sidewalk consequently not meeting the ADA minimum sidewalk width and none of the 18 ADA ramps at the intersections comply with the ADA standards; and several trees are encroaching the sidewalk by more than 50 percent. The present curbing is the low back style constructed concrete with approximately 3,000 feet of curbing in the advanced deterioration stage.

Quinn Bennion stated the City would probably submit Project #1 for funding as it would benefit the greatest percentage of people. David Belz stated as much as he would like to see Project #3 undertaken by the City, recognizing budget constraints and acknowledging the impact of Project #1 on more residents, he supports the submittal of Project #1 for CDBG funding.

Mayor Shaffer opened the hearing to the public for comment. With no one requesting to speak on the proposed 2010 Community Development Block Grant applications, Mayor Shaffer closed the public hearing at 7:53 p.m.

Laura Wassmer moved the City Council authorize the submittal of an application for 2010 Community Development Block Grant funding by the City in the amount of \$200,000 for Project #1 as identified. The motion was seconded by Dale Beckerman and passed unanimously.

## CONSENT AGENDA

Michael Kelly moved the approval of the Consent Agenda for Monday, May 18, 2009.

1. Approve Regular Council Meeting Minutes - May 4, 2009
2. Approve Claims Ordinance 2859
3. Approve contracts for entertainment at Villagefest 2009 with Scott Klamm in the amount of \$188 and Billy Ebeling in the amount of \$1,500.
4. Approve a contract with First Choice Associates & Communications, LLC for three bi-monthly issues of the Village Voice.
5. Adopt Resolution 2009-03 adopting the Johnson County Multi-Hazard Mitigation Plan.
6. Adopt Ordinance 2193 amending Chapter One of the Prairie Village Municipal Code entitled "Administration" by amending Article 8 entitled "Committees" by

amending subsection (a) of Section 1-804 entitled "Council Committee of the Whole; Membership, Duties and Meetings".

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

## MAYOR'S REPORT

### **Recognition of 2009 Citizens Police Academy Graduates**

Chief Wes Jordan stated the 2009 Academy was extended by one week with the addition of a tour of the Johnson County Jail and Communications Center. The academy was coordinated by Sgt. Steve Hunter. Andrew Moore, 6515 High Drive, spoke on behalf of the class highlighting the experiences of the class and thanking the department for the very informative and positive experience. Mayor Shaffer and Sgt. Hunter presented certificates of completion to the following graduates: Matthew Biersmith, Phillip Burk, Lea Castroll, Cindy Gaunt, Jordan Hacker, Andrew Moore, Stephen Provost, Cleo Simmonds and Berle Yukon.

- Mayor Shaffer noted the recent article in the Kansas City Star regarding Ruth Hopkins's receipt of the second "Making Democracy Work" award by the League of Women Voters.
- Mayor Shaffer noted that since 1992 the Mid America Regional Council has been presenting regional leadership awards and announced that former City Administrator Barbara Vernon has been selected as one of the four recipients to be honored at a ceremony this fall.

## COMMITTEE REPORTS

### COU2009-55 Consider Bid Award to purchase swimming pool chemicals

On behalf of the Council Committee of the Whole, Michael Kelly moved the City Council approve the award of bid for swimming pool chemicals to Edwards Chemical, Inc. in the amount of \$20,886.50. The motion was seconded by Dale Beckerman and passed unanimously.



COU2009-57 Consider Bid Award for Mowing Services and change to 2009 Fee Schedule

On behalf of the Council Committee of the Whole, Michael Kelly moved the City Council approve the bid award to BIG GREEN, INC. for the abatement of properties found to be in violation of the City weed and grass ordinance and further approve a revision to the 2009 Prairie Village fee schedule to include a \$50 per occurrence administrative fee for properties in violation of the City's weeds and grass ordinance and abated by the City. The motion was seconded by David Voysey and passed unanimously.

COU2009-35 Consider New Zoning Chapter 199.33 entitled "Wireless Communications Facilities" deleting Section 19.28.070(s) and Amending Section 19.02.449 entitled "Utility Box"

On April 6, 2009, the City Council directed staff to provide additional information on the following portions of the proposed wireless communications facility ordinance: 1) Co-location in residential areas, 2) Types of facilities allowed in different areas, 3) Setback requirements and 4) Setback waiver. Since that time, staff has met with interested residents and included in the information input from them.

**Co-Location in Residential Areas**

Ron Williamson stated co-location in residential areas is a major decision by the Council and will have a significant impact on the direction of the ordinance. To date, it has been the policy of the City to encourage co-location and minimize the number of towers that will be needed to accommodate the carriers providing service in Prairie Village. Co-location generally means fewer but taller towers and height has been a major issue for the adjacent property owners. He stressed, however, since the FCC regulations state that "A city shall not discriminate among providers," the City could have more towers if the policy is for shorter towers. The following options were presented by staff for consideration:

- Retain the existing philosophy that encourages co-location and taller, but fewer towers.
- Approve a maximum height for towers located in residentially zoned areas. However, he noted all the parks, schools, city hall and fire station sites are zoned residential and the two existing towers at City Hall and Fire Station #2 on Roe Avenue would not be allowed under this provision.
- Approve a maximum height for towers located in residentially zoned areas except for properties that are owned by the public.

### **Types of Facilities Allowed in Different Areas**

As the ordinance is proposed, monopoles and alternative tower structures and facilities are permitted in all districts by Special Use Permit. Stealth communications facilities only require approval of a site plan by the Planning Commission. Mr. Williamson noted St. Ann's has two carriers on its bell tower and is an example of a stealth installation. Mr. Williamson reviewed with the Council the definitions in the ordinance regarding alternative tower structures. He stressed the recent T-Mobile application which was referred to by the applicant as a stealth facility, would not be considered a stealth facility under the city's definitions in the proposed ordinance. The following options were presented by staff for consideration:

- Allow only stealth installations in residentially zoned areas by Site Plan approval.
- Allow only stealth installations in residentially zoned areas except for properties that are owned by the public.
- Allow alternative tower structures in residentially zoned areas subject to the approval of a Special Use Permit.

### **Setback Requirements**

Mr. Williamson reviewed the setback requirements found in ordinances from neighboring cities and model codes noting there is a wide variation within setback requirements. The proposed ordinance proposes the following:

#### **Setbacks**

1. The equipment compound shall meet the minimum required setbacks for a principal use in the district in which it is located.
2. Stealth towers and alternative tower structures that are truly architecturally integrated into the building shall maintain the same setbacks that are required for a principle building.

3. Non stealth monopoles or towers shall setback a minimum distance from all property lines equal to the height of the tower unless a reduction or waiver is granted by the City Council.
4. The applicant may request a reduction or waiver of the setback requirement. The Planning Commission shall consider the request and make a recommendation to the City Council who will make the final determination. In approving a setback reduction or waiver, the Commission and Council shall consider the following:
  - a. That there are special circumstances or conditions affecting the proposed cell tower installation;
  - b. That the setback waiver is necessary for reasonable development of the cell tower installation or the landowner's property;
  - c. That the granting of the setback waiver will not be detrimental to the public welfare or cause substantial injury to the value of adjacent property or other property in the vicinity in which the particular property is situated.

Ron Williamson noted in preparing their recommendation, the Planning Commission considered an analysis of existing sites that may potentially be able to accommodate a wireless communications facility. He noted there are only four public sites that can meet the 200-foot setback - City Hall, Porter Park, Harmon Park & Franklin Park. Eight school sites could meet the setback requirements, but at this time the School District has not agreed to allow wireless communications facilities on school sites. The following six private sites can meet the 200-foot setback requirement:

- St. Ann's School/Church (no other church sites in Prairie Village can meet this setback)
- Homestead Country Club
- The Prairie Village Center
- The Corinth Square Center
- The Hy-Vee Center
- Meadowbrook Village.

### **Setback Waiver**

Ron Williamson stated the idea of a setback waiver was initiated by the City Council. The only other city to have a waiver provision in their regulations is the City of Overland Park. He added the two tower sites located in the City do not meet the 200-foot setback and could not be approved without a waiver. In both cases, the towers are located in the most appropriate places on the site. There has been much discussion on

a future cell tower at McCrum Park when the water tower is removed and stated that site is too small to meet the 200-foot setback requirement without a variance.

### **Citizen Input**

Area residents reviewed the proposed wireless communications facilities ordinance and provided staff with a redlined version indicating revisions they would like to see made to the ordinance. These were distributed to the Council and reviewed briefly by Mr. Williamson.

Al Herrera confirmed the current setback is determined by the height of the tower unless a waiver is granted. Mr. Williamson noted there are only two sites within the City that would accommodate a tower without a waiver.

Bill Griffith stated the central issue is the setback and supports the City establishing a reasonable setback of 1.5 and not allow for any waiver of that requirement. He feels this would define where facilities can be located and meet the requirements of the FCC as long as there are sites available. Mr. Williamson noted the existing tower locations would not meet that setback criteria. He reminded the Council that different requirements could be set for privately and publicly owned land. Mr. Griffith stated he felt regulating by the distance from the adjacent property line would be a defensible position. City Attorney Katie Logan disagreed with Mr. Griffith and felt the flexibility was important for the defensibility of the regulation. David Voysey stated he would support the availability of a waiver on publically owned land.

Dale Beckerman confirmed there could simply be no waivers or the ability to have waivers based on project or waivers for publically owned property. He stated using the 200 foot height and proposed setback, there are no possible sites to address coverage needs in northern Prairie Village. Bill Griffith responded towers placed in Mission or Roeland Park could provide that coverage.

Dennis Enslinger noted the process for approval would be different for publically owned land and privately owned land. There would be additional opportunities for public input for an application on public land through discussions with the appropriate boards for the public entities owning the property.

Michael Kelly asked if the City could establish an order of preference in the ordinance for the types of structures. Mr. Williamson stated it could be done in specifically identified areas .

Mayor Shaffer opened the meeting for public comment.

Kate Faerber, 4806 West 68<sup>th</sup> Street, thanked the Council for their diligent review of this issue. She stated there is a group of citizens that want to work with City staff on this issue. There are other cities who have established a master plan identifying where cell towers can be located and stressed the importance of requiring alternative structures which has been done by the City of Leawood. She encouraged the City Council to set a moratorium on accepting further applications until the new ordinance has been adopted by the City.

Harold Neptune, 4722 West 68<sup>th</sup> Street, noted that many towers also include a ten-foot lightning rod at the top of the structure and asked if that was considered as part of the height of the structure. He would like to see further investigation into how the City can best take advantage of the McCrum Park property as a potential site and does not feel this has been addressed in the ordinance.

Mary Cordill, 4904 West 68<sup>th</sup> Street, commended the City for their efforts to work with the residents and highlighted the issues the neighboring residents view as critical for the ordinance:

- No co-location in residential areas
- The installation of alternative structures, noting several have been presented to the Council during the past few weeks that can be found in neighboring cities.
- The height and setback for residential areas must be restricted, existing towers not meeting those requirements can be grandfathered.

- Allow waivers only for installations on public land.
- They would like to see the ordinance returned to the Planning Commission with specific height limitations, require consideration alternative structures
- Set a moratorium on further applications until a new ordinance can be adopted.
- Encourage the schools to consider allowing structures on their property as has been done at Bishop Miege and at Blue Valley schools.

Pat Kaufman, 4307 West 63<sup>rd</sup> Terrace, stressed that monopoles are not stealth applications.

Mayor Shaffer noted the City was instrumental in getting the water district to accept communication antennas on the Harmon Park water tower. He thanked the residents for their comments and study of this issue.

Charles Clark stated that 93 percent of Prairie Village is zoned residential with many of the homes being single-story construction. He feels co-location is essential to meet the needs for coverage within the City. Diana Ewy Sharp stated she is not concerned with the additional antenna located on towers, but more concerned with the additional ground-level equipment compounds. She feels that with 93 percent of the City zoned residential to prohibit co-location in residential area is too restrictive.

David Belz stated his overarching concern is that the City meets the requirements of the FCC. The ordinance can not be so restrictive as to in essence prohibit location. He would like to see the City retain the flexibility to review applications on their own merit and not be placed in a box in relation to the location and type of structure. He wants to have the opportunity to review other options and totally supports allowing for co-location. An 85-foot structure sounds acceptable, but he does not see having 65-foot towers located throughout the City is a good option.

Al Herrera stated he visited the 75-foot monopine in the middle of a golf course surrounded by trees. He does not feel higher towers are needed simply because of other trees in the area. He is looking for an ordinance that will protect Prairie Village neighborhoods and plug loop holes.

Dale Beckerman asked Mr. Williamson if he felt 65- to 75-foot towers were feasible for the 67<sup>th</sup> & Roe to Nall area and what would be the impact on the number of towers needed. Mr. Williamson responded it does depend on the height of the trees and the technology used by the carriers. He noted it is not simply the height of the trees, but the line of sight communication between towers. The golf course does have tall trees, but it also has significant open space that allows for the needed line of sight communication. Dennis Enslinger added at 65-feet the carrier would receive some coverage, the question remains as to if the level of coverage merits the economic investment by the provider. It did for the church tower installation on State Line. Mr. Beckerman asked if this would require structures every few blocks. Mr. Enslinger responded it depended on how large of a service gap you needed to cover. Katie Logan stated she felt limiting the height, knowing you have significant service gaps in practicality would be considered as prohibitive.

Dennis Enslinger stated he would rather see the height issue addressed not in terms of a specific height but in reference to compatibility with the area and with the ability to allow for deviations. It is reasonable for the City to not allow a structure that would dominate the neighborhood and feels that approach would be more defensible than a set static height restriction. Federal regulations ask "does it dominate the area". The City can look at tree height, the height of other structures and other community conditions, it can limit the type of structures allowed. He advised there are no firm rulings that state you can do this or can't do this, it remains as what the court will accept as reasonable.

Ruth Hopkins stated four carriers have identified needs within the City and she feels to prohibit co-location would only multiply the number of applications for and the number of towers/facilities being located within the City. The City does not have enough school and park sites to accommodate individual structures for each carrier. She does

not see the decision by T-Mobile to withdraw their application as a victory, noting Prairie Village residents and individuals travelling through Prairie Village will continue to suffer with poor or no cell phone communications.

Michael Kelly stated he felt the City should not be scared to set a maximum height limit for communications facilities. He feels the ordinance should be returned to the Planning Commission for further revision to protect the City and its residents. Charles Clark stated the Planning Commission has given its recommendation. They will only be reviewing the directions for change given by the City Council. Dale Beckerman stated he does not see this as a matter of fear, but a matter of common sense. He feels co-location makes more sense and better protects the City and its residents than placing multiple towers throughout the City.

Dennis Enslinger advised the Council there are two issues on which they need to make a decision; first, what setback requirements will be required and secondly, if the City is willing to grant waivers to that setback and if so, in what situations will waivers be considered. The issue of co-location will be addressed by addressing these two issues.

Charles Clark moved the City Council retain the proposed one to one setback ratio established in the proposed ordinance. The motion was seconded by Ruth Hopkins and passed.

Charles Clark moved the City Council consider of setback waivers for applications on all property. The motion was seconded by Ruth Hopkins and passed.

Ron Williamson confirmed that by the definitions in the proposed ordinance a monopole is not a stealth application. A stealth application must be integrated as an architectural feature of a structure so that the purpose of the facility for providing wireless services is not readily apparent to a casual observer. Mayor Shaffer confirmed that most of the City, including the parks and City Hall, is zoned as residential property.



Dale Beckerman stated he would like to see the options for types of facilities left open. Katie Logan stated the more possibilities allowed, the more defensible she views the ordinance.

Dennis Enslinger noted based on the feedback presented he does not see any major changes in the proposed ordinance. The staff will incorporate those items identified as factors of considerations from the residents agreed with in the staff report.

David Belz moved the City Council remand the proposed ordinance back to the Planning Commission for reconsideration of the items identified by the City Council and those changes suggested by residents and recommended by staff. The motion was seconded by Ruth Hopkins and passed unanimously.

Bill Griffith left the meeting.

## **Park & Recreation Committee**

### Consider El Monte Fountain

Diana Ewy Sharp reported in April, 2008, the City Council approved a design agreement for the replacement of this fountain located in the island at the intersection of Oxford Road, El Monte Street and 69<sup>th</sup> Street. It is currently not functioning and the homes association has requested that the City take over the ownership and perform the necessary repairs. The estimated fee for design and construction is \$66,000. Since there is only \$30,000 in the budget for this project, it was decided to talk with the homes association regarding sharing in the costs once they became finalized.

As indicated earlier by Mr. Barthlos the Homes Association does not \$36,000 to cover the shortfall between the cost and what has been budgeted by the City. Mrs. Ewy Sharp stated at their May meeting the Park and Recreation Committee voted to recommend ownership of the fountain be returned to the homes association. Speaking for herself, Mrs. Ewy Sharp stated she has some concerns with the precedence that would be set by the City taking over this fountain and paying for its repair.

Ruth Hopkins noted there has been a change in the homes association board since this issue began. Initially, there was a working fountain at this location that was an attractive part of the neighborhood. When it stopped working, there wasn't any money available in the homes association budget to repair the fountain and the homes association came to the City for assistance. However, there were not funds budgeted in the City's budget for the repair and questions were raised as to the ownership of the fountain. The homes association has submitted written documentation turning the fountain over to the City for repair and maintenance with the understanding that they would repair the fountain or give it back to the homes association. It appears that the homes association is still willing to work to retain the statue and she does not want to see the statue/fountain die. She asked Mr. Pryzby for the status of the City's statue committee. Mr. Pryzby responded they have not met since last fall; however, an inventory of statues in the City has been completed. Mrs. Hopkins stated the statues are a beautiful piece of Prairie Village history and she is not ready to give up on them. Laura Wassmer agreed that removing the statues was not an option. Mrs. Ewy Sharp stated the fountain can remain in its current condition and the City is not looking at removing it.

Laura Wassmer feels the statues are good for the City as a whole and would like to see this as a fund raising opportunity to create a "Friends of Statutory" group through the municipal foundation that can raise and collect funds for maintenance and repair of existing fountains/statues within the City. Mrs. Hopkins said that was an excellent idea.

Ian Barthlos stated the homes association has annual liabilities of \$20,000; however, they are open to other alternatives. He noted they were not included in the initial discussions and design and felt that perhaps there are other less costly alternatives that can be considered. Based on the funds the homes association has available a contribution of \$36,000 towards the repair of this fountain is neither an

economically intelligent or feasible decision. They are not adverse to contributing some funds to the repair, but do not feel paying more than half of the costs is appropriate.

Diana Ewy Sharp apologized if the wrong impression was given to the homes association. The City does feel this is a valuable project. The contribution requested was based on the projected cost vs. the funding available in the City's budget. Based on the discussion, the Council feels further investigation into other possible funding sources is something they also would like to see done.

Michael Kelly confirmed the island is owned by the City; however, it is not clear who owns the statues located on the islands. Mr. Pryzby responded that most were probably purchased by J.C. Nichols and put in place as the areas were being developed. Mr. Kelly stated he sees this as an opportunity to engage the public on defining a very important part of the City and its history.

Al Herrera noted the City has added park benches to the island and attempted repair of the fountain. This is a well used area. He acknowledged the bids received may have overextended what needs to be done to simply repair the problem. He noted the earlier discussion of spending \$16 million to enhance the City's parks and questioned why the City would not spend \$36,000 to take care of what the City already has. He supports saving this fountain/statue.

Dale Beckerman stated it was somehow unfair for the City to pass this expense on the neighborhood and felt the City should be taking on the responsibility for maintenance of the islands and fountains. He noted it appears this area is more like a small park than a traffic island. Bob Pryzby advised the City has a similar situation at 71<sup>st</sup> & Cherokee.

Ruth Hopkins expressed the need for an advocate to step forward and dive into the history and preservation of these important features of the City.

Ian Barthlos stated the Board was given the impression that immediate action was necessary and noted they do not meet on a regular basis.

Mayor Shaffer stated the City does have the mechanism in place to receive donations and felt the issue was worthy of more research and investigation.

Diana Ewy Sharp noted the bids received in January are no longer valid and staff will move to have them officially rejected at the next City Council meeting, noting that they all exceeded the engineer's estimate for the project.

### **VillageFest Committee**

Diana Ewy Sharp reported the committee has received \$6750 in sponsorship funding which is down from last year and noted the budget has been adjusted accordingly. She stated that both villagefest t-shirts and polo shirts are available for purchase. Mrs. Ewy Sharp has been contacted by the Ronald McDonald House and advised that their residents are interested in attending this year's celebration.

### **Communications Committee**

Michael Kelly reported communications committee is looking for different opportunities to reach the community. Improvements to the City's website continue to be investigated and the first issue of the newly formatted Village Voice will be out the end of June. The new format will feature more community related information presented in an eight-page full color newsletter. A sample front page of the next edition was distributed to Council reflecting the new format. Mr. Enslinger added the new format would also be available electronically.

Diana Ewy Sharp left the meeting.

### **Sister City Committee**

The third delegation of representatives from Dolyna, Ukraine will be visiting Prairie Village the first week in June under a program sponsored by the Library of Congress. Mr. Kelly noted Prairie Village is the only City to have multiple visits from

cities under this program. He advised that September 12<sup>th</sup>, the Sister Committee will host the "Tour of Prairie Village" bike race with an estimated 150 to 300 riders participating. The committee is working public safety and public works staff on the coordination of this event.

## **STAFF REPORTS**

### **Public Safety**

- Chief Jordan reported the recent "tip-a-cop" fundraiser for Special Olympics at Johnny's raised almost \$1800 for this charity.
- The Department recognized "National Memorial Police Officer's Day" on Friday, May 15<sup>th</sup> with special ceremonies at City Hall to pay tribute to officers who lost their lives in the line of duty. Photos of the event were shared with the Council.
- The Department hosted the annual Skateboard Contest between students at Mission Valley and Indian Hills Middle Schools. The event was well attended by students from both schools.
- The City recently sold three police vehicles on e-bay rather than by auction and realized a profit of about \$3000 more per vehicle than with previous auction sales.
- Chief Jordan reported briefly on the arrest made earlier in the day near Briarwood Elementary School

### **Public Works**

- Bob Pryzby acknowledged the extra work of his staff to have all of the City's pools, except the slide pool, ready to open this weekend.
- An offer has been extended for the position of "Project Manager"
- The contractor was temporarily pulled off the Mission Lane Bridge project to deal with an emergency at another site. He noted the contractor is aware of the upcoming "Prairie Village Art Show" and will not work during the event.
- Mr. Pryzby reported that Jeff Patterson is preparing two rain gardens at Meadowlake Park.

### **Administration**

- Dennis Enslinger reported the City of Olathe is interested in possibly providing solid waste services for the City but will be able to do so in 2010, so he is working with Deffenbaugh on a new contract
- The Prairie Village Art show is next weekend
- The City offices have begun a broadened recycle program
- There will be a special meeting of the Planning Commission on May 27<sup>th</sup> to consider the rezoning of 9410-9420 Mission Road
- The City has received a written letter of withdrawal of the application by T-Mobile for a Special Use Permit at 4805 West 67<sup>th</sup> Street.
- Quinn Bennion noted the City has received the donation of a miniature sculpture of the "Prairie Boy" sculpture from Bill and Marge Franklin.
- Mr. Bennion will be meeting with city employees during the next two weeks to discuss the 2010 budget

**OLD BUSINESS**

Dennis Enslinger stated that due to the receipt of written notification by T-Mobile withdrawing their application for a Special Use Permit for a wireless communication tower and compound at 4805 West 67<sup>th</sup> Street no formal action is needed by the City.

Laura Wassmer left the meeting.

**NEW BUSINESS**

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

**ANNOUNCEMENTS**

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

Prairie Village Arts Council	05/20/2009	7:00 p.m.
Special Meeting of Planning Commission	05/27/2009	7:00 p.m.
Environment/Recycle Committee	05/27/2009	7:00 p.m.
VillageFest	05/28/2009	7:00 p.m.
Council Committee of the Whole	06/01/2009	6:00 p.m.
City Council	06/01/2009	7:30 p.m.

The Prairie Village Arts Council is pleased to announce a photography exhibit by Kay Trieb for the month of May.

Recreation memberships are on sale in the City's Clerk's office. The pool will open on May 23rd.

City offices will be closed Monday, May 25<sup>th</sup> in observance of Memorial Day. Deffenbaugh will also observe the holiday and trash pick-up will be delayed one day.

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

**ADJOURNMENT**

With no further business to come before the Council, the meeting was adjourned at 10:05 p.m.

Joyce Hagen Mundy  
City Clerk



## VILLAGEFEST COMMITTEE

Council Meeting Date: June 1, 2009

**CONSENT AGENDA:** Consider Approval of VillageFest Contracts

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### RECOMMENDATION

Staff recommends the City Council approve the following contracts for VillageFest 2009.

Eric Price	Magician	\$275
Clement McCrae Puppets	Puppet Show	\$875
Miller Marley	Dance Performance	\$100

### FUNDING SOURCE

VillageFest Fund

### ATTACHMENTS

1. Contracts

### PREPARED BY

Jeanne Koontz, Deputy City Clerk  
May 26, 2009

## ENTERTAINMENT/ VENDOR AGREEMENT

**THIS ENTERTAINMENT/VENDOR AGREEMENT**, (hereinafter "Agreement") is made and entered into this 18<sup>th</sup> day of ~~JULY~~ MAY, 2009, by and between the City of Prairie Village, Kansas (hereinafter the "City") and Eric Price, (hereinafter the "Vendor").

WHEREAS, the City is sponsoring an event, entitled VillageFest, for the general public which is to be held on July 4, 2009; and

In consideration of the mutual promises and covenants contained herein, Vendor and City agree as follows:

1. Type of Space Provided: the Vendor shall specify the square footage required including facility foot print and clearance space outside the facility foot print:

*SUN Shade booth with table please.*

2. Type of Service Provided: the Vendor agrees to provide the following services:

Strolling Magician

3. Hours of Operation: The Vendor shall provide services to the general public from 11:30 a.m. to 1:00 p.m. on July 4, 2009.

4. Access to Facilities:

- a. Vendor shall have access to Vendor's location on July 4, 2009 for set-up before 11:30 a.m. and for breakdown after 1:00 p.m. Vendor's vehicle(s) must be removed from the VillageFest grounds within one hour after the end of this time period or the vehicle(s) will be subject to tow.

- b. Vendor shall furnish the City a list of each equipment/facility showing the required electrical power in AC volts and AC amp, required water from a garden hose, required fencing, required set-up/breakdown assistance specifying skills required, and any other special requirements as part of this Agreement. Any amendments to Exhibit A must be approved by the City in writing.

5. Compensation: In consideration for the entertainment provided, the City shall pay to the Vendor the amount of \$275, to be paid on or before July 4, 2009 unless the event is canceled as provided in Section 6 of this agreement.



6. Cancellation of the Event: The City has full authority to cancel the event for any reason. In the event that the City cancels VillageFest, the City shall notify Vendor of the cancellation in a timely manner, and this Agreement shall be terminated.
7. Clean-Up: Vendor shall maintain its Vendor's Booth and/or operating areas in a neat, clean, sanitary condition and in good order and repair, free and clean of all litter, debris and rubbish at all times. Vendor shall be responsible for the clean up of its areas on an ongoing basis during the VillageFest and at the conclusion of business and conclusion of the VillageFest. Vendor's clean up responsibilities shall also include, but not be limited to, bagging and depositing Vendor's trash in the designated containers. City reserves the right to terminate all of Vendor's rights under this Agreement, including the right to operate if Vendor has failed to maintain clean and sanitary conditions in and around Vendor's location.
8. Indemnity:
  - a. Vendor shall indemnify and hold harmless the City and its agents and employees from and against all claims, damages, losses and expenses, including, but not limited to, attorneys' fees, arising out of or resulting from the performance of the Work, provided that any such claim, damage, loss or expense (i) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself) including the loss of use resulting there from and (ii) is caused in whole or in part by any negligent act or omission of the Vendor, or any sub-contractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Paragraph.
  - b. The Vendor is responsible for all items left on the VillageFest premises, including, but not limited to, those items left in and around Vendor's location before, during and after the hours of operation of the VillageFest. Vendor shall be solely responsible for its own security at all times. Risk of loss of equipment, cash and other items belonging to or in the possession of Vendor is on Vendor. City shall not be responsible for loss of or damage to Vendor's property or inventory whether attributable to theft, vandalism, spoilage, weather or any other cause.
  - c. Vendor is responsible for and agrees to reimburse City for any damage caused by Vendor to City's property or to property being used by the City.

- d. Vendor shall furnish City with a valid certificate of broad form general liability insurance, completed operations and products insurance coverage for personal injuries and property damage with combined single limits of coverage of not less than \$1,000,000.00 per occurrence, with the City named as an additional insured on such policies. **Copies of said certificate shall be provided to City on or before June 22, 2009.**
9. Notification: Notification and any other notices under this Agreement shall be made as follows:
- City Clerk  
7700 Mission Road  
Prairie Village, KS 66208  
(913) 381-6464
10. Staff:
- a. Vendor shall provide managers and sufficient staff to keep Vendor's Booth operational during the hours of operation of the VillageFest.
- b. Vendor's volunteers, employees, representatives and staff shall be prohibited by Vendor from consuming alcoholic beverages, be in possession of controlled substances, acting in a manner prohibited by state law or city ordinance, or conducting themselves in a manner detrimental to the event and the public attending when on duty at or in Vendor Booth.
- c. Vendor and its employees are independent contractors and are not employees, servants or agents of VillageFest or of the City. Vendor has the sole responsibility of providing workers' compensation coverage for its employees.
11. Cancellation: The City shall retain the right to cancel this Agreement at any time without penalty.
12. Entire Agreement: This Agreement evidences the entire agreement between the parties hereto and supersedes all prior agreements and understandings pertaining to VillageFest.
13. Effective Date: This Agreement is effective upon City's acceptance as evidenced by the execution of this Agreement by City's authorized representatives in the space provided below.

CITY OF PRAIRIE VILLAGE

By: \_\_\_\_\_  
(signed)

Ronald L. Shaffer

Mayor

City of Prairie Village

7700 Mission Road

Prairie Village, Kansas, 66208

913-381-6464

(date of execution)

ATTEST:

\_\_\_\_\_  
City Clerk, Joyce Hagen-Mundy

VENDOR

By:  \_\_\_\_\_  
(signed)

ERIC PRICE

(typed name)

Owner

(typed title)

Magic At Hand

(typed company name)

604 W. 91 Terrace

(typed address)

Kansas City, MO. 64114

(typed city, state, zip)

913-461-5332

(typed telephone number)

5-18-09

(date of execution)

APPROVED BY:

\_\_\_\_\_  
City Attorney, Catherine P. Logan

## ENTERTAINMENT/ VENDOR AGREEMENT

**THIS ENTERTAINMENT/VENDOR AGREEMENT**, (hereinafter "Agreement") is made and entered into this 21 day of MAY, 2009, by and between the City of Prairie Village, Kansas (hereinafter "the City") and Clement McCrae Puppets, (hereinafter "Vendor").

WHEREAS, the City is sponsoring an event, entitled VillageFest, for the general public which is to be held on July 4, 2009; and

In consideration of the mutual promises and covenants contained herein, Vendor and City agree as follows:

1. Type of Space Provided: the Vendor shall specify the square footage required including facility foot print and clearance space outside the facility foot print:

MARIONETTE SHOW  
(SEE ATTACHED DIAGRAM)

2. Type of Service Provided: the Vendor agrees to provide the following services:

4 Marionette Shows for all ages plus platform to perform on.

3. Hours of Operation: The Vendor shall provide services to the general public at 10:20 a.m., 11:20 a.m., ~~12:45~~ 12:20 p.m. and 1:20 p.m. on July 4, 2009.

4. Access to Facilities:

- a. Vendor shall have access to Vendor's location on July 4, 2009 for set-up from 7:00 am to 9:00 am and breakdown after 2:00 p.m. Vendor's vehicle(s) must be removed from the VillageFest grounds within one hour after the end of this time period or the vehicle(s) will be subject to tow.
- b. Vendor shall furnish City a list of each equipment/facility showing the required electrical power in AC volts and AC amp, required water from a garden hose, required fencing, required set-up/breakdown assistance specifying skills required, and any other special requirements as part of this Agreement. Any amendments to Exhibit A must be approved by the City in writing.

5. Compensation: In consideration for the entertainment provided, the City shall pay to the Vendor the amount of \$875, to be paid on or before July 4, 2009 unless the event is canceled as provided in Section 6 of this agreement.

WE HAVE A PROFESSIONAL SOUND REQUIRING A/C 20 AMP  
110 VOLTS GROUNDED ELECTRICAL POWER. PUBLIC WORKS  
TO PROVIDE GENERATOR 44T0 BE PLACED FAR AND AWAY  
FROM ENTERTAINMENT AND AUDIENCE

6. Cancellation of the Event: The City has full authority to cancel the event for any reason. In the event that the City cancels VillageFest, the City shall notify Vendor of the cancellation in a timely manner, and this Agreement shall be terminated.
7. Clean-Up: Vendor shall maintain its Vendor's Booth and/or operating areas in a neat, clean, sanitary condition and in good order and repair, free and clean of all litter, debris and rubbish at all times. Vendor shall be responsible for the clean up of its areas on an ongoing basis during the VillageFest and at the conclusion of business and conclusion of the VillageFest. Vendor's clean up responsibilities shall also include, but not be limited to, bagging and depositing Vendor's trash in the designated containers. City reserves the right to terminate all of Vendor's rights under this Agreement, including the right to operate if Vendor has failed to maintain clean and sanitary conditions in and around Vendor's location.
8. Indemnity:
  - a. Vendor shall indemnify and hold harmless the City and its agents and employees from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from the performance of the Work, provided that any such claim, damage, loss or expense (i) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself) including the loss of use resulting there from and (ii) is caused in whole or in part by any negligent act or omission of the Vendor, or any sub-contractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Paragraph.
  - b. The Vendor is responsible for all items left on the VillageFest premises, including, but not limited to, those items left in and around Vendor's location before, during and after the hours of operation of the VillageFest. Vendor shall be solely responsible for its own security at all times. Risk of loss of equipment, cash and other items belonging to or in the possession of Vendor is on Vendor. City shall not be responsible for loss of or damage to Vendor's property or inventory whether attributable to theft, vandalism spoilage, weather or any other cause.
  - c. Vendor is responsible for and agrees to reimburse City for any damage caused by Vendor to City's property or to property being used by the City.

- d. Vendor shall furnish City with a valid certificate of broad form general liability insurance, completed operations and products insurance coverage for personal injuries and property damage with combines single limits of coverage of not less than \$1,000,000.00 per occurrence, with the City named as additional insured on such policies. **Copies of said certificate shall be provided to City on or before June 22, 2009.**
9. Notification: Notification and any other notices under this Agreement shall be made as follows:
- City Clerk  
7700 Mission Road  
Prairie Village, KS 66208  
(913) 381-6464
10. Staff:
- a. Vendor shall provide managers and sufficient staff to keep Vendor's Booth operational during the hours of operation of the VillageFest.
- b. Vendor's volunteers, employees, representatives and staff shall be prohibited by Vendor from consuming alcoholic beverages, be in possession of controlled substances, acting in a manner prohibited by state law or city ordinance, or conducting themselves in a manner detrimental to the event and the public attending when on duty at or in Vendor Booth.
- c. Vendor and its employees are independent contractors and are not employees, servants or agents of VillageFest or of the City. Vendor has the sole responsibility of providing workers' compensation coverage for its employees.
11. Cancellation: The City shall retain the right to cancel this Agreement at any time without penalty.
12. Entire Agreement: This Agreement evidences the entire agreement between the parties hereto and supersedes all prior agreements and understandings pertaining to VillageFest.
13. Effective Date: This Agreement is effective upon City's acceptance as evidence by the execution of this Agreement by City's authorized representatives in the space provided below.

**CITY OF PRAIRIE VILLAGE**

By: \_\_\_\_\_  
(signed)

Ronald L. Shaffer \_\_\_\_\_

Mayor \_\_\_\_\_

City of Prairie Village \_\_\_\_\_

7700 Mission Road \_\_\_\_\_

Prairie Village, Kansas, 66208 \_\_\_\_\_

913-381-6464 \_\_\_\_\_

\_\_\_\_\_  
(date of execution)

ATTEST:

\_\_\_\_\_  
City Clerk, Joyce Hagen-Mundy

**VENDOR**

By John D. McCrae  
(signed)

John D. McCrae  
(typed name)

PUPPETEER  
(typed title)

CLEMENT McCRAE PUPPET SHOWS  
(typed company name)

8806 INAYHOE TRAIL  
(typed address)

KC MO. 64131  
(typed city, state, zip)

816 444-1492  
(typed telephone number)

MAY 21, 2009  
(date of execution)

APPROVED BY:

\_\_\_\_\_  
City Attorney, Catherine P. Logan



# CONTRACT

Clement McCrae Puppet Shows

Parties  
to the  
Contract

The following shall serve as a contract between:

VillageFest of City of Prairie Village represented by: Jeanne Koontz; and

Clement McCrae Puppet Shows (Mary Susan McCrae & John McCrae, puppeteers)

We Shall Provide

### CLEMENT McCRAE PUPPET SHOWS (Mary Susan McCrae) SHALL PROVIDE:

**Four (4) performances on our own platform. Puppets on Strings:** A combination marionette, hand puppets, and other puppets variety show with introduction.

- **Show Performance Date:** Saturday, July 04, 2009
- **Performance Times:** 10:20 a.m., 11:20 a.m., 12:20 p.m. and 1:20 p.m.
- **Performance Location:** Shady area southern most part of festival grounds between 2 huge trees.  
7700 Mission  
Prairie Village, KS 66208  
913-381-6464 ext 4207
- **Our Arrival time:** One hour prior to show time approx
- **Our Departure time:** One-half hour to an hour after show time approx

You Shall Provide

### VILLAGEFEST OF CITY OF PRAIRIE VILLAGE (Jeanne Koontz) SHALL PROVIDE:

- Workplace: a suitable and clean space for performers
- Stage Area: an open area 16' x 16'
- Need a generator supplied by Public Works Department
- Electricity: (2) 110 volt outlets within 50' of stage area.
- Publicity: The name CLEMENT McCRAE PUPPET SHOWS shall appear on all publicity about the event.
- **Access to the Stage no later than 45 minutes prior to show time.**

#### CONTACT PERSON:

- Jeanne Koontz, 913-381-6464 ext 4207
- Alternate Contact: \_\_\_\_\_  
Should be available between one hour before show time and one-half hour after show time






# CONTRACT

Clement McCrae Puppet Shows

**Fees**

The sum of \$ 875.00. Payment made out to **CLEMENT McCRAE PUPPET SHOWS** shall be given immediately following the first performance.

**Signatories**

  
\_\_\_\_\_  
Mary Susan McCrae or John McCrae  
8806 Ivanhoe Trail  
Kansas City, MO. 64131  
(816) 444-1492

May 21, 2009

\_\_\_\_\_  
Sponsor signature  
VillageFest of City of Prairie Village

\_\_\_\_\_  
Your address

\_\_\_\_\_  
Your phone

Date: \_\_\_\_\_

## ENTERTAINMENT/ VENDOR AGREEMENT

**THIS ENTERTAINMENT/VENDOR AGREEMENT**, (hereinafter "Agreement") is made and entered into this 25 day of May, 2009, by and between the City of Prairie Village, Kansas (hereinafter the "City") and Miller Marley, (hereinafter the "Vendor").

WHEREAS, the City is sponsoring an event, entitled VillageFest, for the general public which is to be held on July 4, 2009; and

In consideration of the mutual promises and covenants contained herein, Vendor and City agree as follows:

1. Type of Space Provided: the Vendor shall specify the square footage required including facility foot print and clearance space outside the facility foot print:

2. Type of Service Provided: the Vendor agrees to provide the following services:

Dance show by Miller Marley Minitainers

3. Hours of Operation: The Vendor shall provide services to the general public from 10:00 a.m. to 10:30 a.m. on July 4, 2009.

4. Access to Facilities:

a. Vendor shall have access to Vendor's location on July 4, 2009 for set-up between 8:30 a.m. and 11:00 a.m. and for breakdown after 2:00 p.m. Vendor's vehicle(s) must be removed from the VillageFest grounds within one hour after the end of this time period or the vehicle(s) will be subject to tow.

b. Vendor shall furnish the City a list of each equipment/facility showing the required electrical power in AC volts and AC amp, required water from a garden hose, required fencing, required set-up/breakdown assistance specifying skills required, and any other special requirements as part of this Agreement. Any amendments to Exhibit A must be approved by the City in writing.

5. Compensation: In consideration for the entertainment provided, the City shall pay to the Vendor the amount of \$100, to be paid on or before July 4, 2009 unless the event is canceled as provided in Section 6 of this agreement.
6. Cancellation of the Event: The City has full authority to cancel the event for any reason. In the event that the City cancels VillageFest, the City shall notify Vendor of the cancellation in a timely manner, and this Agreement shall be terminated.
7. Clean-Up: Vendor shall maintain its Vendor's Booth and/or operating areas in a neat, clean, sanitary condition and in good order and repair, free and clean of all litter, debris and rubbish at all times. Vendor shall be responsible for the clean up of its areas on an ongoing basis during the VillageFest and at the conclusion of business and conclusion of the VillageFest. Vendor's clean up responsibilities shall also include, but not be limited to, bagging and depositing Vendor's trash in the designated containers. City reserves the right to terminate all of Vendor's rights under this Agreement, including the right to operate if Vendor has failed to maintain clean and sanitary conditions in and around Vendor's location.
8. Indemnity:
  - a. Vendor shall indemnify and hold harmless the City and its agents and employees from and against all claims, damages, losses and expenses, including, but not limited to, attorneys' fees, arising out of or resulting from the performance of the Work, provided that any such claim, damage, loss or expense (i) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself) including the loss of use resulting there from and (ii) is caused in whole or in part by any negligent act or omission of the Vendor, or any sub-contractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Paragraph.
  - b. The Vendor is responsible for all items left on the VillageFest premises, including, but not limited to, those items left in and around Vendor's location before, during and after the hours of operation of the VillageFest. Vendor shall be solely responsible for its own security at all times. Risk of loss of equipment, cash and other items belonging to or in the possession of Vendor is on Vendor. City shall not be responsible for loss of or damage to Vendor's property or inventory whether attributable to theft, vandalism, spoilage, weather or any other cause.

- c. Vendor is responsible for and agrees to reimburse City for any damage caused by Vendor to City's property or to property being used by the City.
  - d. Vendor shall furnish City with a valid certificate of broad form general liability insurance, completed operations and products insurance coverage for personal injuries and property damage with combined single limits of coverage of not less than \$1,000,000.00 per occurrence, with the City named as an additional insured on such policies. **Copies of said certificate shall be provided to City on or before June 22, 2009.**
9. Notification: Notification and any other notices under this Agreement shall be made as follows:
- City Clerk  
7700 Mission Road  
Prairie Village, KS 66208  
(913) 381-6464
10. Staff:
- a. Vendor shall provide managers and sufficient staff to keep Vendor's Booth operational during the hours of operation of the VillageFest.
  - b. Vendor's volunteers, employees, representatives and staff shall be prohibited by Vendor from consuming alcoholic beverages, be in possession of controlled substances, acting in a manner prohibited by state law or city ordinance, or conducting themselves in a manner detrimental to the event and the public attending when on duty at or in Vendor Booth.
  - c. Vendor and its employees are independent contractors and are not employees, servants or agents of VillageFest or of the City. Vendor has the sole responsibility of providing workers' compensation coverage for its employees.
11. Cancellation: The City shall retain the right to cancel this Agreement at any time without penalty.
12. Entire Agreement: This Agreement evidences the entire agreement between the parties hereto and supersedes all prior agreements and understandings pertaining to VillageFest.
13. Effective Date: This Agreement is effective upon City's acceptance as evidenced by the execution of this Agreement by City's authorized representatives in the space provided below.

**CITY OF PRAIRIE VILLAGE**

By: \_\_\_\_\_  
(signed)

Ronald L. Shaffer \_\_\_\_\_

Mayor \_\_\_\_\_

City of Prairie Village \_\_\_\_\_

7700 Mission Road \_\_\_\_\_

Prairie Village, Kansas, 66208 \_\_\_\_\_

913-381-6464 \_\_\_\_\_

\_\_\_\_\_  
(date of execution)

ATTEST:

\_\_\_\_\_  
City Clerk, Joyce Hagen-Mundy

**VENDOR**

By Jill Hochman \_\_\_\_\_  
(signed)

Jill Hochman \_\_\_\_\_  
(typed name)

Director-Minitainers \_\_\_\_\_  
(typed title)

Miller-Marley School of Dance \_\_\_\_\_  
(typed company name)

10448 Mastin \_\_\_\_\_  
(typed address)

Overland Park, KS 66212 \_\_\_\_\_  
(typed city, state, zip)

913-492-0004 (Studio) \_\_\_\_\_  
(typed telephone number)

\_\_\_\_\_  
(date of execution)

APPROVED BY:

\_\_\_\_\_  
City Attorney, Catherine P. Logan



## POLICE DEPARTMENT

Council Meeting Date: June 1, 2009

**CONSENT AGENDA:** Consider the School Resource Officer Agreement with the Shawnee Mission School District

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### RECOMMENDATION

Staff recommends approval of the contract with the Shawnee Mission School District for the 2009-2010 school year.

### BACKGROUND

Since the inception of the School Resource Officer Program, the City and the District have entered into a contract regarding the relationship of the parties, costs and responsibilities.

The included contract is the standard contract between the District and municipalities that provide these services. The portions of the agreement that pertain to officer responsibilities, school responsibilities, agency responsibilities, length of contract, \$185.00 per day consulting fee for the officer(s), have not changed except for dates of the school year and vacation periods.

The City Attorney has reviewed and approved this document with the inclusion of the schools to which the Department's SROs are assigned in Paragraph No. 5.

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### PREPARED BY

Wes Jordan

Chief of Police

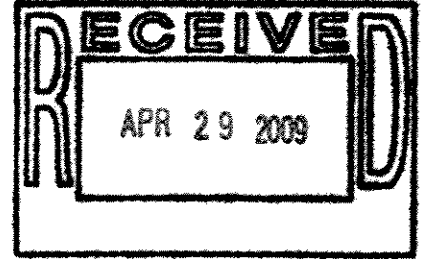
Date: May 21, 2009



**Shawnee Mission School District**  
Howard D. McEachen Administrative Center  
7235 Antioch • Shawnee Mission, Kansas 66204-1798  
Phone (913) 993-6405 • Fax (913) 993-6246 • www.smsd.org

Office of Associate Superintendent

April 28, 2009



Chief Wes Jordan  
Prairie Village Police Department  
7700 Mission Road  
Prairie Village, KS 66208

Dear Chief Jordan:

Enclosed is the new 2009-2010 SRO Contract for your City or Agency. Please have the appropriate individual sign the agreement and return the original to my office as soon as possible.

This agreement has been modified to have consistent wording for all the cities and the Johnson County Sheriff's Office. If there are any clarifying questions or issues that arise during the process of having the agreement signed, please do not hesitate to call.

Once again, thanks for your assistance and cooperation with the SRO program. It is an outstanding contribution to the school environment.

A final, signed copy will be sent after the Board of Education President has signed the contracts this summer.

Sincerely,

A handwritten signature in black ink, appearing to read "Gillian Chapman".

Gillian Chapman, Ed.D.  
Associate Superintendent for Secondary Services

Enclosure

## AGREEMENT

This agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the **City of Prairie Village, Kansas**, a municipal corporation, hereinafter referred to as "**City**", and the **Shawnee Mission Unified School District No. 512**, located at 7235 Antioch, a political subdivision of the State of Kansas, hereinafter referred to as "**District**".

### WITNESSETH

For and in consideration of the mutual promises, terms, covenants, and conditions set forth herein, the parties agree as follows:

1. Purpose of Agreement. The purpose of this Agreement is for the City to assign uniformed law enforcement officers, vehicles, radios and all necessary equipment for the School Resource Officer Program, hereinafter referred to as "SRO". The SRO will work with school personnel in providing alcohol and other drug education, maintaining a safe campus environment, serving as law enforcement problem-solving resource person, and providing the appropriate response regarding on-campus or school related criminal activity.
2. Term. The term of this Agreement shall be from the first day of school, which will be no earlier than **August 17, 2009**, through the last day of school or no later than **May 27, 2010**, provided the term may be mutually extended by the parties as they deem necessary to satisfy attendance requirements that may have been affected by weather or other factors. During days that schools are not in session, the SRO shall perform regular police duties at a duty station as determined by the Chief of Police.
3. Termination. This Agreement may be terminated without cause by either party upon 30 days prior written notice.
4. Relationship of Parties. The City and the assigned SRO shall have the status of an independent contractor for purposes of this Agreement. The SRO assigned to the District shall be considered to be the employee of the City and shall be subject to its control and supervision. The assigned SRO will be subject to current procedures in effect for the City police officers, including attendance at all mandated training and testing to maintain state law enforcement officer certification. The District agrees to cooperate with the City in any administrative investigation regarding violations of such procedures by officer assigned to the District as an SRO. This Agreement is not intended to and will not constitute, create, give rise to, or otherwise recognize a joint venture, partnership, or formal business association or organization of any kind between the parties, and the rights and obligations of the parties shall be only those expressly set forth in this Agreement. The parties agree that no person supplied by the District to accomplish the goals



of this Agreement is a City employee and that no rights under City civil service, retirement, or personnel rules accrue to such person.

5. Consideration. In consideration of the assignment of law enforcement officers to work with the District as provided herein, the District agrees to pay the City one hundred eighty-five dollars (\$185.00) per day for each day each SRO works for the District (\$92.50 per half-day). The District will not be responsible for payment of overtime, unless it is requested by the District.  
\* [ The SRO's weekly District schedule will be mutually agreed upon in  
[ consultation with the principal of the school the SRO is assigned to. The SRO may be asked to attend afternoon or evening events in lieu of regular day duty. Each party will maintain a budget for expenditures under this Agreement. Payment from District to City is due upon District's receipt of an itemized statement of cost from the City at the end of each school session quarter.
6. SRO Responsibilities. The SRO assigned to the District shall:
  - 6.1 Provide a program of law and education-related issues to the school community, including parents, on such topics as: tobacco, alcohol, and other drug issues, addressing violence diffusion, violence prevention, and other safety issues in the school community.
  - 6.2 Act as a communication liaison with law enforcement agencies; providing basic information concerning students on campuses served by the SRO.
  - 6.3 Provide informational in-services and be a general resource for the staff on issues related to alcohol, and other drugs, violence prevention, gangs, safety and security.
  - 6.4 Gather information regarding potential problems such as criminal activity, gang activity and student unrest, and attempt to identify particular individuals who may be a disruptive influence to the school and/or students.
  - 6.5 Take the appropriate steps consistent with a Kansas law enforcement officer's duties when a crime occurs.
  - 6.6 Present educational programs to students and school staff on topics agreed upon by both parties.
  - 6.7 Refer students and/or their families to the appropriate agencies for assistance when a need is determined.

- 6.8 Attempt to advise the school principal prior to taking legal action, subject to the SRO's duties under the law (unless in the SRO's opinion circumstances prevent it),
- 6.9 Shall not act as a school disciplinarian, nor make recommendations regarding school discipline. The SRO is not to be used for regularly assigned lunchroom duties, as a regular hall monitor, bus duties or other monitoring duties. If there is an unusual/temporary problem in one of these areas, the SRO may assist District employees until the problem is solved.

Provided further that nothing required herein is intended to nor will it constitute a special relationship or affirmative duty between the assigned SRO or the City and the District or school beyond the general duties that exist for law enforcement officers within the state.

- 1. Time and Place of Performance. The City will make all reasonable efforts to have an SRO available for duty at his or her assigned school each day that school is in session during the regular school year. The City is not required to furnish a substitute SRO on days when the regular SRO is absent due to illness or law enforcement department requirements. The SRO shall be and remain full-time uniformed law enforcement officer of and for the City, shall remain duly licensed and qualified to carry/use firearms and operate patrol cars, and shall otherwise be able to meet the physical demands of the services described herein. Notwithstanding anything herein to the contrary, in the event an officer should, for any reason, fail to remain so qualified, the City shall provide a substitute officer to perform the services until such time as the unqualified SRO is able to resume his or her regular duties. The SRO's activities will be restricted to his or her assigned school grounds except for:
  - 7.1 Follow up home visits when needed as a result of school related student problems.
  - 7.2 School related off-campus activities when SRO participation is requested by the principal and approved by the City.
  - 7.3 Responding to off-campus, but school related, criminal activity.
  - 7.4 Responding to emergency Law enforcement activities.
- 2. District Responsibilities. The District will provide the SRO an on site office and such supplies and equipment as are necessary at his or her assigned school. This equipment shall include at a minimum a telephone, filing space capable of being secured, and access to a computer.

SHAWNEE MISSION UNIFIED SCHOOL DISTRICT NO. 512

By:

\_\_\_\_\_  
President, Board of Education

City

By:

\_\_\_\_\_  
City



## PUBLIC WORKS DEPARTMENT

Council Meeting Date: June 1, 2009

### CONSENT AGENDA: CONSIDER REJECTION OF ALL BIDS FOR PROJECT 190653: EL MONTE FOUNTAIN IMPROVEMENTS

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#### RECOMMENDATION

Staff recommends the City Council approve the rejection of all bids received for Project 190653: El Monte Fountain Improvements.

#### BACKGROUND

Three bids were received for Project 190653: El Monte Fountain Improvements on January 23, 2009. All three bids were over the Engineer's Estimate of \$35,652.

#### FUNDING SOURCE

There is no funding needed for this request.

#### PREPARED BY

S Robert Pryzby, Director of Public Works

May 19, 2009



## PLANNING COMMISSION

City Council Meeting: May 27, 2009  
Consent Agenda

**PC 2009-102: Revised Final Plat Approval for Walgreens at 95<sup>th</sup> and Mission Road  
(Walgreens Redevelopment)**

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**RECOMMENDATION:**

Authorize the Mayor to execute the revised plat for "95<sup>th</sup> & Mission" accepting the easements and rights-of-way for the property on the north side of 95<sup>th</sup> Street and west of Mission Road as approved by the Planning Commission on May 27, 2009

**BACKGROUND:**

On January 6, 2009, the Planning Commission approved a Conditional Use Permit and a Site Plan for the proposed Walgreens Drugstore on the north side of 95<sup>th</sup> Street, west of Mission Road. The tract was unplatted and one of the conditions of approval was that the applicant plat the property.

On March 3, 2009, the Planning Commission approved a final plat subject to the following conditions:

1. Add notations on the face of the Final Plat and in the text regarding access control to 95<sup>th</sup> Street and to the private street along the west property line.
2. Either shows a new location for the private easement along the east property line or vacates it and includes the appropriate text on the Final Plat.
3. Include the Pedestrian Easement in the Dedications text.
4. Submit the Final Plat to the Johnson County surveyor for review and approval.
5. The applicant submits plans and specifications to the Department of Public Works for all public improvements for review and approval prior to starting any construction.

The City Council accepted the easements and dedications on March 23, 2009. In addition, the City Council, at the request of Johnson County Wastewater, also authorized the Mayor to execute a separate utility easement agreement April 20, 2009.

**DISCUSSION:**

When the County Recorder of Deeds reviewed the plat prior to filing it was discovered that the southern portion of 95<sup>th</sup> Street, from Buena Vista east to the intersection of Mission Road, was not platted right-of-way. The county records indicated that this portion of the street was a private road owned by the Highwoods Corporation.

To correct this issue, the plat has been revised to show the dedication of the ROW along 95<sup>th</sup> Street and Highwoods has been added to the signatory block. In addition, to clarify the easement request by Johnson County Wastewater, the easement has been shown on the face of the plat. Because of these changes, the Planning Commission must review and approve the revised plat.

**PLANNING COMMISSION ACTION:**

On May 27, 2009, the Planning Commission approved the revised Final Walgreens Plat and moved to forward it to the City Council for acceptance of easements and rights-of-way subject to the following conditions:

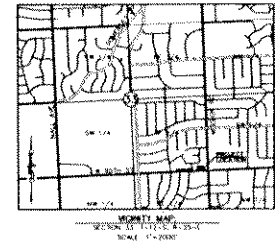
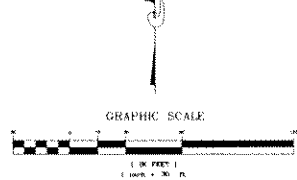
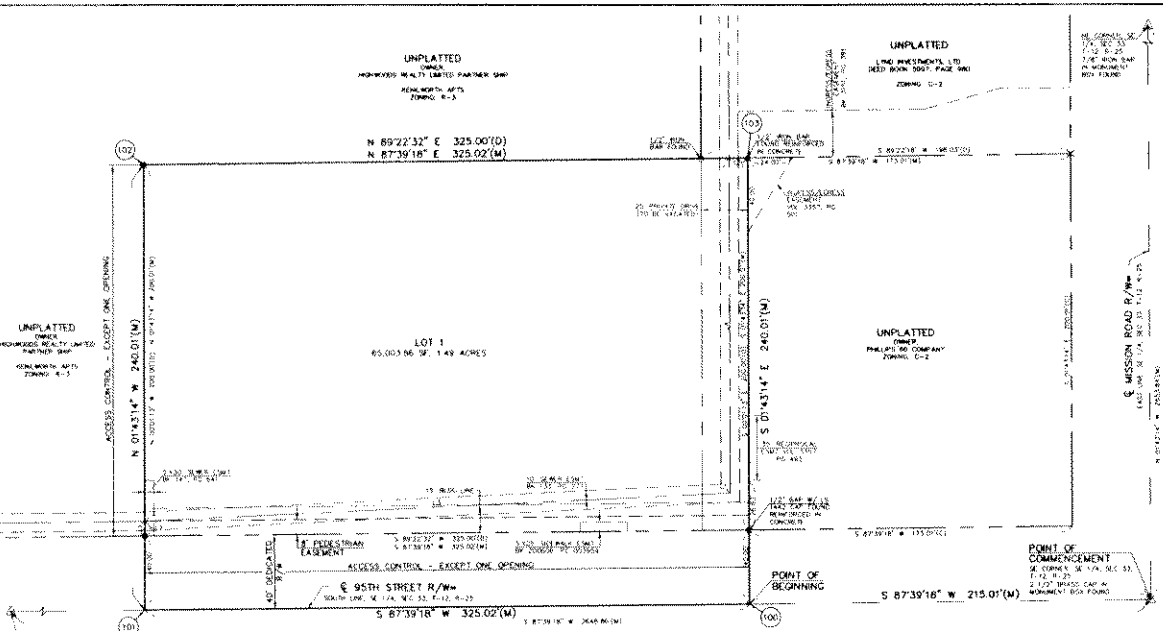
1. Submit the Final Plat to the Johnson County surveyor for review and approval.
2. The applicant submits plans and specifications to the Department of Public Works for all public improvements for review and approval prior to starting any construction.

**PREPARED BY**

Dennis J. Enslinger, AICP  
Assistant City Administrator

Date: May 28, 2009

**FINAL PLAT OF  
95TH AND MISSION**  
A SUBDIVISION OF LAND IN THE SOUTHEAST QUARTER  
OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 25 EAST  
OF THE 6TH PRINCIPAL MERIDIAN, IN THE CITY OF  
PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS



**PROPERTY DESCRIPTION:**  
A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 12, RANGE 25 IN THE 6TH PRINCIPAL MERIDIAN, PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER,  
THENCE S 87°39'18\"/>

**DISCLAIMERS:**  
THE UNDERSIGNED PROPRIETOR OF THE ABOVE DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION SHALL HEREAFTER BE KNOWN AS '95TH AND MISSION.'

THE UNDERSIGNED PROPRIETOR OF SAID PROPERTY SHOWN ON THIS PLAT DOES HEREBY DEDICATE FOR PUBLIC USE AND PUBLIC WAYS AND THOROUGHFARES, ALL PARTS AND PARTS OF LAND INDICATED ON SAID PLAT AS STREETS, HIGHWAYS, ALLEYS, ROADS, DRIVEWAYS, EASES, RIGHTS AND ACCESS NOT HEREBY DEDICATED, WHERE PRIOR EASEMENT RIGHTS HAVE BEEN GRANTED TO ANY PERSON, UTILITY OR CORPORATION ON SAID PARTS OF LAND SO DEDICATED, AND ANY PIPES, LINES, POLES AND WIRES, CONDUITS, DUCTS OR CABLES HERETOFORE INSTALLED THEREON AND THEREIN ARE REQUIRED TO BE RELOCATED, IN ACCORDANCE WITH PROPOSED IMPROVEMENTS AS NOW SET FORTH, THE UNDERSIGNED PROPRIETOR HEREBY ABSOLVES AND AGREES TO INDEMNIFY THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, FROM ANY EXPENSE INCIDENT TO THE RELOCATION OF ANY SUCH EXISTING UTILITY INSTALLATIONS WITHIN SAID PRIOR EASEMENT.

THE UNDERSIGNED PROPRIETOR OF SAID PROPERTY SHOWN ON THIS PLAT DOES HEREBY CONSENT AND AGREE THAT THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY, KANSAS, AND THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, SHALL HAVE THE POWER TO RELEASE SAID LAND PROPOSED TO BE DEDICATED FOR PUBLIC WAYS AND THOROUGHFARES, OR PART THEREOF, FOR PUBLIC USES, FROM THE LEAS AND EFFECT OF ANY SPECIAL ASSESSMENTS, AND THAT THE AMOUNT OF UNPAID SPECIAL ASSESSMENTS ON SAID LAND DEDICATED, SHALL BECOME AND BEAR AS A LIEN ON THE REMAINDER OF THIS LAND FRONTING OR ABUTTING ON SAID DEDICATED PUBLIC WAY OR THOROUGHFARE.

THE UNDERSIGNED PROPRIETOR OF SAID PROPERTY SHOWN ON THIS PLAT DOES HEREBY DEDICATE FOR PUBLIC USE AND PUBLIC WAYS AREAS NOTED AS 'PREFABRICATED EASEMENTS' NOT HEREBY DEDICATED, WHERE PRIOR EASEMENT RIGHTS HAVE BEEN GRANTED TO ANY PERSON UTILITY OR CORPORATION ON SAID PARTS OF LAND SO DEDICATED, AND ANY PIPES, LINES, POLES AND WIRES, CONDUITS, DUCTS OR CABLES HERETOFORE INSTALLED THEREON AND THEREIN ARE REQUIRED TO BE RELOCATED, IN ACCORDANCE WITH PROPOSED IMPROVEMENTS AS NOW SET FORTH, THE UNDERSIGNED PROPRIETOR HEREBY ABSOLVES AND AGREES TO INDEMNIFY THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, FROM ANY EXPENSE INCIDENT TO THE RELOCATION OF ANY SUCH EXISTING UTILITY INSTALLATIONS WITHIN SAID PRIOR EASEMENT.

**BASIS OF BEARINGS:**  
THE BASIS OF BEARINGS FOR THIS SURVEY IS A KANSAS STATE PLANE NORTH ZONE 1001 GRID BEARING OF S 87°39'18\"/>

**SURVEYORS CERTIFICATE:**  
STATE OF KANSAS } SS  
COUNTY OF JOHNSON }  
I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF KANSAS, WITH EXPERIENCE AND PROFICIENCY IN LAND SURVEYING, THAT THE HERETOFORE DESCRIBED PROPERTY WAS SURVEYED AND QUANTIFIED BY ME OR UNDER MY DIRECT SUPERVISION, THAT ALL SUBDIVISION REGULATIONS OF THE CITY OF PRAIRIE VILLAGE, KANSAS, HAVE BEEN COMPLIED WITH BY THE PREPARATION OF THIS PLAT, THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED, WERE MADE IN ACCORDANCE WITH THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS, AND THAT ALL THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF.

GIVEN UNDER MY HAND AND SEAL, AT JUNCTION CITY, KANSAS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009  
ORIGINAL DATE OF SURVEY: JULY 16, 2008

LAND SURVEYOR: CHARLES W. LETCHER  
REGISTRATION NO. 806  
COUNTY TREASURER: CHARLES W. LETCHER  
KAW VALLEY ENGINEERING, INC.  
2319 NORTH JACKSON - PO BOX 1204  
JUNCTION CITY, KANSAS 66441  
785-782-2040

DATE OF PREPARATION: FEBRUARY 5, 2009 PROJECT NO. A08\_4058 SHEET 1 OF 1

- LEGEND:**
- ◻ MONUMENT FOUND, ORIGIN UNKNOWN UNLESS OTHERWISE NOTED
  - 1/2" x 24" BARR W/ GLS 20 CAP SET IN CONCRETE
  - △ SECTION CORNER FINDING
  - (M) MEASURED
  - (D) DESCRIBED
  - 100 STATE PLANE TRAVERSE STATION NUMBER

**ENGINEER / SURVEYOR:**  
KAW VALLEY ENGINEERING, INC.  
3200 E. OSBORN, P.O. BOX 277  
2319 NORTH JACKSON  
JUNCTION CITY, KS 66441  
(785) 782-2040

**OWNER:**  
MISSION 95, L.L.C.  
4520 MAIN STREET, SUITE 1000  
KANSAS CITY, MISSOURI 64111  
(816) 526-5350

**DEVELOPER:**  
MISSION 95, L.L.C.  
201 SOUTH KANSAS AVENUE  
TOPEKA - KANSAS 66605  
(785) 232-0747

**OWNERS CERTIFICATE:**  
IN TESTIMONY WHEREOF THE UNDERSIGNED PROPRIETOR HAS HERETOBE SUBSCRIBED ITS HAND  
DINNER MISSION 95, L.L.C.

**NOTARY PUBLIC:**  
KENNETH J. VAUGHN, CHAIRMAN  
STATE OF KANSAS } SS  
COUNTY OF JOHNSON }  
BE IT REMEMBERED, THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE ABOVE SAID, CAME TED MURRAY, MEMBER OF MISSION 95, L.L.C., TO ME PERSONALLY KNOWN, WHO, BEING DULY SWORN, BEFORE ME, HAS EXECUTED THIS INSTRUMENT OF WRITING, AND HAS ACKNOWLEDGED THE EXECUTION OF THE SAME, TO BE THE FREE ACT AND DEED OF SAID PERSON.

**MY COMMISSION EXPIRES:** \_\_\_\_\_ NOTARY PUBLIC  
PRINTED NAME: \_\_\_\_\_

**APPROVALS:**  
APPROVED BY THE PLANNING COMMISSION OF THE CITY OF PRAIRIE VILLAGE, KANSAS, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009

KENNETH J. VAUGHN, CHAIRMAN  
JAYDE RAGAN MURPHY, SECRETARY

LANDS DEDICATED FOR PUBLIC PURPOSES ACCEPTED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, THIS DAY OF \_\_\_\_\_, 2009

RONALD J. SHAFER, MAYOR  
JAYDE RAGAN MURPHY, CITY CLERK

**SPECIAL ASSESSMENTS:**  
STATE OF KANSAS } SS  
COUNTY OF JOHNSON }

I DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DESCRIBED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT  
GIVEN UNDER MY HAND AND SEAL, AT JUNCTION CITY, KANSAS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009

**EASEMENT LINE TABLE**

LINE NO.	BEARING	LENGTH
1	N. 01°43'14" W.	8.00
2	N. 87°39'18" E.	325.02
3	N. 89°22'32" E.	325.00
4	N. 01°43'14" W.	180.00
5	N. 87°39'18" E.	10.00

**STATE PLANE TRAVERSE TABLE**

POINT NO.	NORTHING	EASTING	BEARING	DISTANCE (METERS)
100	74645.27768	80919.524874	N. 01°43'14" W.	8.0000
101	74641.22448	80919.53113	N. 87°39'18" E.	325.0200
102	74714.44268	80919.53148	N. 89°22'32" E.	325.0000
103	74715.39995	80919.52509	N. 01°43'14" W.	180.0000
104	74645.27768	80919.524874	N. 87°39'18" E.	7.5150

NOTE: ALL BEARINGS AND COORDINATES IN THE ABOVE TABLE ARE BASED ON THE KANSAS STATE PLANE GRID SYSTEM, NAD 1983, WEST ZONE, USING A COMBINED SCALE FACTOR OF 0.9999925366  
\* DISTANCES IN THE ABOVE TABLE ARE IN GRID METERS

**MAYOR'S ANNOUNCEMENTS**  
**Monday, June 1, 2009**

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

Planning Commission	06/02/2009	7:00 p.m.
Sister City Committee	06/08/2009	7:00 p.m.
Park & Recreation Committee	06/10/2009	7:00 p.m.
Council Committee of the Whole	06/15/2009	6:00 p.m.
City Council	06/15/2009	7:30 p.m.

=====  
The Prairie Village Arts Council is pleased to announce a photography exhibit by L. Daniel Compton for the month of June. The reception will be held on June 12th from 6:30 - 7:30 p.m.

Don't forget VillageFest on July 4<sup>th</sup>!

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



**INFORMATIONAL ITEMS**  
**June 1, 2009**

1. Planning Commission Agenda - June 2, 2009
2. Finance Committee Minutes - April 27, 2009
3. VillageFest Committee Minutes - April 23, 2009
4. Prairie Village Arts Council Minutes - April 15, 2009
5. Sister City Committee Minutes - April 13, 2009
6. Sister City Committee Minutes - May 11, 2009
7. Thank you from Harrier Epstein
8. Thank you from Parry and Ruth Barnes
9. Mark Your Calendars
10. Committee Agenda

PLANNING COMMISSION AGENDA  
CITY OF PRAIRIE VILLAGE  
MUNICIPAL BUILDING - 7700 MISSION ROAD  
TUESDAY, JUNE 2, 2009  
Council Chambers  
7:00 P. M.

I. ROLL CALL

II. APPROVAL OF PC MINUTES - May 27, 2009

III. PUBLIC HEARINGS

PC2009-08 Request Amendment to Special Use Permit for 3531 and  
3409 Somerset for Highlawn Montessori School  
Current Zoning : R-1 (Single Family Residential District)  
Applicant: Kathy Morrison,  
Director Highlawn Montessori School

IV. NON-PUBLIC HEARINGS

PC2009-103 Site Plan Approval for fence  
4615 Homestead Drive  
Zoning: R-1a  
Applicant: Mark Lieb

V. OTHER BUSINESS

PC2009-03 Consider Proposed Wireless Communications Facilities  
Ordinance - Chapter 19.33

Discussion of Amendment to Procedure for Zoning Text, Zoning and District  
Changes and Special Use Permits

Annual Review of Comprehensive Plan

VI. ADJOURNMENT

Plans available at City Hall if applicable

If you can not be present, comments can be made by e-mail to  
[Cityclerk@Pvkansas.com](mailto:Cityclerk@Pvkansas.com)

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

## **FINANCE COMMITTEE**

### **APRIL 27, 2009**

The Finance Committee met on April 27, 2009. Present: Mayor Ron Shaffer, David Voysey, Dale Beckerman, Charles Clark. Staff Present: Quinn Bennion, Karen Kindle

#### **2010 Budget**

- Mrs. Kindle and Mr. Bennion reviewed the calculation of the budget gap.
- Mrs. Kindle and Mr. Bennion reviewed the list of budget gap reduction strategies in anticipation of presenting them at the Council Committee of the Whole on May 4, 2009.
  - Mr. Bennion noted that the City is working on the application for Community Development Block Grant (CDBG) funds, but it would probably be budget neutral for 2010.
  - Mr. Bennion presented information from the City's financial advisors regarding fund balance levels maintained by the cities that have the same bond rating as Prairie Village, and noted that staff is recommending the level of fund balance maintained in the General Fund be increased to 25% of revenues excluding transfers. Members of the Committee were in agreement with this recommendation.
  - The Committee discussed the uses of the Economic Development Fund and felt that while not much has been spent out of this fund, when the economy improves, they expect this to change. The Committee members were not in favor of using these funds to balance the budget.
  - The Committee discussed employee salary increases and concluded that they were not in favor of 0%, and felt that the Council would like to see research on what other communities are doing before making any final decisions.

#### **Cell Tower**

- The Committee discussed the possibility of City-owned cell towers and the potential revenue that could be generated. The Committee decided that further discussion could occur after the current application and the new ordinance are completed.

#### **GO/Build America Bonds**

- Mr. Bennion noted that staff had met with the City's financial advisors to discuss the new Build America Bonds as well as GO Bonds. Mr. Bennion explained that the bond market is very favorable for entities with strong bond ratings, like Prairie Village. The financial advisors felt that the City could obtain good interest rates even without the help of the Build America Bonds. With the Build America Bonds, the City would be taking the risk that the Federal Government would discontinue funding the interest cost rebate.
- The Committee discussed issuing bonds to fund CIP projects and noted that construction costs are lower than they have been in a while. They requested staff to provide information regarding bond issue size, possible projects, potential debt service costs and related payment sources at the June 15<sup>th</sup> Council Committee of the whole meeting where the CIP will be discussed.

**FINANCE COMMITTEE**  
**APRIL 27, 2009**

**Meadowbrook/OPUS**

- Mr. Bennion told the Committee that OPUS contacted him and told him they would like to come to the May 4<sup>th</sup> meeting to give a project update. Mr. Bennion noted he would like them to come to the May 18<sup>th</sup> meeting because the May 4<sup>th</sup> meeting agenda was full. The Committee agreed.

## VILLAGEFEST COMMITTEE

April 23, 2009

The VillageFest Committee met April 23, 2009. Present and presiding, Chairman John Capito. Members present: Diana Ewy Sharp, Doug Sharp, Jim Hansen, Jim Bernard, Jr., Ed Roberts, Joel Crown, Luci Mitchell, Ann Doyle, Michael Doyle, Lillian Kuras, Bob Engel, Nici Flinn, Cory Scheer, Quinn Bennion, Mike Helms, Sgt. Byron Roberson and Jeanne Koontz.

### Minutes

Joel Crown moved approval of the minutes of the March 2009 meeting. Ann Doyle seconded the motion which passed unanimously.

### Budget Report

Jeanne Koontz reviewed the budget. Currently we are on target. John Capito stated that the Friends of VillageFest donations are being put in the Municipal Foundation. Diana Ewy Sharp asked for a sponsor update. Capital Federal and Community America will not return phone calls. Highwoods is selling their property so they will not be donating this year.

### Staff Reports

Jeanne Koontz reported that all contracts have been sent out except for Wacky Banana and the contract for dancers. She asked the committee if they wanted to add any additional attractions from Wacky Banana. The committee decided to stick with the regular offerings.

Byron Roberson said he has volunteers lined up to help the Police Department.

### Sub-Committee Reports

#### A. Decorations

No report.

#### B. Entertainment

The Billy Ebeling band is booked but they are requesting a rainout clause. They would like the committee to cover the cost of their insurance if the event is cancelled. This would be about \$300. The Committee asked Jeanne to follow up with the City Attorney.

Joel Crown reported the Lancer Dancers are not available to perform. He has one more lead to follow up on. John Capito said Miller Marley will be the back-up group.

#### C. Sponsorships

Discussed earlier.

#### D. Advertising

Advertising will be done through craigslist, e-news notice and the Tastebuds magazine. The brochure and map will be delivered to Don Mackey next week.

**E. Creativity Center**

No Report

**F. Patriotic Service**

The committee reviewed the schedule of events for the Patriotic Service.

**G. Food**

John Capito said he has been trying to track down a coffee vendor. Everyone he has spoke to will charge around \$1.00 for a cup of coffee. The committee decided 500 cups could be ordered and the coffee would be included in the price of the pancake ticket.

John Capito reported he met with Travis at HyVee and they will be staying on the basketball court. To improve service, they will have two cashiers and will put the condiments after the cashier station.

Quinn Bennion said he might have a vendor for sno cones.

There will be three water booths again this year. The third water booth will be relocated closer to the skate park and the ferris wheel and climbing wall.

**H. Hospitality**

Doug Sharp said that Johnny's will provide lunch.

**I. Volunteers**

Nici Flinn and Quinn Bennion are coordinating the volunteers. Volunteers will be provided the VillageFest vests. Nici asked for an approximate number of volunteers for each event/area.

**J. Children's Parade**

No report.

**K. Information Booth**

Jim Bernard, Jr. said he will handle the information booth. He will need a few volunteers.

**L. Student Contest**

The theme for the student poster contest is "Prairie Village at its Best."

**M. Community Spirit Award**

No report.

**N. Bike Rodeo**

No report.

**O. Child Fingerprinting**

The Child ID Program (CHIPS) will be held from 9 am - 1 pm. Mike Helms requested confirmation on what they need (number of tables and chairs) before the event.

**P. Committee Shirts**

No report.

**Q. Committee Booths**

The Sister Committee is requesting 1 tent and 2 tables. They will also need power. The Environment/Recycle Committee is requesting a tent and a table.

**Joel's Flying Lawn Mower Brigade**

Bob Engel and Joel Crown are still working out the logistics.

**Green Bags**

The green bags are in. Proceeds will be put in the Municipal Foundation for VillageFest. The bags are being sold for \$5. Joel Crown offered to sell them at the information booth.

**Schedule**

John Capito reviewed the schedule. It was suggested that the climbing wall and ferris wheel not be opened until 9:00 am because of the helicopter landing. It was also suggested that they close at 2:00 pm with the other events.

Cory Scheer, YMCA, requested their event be put in the shade and listed as YMCA Kids Tumbling Area on the flyer.

Ed Roberts reported the Shriner Clowns usually participate in the Lenexa Parade on July 4<sup>th</sup>. They will not be participating this year and are interested in coming to VillageFest. They need to know the staging area, what time, length and parade route. The committee expressed concern with a short route. The Police Department does not want to close down any major intersections. Byron Roberson said they could block off 75<sup>th</sup> Street and 79<sup>th</sup> Street and the Shriners could loop around on Mission Road. Ed Roberts will follow-up.

The meeting was adjourned at 8:10 pm.

John Capito  
Chair

**Prairie Village Arts Council  
April 15, 2009  
Minutes**

The Prairie Village Arts Council met at 7:00 pm in the City Council Chambers of City Hall. Members present: Randy Kronblad, Chairman, Angi Jones, Dan Andersen, Jack Shearer, Bill Rose, Annie Brabson, Jeff Preuss, Shelly Trewolla, Pam Marshall, Inge Dugan and David Morrison. Also present: Connie Walsh and Dennis Enslinger, City Staff, Rob Hill of Kacico Dance.

Minutes

Committee approved minutes from the March 18<sup>th</sup> meeting with no corrections.

Kacico Dance

Rob Hill addressed the Council apologizing for his missing last months meeting. Mr. Hill requested that the Council reconsider funding for the Dance Company. Dan Andersen informed him that no funds had been set aside for a sponsorship in the current year's budget and suggested he attend the September budget meeting and make their request at that time. It was also suggested that they contact the VillageFest Committee to submit a request for funds. He thanked the council and said he would follow their suggestions.

Certificate of Appreciation

Randy read the Certificate of Appreciation from the Mayor and presented it to Inge Dugan for her ten years of service to the Arts Council. Inge thanked everyone and cake was served to the members.

Council Report

David Morrison regretted having to inform the Arts Council that next years budget would be less than this years budget. He added that it was not final. He also informed the Council that he had obtained a donation of crystal glassware for the State of the Arts exhibit and others. It was suggested that he inform the donor to make the donation to the Municipal Foundation for tax credit. It was suggested that the Arts Council contact the individual City Council members by letter regarding the proposed budget reduction.

Financial Report

Dennis Enslinger provided an overview of the current financial sheets. In addition Mr. Enslinger confirmed that the Arts Council budget recommendation would be reduced approximately \$3,500 to \$4,000 from the current years budget of \$13,500.

Monthly Art Exhibits

Randy reported the April show was well attended, however, the attendees did not leave on a timely basis. There was a great deal of discussion regarding how to enforce the time limit of the reception. Dan suggested a re-write of the agreement with the artist and stress the importance of adhere to the times. And with the decline of next years budget a possible 30% donation from the artist for any sales made by the exhibit. He stated he would contact Dennis to discuss whether the City Attorney should look at the agreement before any changes are made, and he would inform the Council of the findings. The May Show will be Kay Trieb on Friday, May 8<sup>th</sup> at 6.30pm. Shelly, Randy and Jeff volunteered. The artist did not want wine served, so cookies and punch will be provided. There was also a brief discussion about the two openings on the council. Annie has someone in mind and Pam suggested Tom Wilson.



### VillageFest

Mr. Enslinger presented this item which as a request from the VillageFest Committee to help fund a band performance, Billy Ebling. In the past, the Arts Council funded \$500. The Council discussed the item and decided to fund \$350 for the event. Mr. Enslinger Said he would process the amount.

### Old Business

#### **Update on State of the Arts Event, October 9, 2009 (6.00pm to 8.00pm awards at 7.00pm)**

Angi and Dan reported they had done some discussing of improvements to this years show. A floor plan was passed around to show how they hoped to improve traffic flow and to make better use of the lower patio area.

Discussion of a martini bar on the expanded patio was discussed.

At this point Dennis entered the meeting and stated that the new ordinance only allowed beer and wine. He also touched on the next year's budget and stated that currently the budget will only be reduced to the 1999 level, or approximately \$10,000.

Angi asked if there would be interest in getting some glasses donated with the State of the Arts logo screened on them for sale. There was general consensus that wine glasses with the Arts Council logo would be a nice savings for all the receptions, but felt as a revenue influx it would be minimal if sold for donations. Will discuss later depending on the amount of glasses David will be able to obtain.

Valet parking was discussed. It was decided there was no real need.

Discussion of a string section made up of students that would walk around the event was also reconsidered and Shelly said she would follow up. Jazz or classical music only was requested.

There was discussion of an Ice Sculpture rather than a large floral arrangement. Jack and Shelly know someone who may do that and will report back.

The Dress Code for council members was also discussed and agreed that it was appropriate and suggestions will be made.

Dan passed a book of works by Mark English around and stated he would be happy to request Mr. English be the judge for this year's event. The council agreed.

### New Business

Mr. Enslinger reminded the Arts Council that the next Johnson County Arts Luncheon will be on April 28<sup>th</sup>. Mr. Enslinger indicated he could not attend. Mr. Anderson indicated that he would attend.

Mr. Enslinger also reminded the Council the dedication for the Porch Light sculpture at Somerset and Cambridge would be on May 27<sup>th</sup> at 4 p.m.

The meeting was then adjourned at 8:50 p.m.

**SISTER CITY COMMITTEE**  
**13 April 2009**  
**MINUTES**

**Call to Order**

Chairperson Jim Hohensee called the meeting to order at 7.00pm. Members present: Cleo Simmonds, Dick Bills, Michael Kelly, Rod Atteberry, Vera Glywa and Cindy Dwigans. Also present: Hildegard Knopp and Paul Thoma. Staff: Chris Engel.

**Tour de Prairie Village**

Michael introduced Paul Thoma from Mission Hills. Paul is a member of the Tomahawk Racing Cycling Club, a licensed club with USA Cycling. They are interested in co-sponsoring a bike race in Prairie Village for the purpose of raising funds for the committee. He, Jim and Michael met with the PD to work out logistics in order to keep costs down. The event could draw between 100 and 300 participants each paying a \$30 entry fee. The Committee would keep anything above a breakeven point of ~\$4000. The tentative date for the event is September 12<sup>th</sup> which is the day before the Tour of Missouri race ends in the Plaza. Aside from the police set-up and the barricades there would need to be volunteers, concessions and sponsors to recruit. Michael was elected as the point person for this initiative.

**Dick moved for the Committee to pursue a role as co-sponsor of the cycling event. Rod seconded and it passed unanimously.**

**Minutes**

Committee approved the minutes from March 9<sup>th</sup> meeting as presented.

**UPDATES**

**May Visit**

Jim reported he had received no updates or biographies from Barbara Dolci on the May visit. Vera mentioned she had received an email from Larissa and the people coming have been selected but Larissa did not give their names. Whenever the names, bios, and schedules become available Jim will be calling a special meeting.

The Committee has currently arranged for two homestays with Vera as a backup. Jim asked each member to come up with at least one name of someone who could help.

Chris reported Councilmember Morrison had offered to acquire 25 tickets to a home Royals game and have one of the Ukrainians throw out the first pitch. The Committee agreed this would be a great idea and Chris will be arranging with Mr. Morrison.

**Proposed Ukrainian Art Exhibit**

Vera has been in contact with Dolyna and they are agreeable to sending some items on consignment and others on loan. The majority of these items will be carried back by either our delegation there or their delegation here. Rod reported the Municipal Foundation will be meeting soon so he should have a report on the grant proposal next month.

**2010 Budget**

Chris reported the 2010 city budget is starting to be assembled and one of the strategies for saving costs might be cutting committee budgets. The number proposed could be around 25% so fund raising is going to be more important than ever.

### **Villagefest**

The Committee will be selling cookies at Villagefest. They will be prepackaged in clear clamshell boxes for ease of sale. In addition, the Committee will be selling small traditional Ukrainian items carved from wood. Vera has contacted someone in Ukraine that can purchase wooden eggs and flutes at a good price. Vera will be supplying Ukrainian music to be played in the background throughout the day. **Cleo moved for Vera to spend no more than \$100 in the acquisition of the wooden items. Rod seconded the motion and is passed unanimously.**

### **Language Lessons**

There are 14 people signed up for the classes which start on April 14. The classes will be held in the MPR and Cleo will be responsible for getting everyone into the building.

### **August Visit to Dolyna**

The Committee discussed gifts to bring. Cindy reported her initial search for fares resulted in a roundtrip fare of \$1400. A travel agent may be contacted to find a cheaper fare using a European carrier out of Frankfurt.

### **NEW BUSINESS**

Cindy showed everyone the Sister City Facebook page and explained how it could be used to promote the Committee and its relationship with Dolyna.

Dick gave Jim the card of a Ukrainian woman who may be a valuable resource to the Committee in the future. In addition, Dick gave Jim the card of a Rotarian that has been to Ukraine on numerous occasions and knows how to easily navigate customs. Dick recommended the gentleman be invited to speak to the Committee before the trip there to offer any advice.

### **Adjournment**

The next scheduled meeting will be Monday, May 11 at 7.00 pm. The meeting was adjourned at 9:00 p.m.

Jim Hohensee  
Chair

**SISTER CITY COMMITTEE  
11 May 2009  
MINUTES**

**Call to Order**

Chairperson Jim Hohensee called the meeting to order at 7.00pm. Members present: Cleo Simmonds, Dick Bills, Michael Kelly, Rod Atteberry, Vera Glywa and Cindy Dwigans. Also present: Hildegard Knopp and Paul Thoma. Staff: Chris Engel.

**Tour de Prairie Village**

Michael introduced Paul Thoma from Mission Hills. Paul is a member of the Tomahawk Racing Cycling Club, a licensed club with USA Cycling. They are interested in co-sponsoring a bike race in Prairie Village for the purpose of raising funds for the committee. He, Jim and Michael met with the PD to work out logistics in order to keep costs down. The event could draw between 100 and 300 participants each paying a \$30 entry fee. The Committee would keep anything above a breakeven point of ~\$4000. The tentative date for the event is September 12<sup>th</sup> which is the day before the Tour of Missouri race ends in the Plaza. Aside from the police set-up and the barricades there would need to be volunteers, concessions and sponsors to recruit. Michael was elected as the point person for this initiative.

**Dick moved for the Committee to pursue a role as co-sponsor of the cycling event. Rod seconded and it passed unanimously.**

**Minutes**

Committee approved the minutes from March 9<sup>th</sup> meeting as presented.

**UPDATES**

**May Visit**

Jim reported he had received no updates or biographies from Barbara Dolci on the May visit. Vera mentioned she had received an email from Larissa and the people coming have been selected but Larissa did not give their names. Whenever the names, bios, and schedules become available Jim will be calling a special meeting.

The Committee has currently arranged for two homestays with Vera as a backup. Jim asked each member to come up with at least one name of someone who could help.

Chris reported Councilmember Morrison had offered to acquire 25 tickets to a home Royals game and have one of the Ukrainians throw out the first pitch. The Committee agreed this would be a great idea and Chris will be arranging with Mr. Morrison.

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Jim Hohensee  
Chair

## harriet epstein

Dear Mayor Shaffer,

As a former member of the Prairie Village Tree Board, I want to thank the city for saving the trees on Roe bordering the new sidewalk from 83rd to 87th.

The O'Donnell company was commendable in listening to the residents (I've lived in my house fifty-two years), and I believe it helped beautify the city, and save our little portion of the environment.

My deep appreciation to you, Bob Pryzby and the O'Donnell company.

As ever,

Harriet Epstein

Parry and Ruth Barnes  
4503 West 92<sup>nd</sup> Terrace  
Prairie Village, KS 66207  
May 10, 2009

Phil Hodgdon, Fire Chief  
Consolidated Fire District No. 2  
Northeast Johnson County, Kansas  
3921 West 63<sup>rd</sup> Street  
Prairie Village, KS 66208

Dear Chief, Hodgdon,

We do not know where to begin to thank you and your firefighters for their efficiency, thoroughness and consideration when they were called to our home on May 8, 2009.

I, Ruth Barnes, was not home, at the time, but because of their quick arrival and gentleness with my husband, I will be eternally grateful. Please convey my genuine appreciation and thankfulness to all of the men involved!!

We still do not know the source of the problem but, hopefully, when the person, from our insurance company comes by tomorrow, we will have the answer.

Thank you and all your fine and alert men, again, for saving our home. They could not have done a better job!!! We do appreciate their help!!!

Sincerely,

A handwritten signature in cursive script that reads "Parry and Ruth Barnes". The ink is dark and the handwriting is fluid and personal.

Parry and Ruth Barnes

cc: Ron Shaffer, Mayor of Prairie Village  
Municipal Office  
7700 Mission Road  
Prairie Village, KS 66208

**Council Members  
Mark Your Calendars  
June 1, 2009**

<b>June 2009</b>	L. Daniel Compton photography exhibit in the R. G. Endres Gallery
June 12	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
June 15	City Council Meeting
<b>July 2009</b>	Mark Raynes photography exhibit in the R. G. Endres Gallery
July 3	City offices closed in observance of Independence Day
July 4	VillageFest
July 6	City Council Meeting
July 10	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
July 20	City Council Meeting
<b>August 2009</b>	Senior Arts Council mixed media exhibit in the R. G. Endres Gallery
August 3	City Council Meeting
August 14	Artist reception in the R. G. Endres Gallery 6:30 - 7:30
August 17	City Council Meeting
<b>September 2009</b>	
September 7	City offices closed in observance of Labor Day
September 8 (Tues.)	City Council Meeting
September 21	City Council Meeting
<b>October 2009</b>	State of the Arts exhibit in the R. G. Endres Gallery
October 3-6	2009 LKM Annual Conference - Topeka Expocentre & Capitol Plaza Hotel
October 5	City Council Meeting
October 9	Artist reception in the R. G. Endres Gallery 6:00 - 8:00
October 19	City Council Meeting
<b>November 2009</b>	Mid America Pastel Society exhibit in the R. G. Endres Gallery
November 2	City Council Meeting
November 13	Artist reception in the R. G. Endres Gallery 6:00 - 8:00
November 16	City Council Meeting
November 26	City offices closed in observance of Thanksgiving
November 27	City offices closed in observance of Thanksgiving
<b>December 2009</b>	Mimi Pettigrew oils exhibit in the R. G. Endres Gallery
December 4	Mayor's 2009 Holiday Party
December 7	City Council Meeting
December 11	Artist reception in the R. G. Endres Gallery 6:70 - 7:30
December 21	City Council Meeting
December 25	City offices closed in observance of Christmas



## **COMMITTEE AGENDA**

June 1, 2009

### **ANIMAL CONTROL COMMITTEE**

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

### **COMMUNICATIONS COMMITTEE**

COM2008-01 Consider upgrade to City's Website (assigned 10/8/2007)

### **COUNCIL COMMITTEE**

- COU2006-38 Consider Park & Recreation Committee Master Plan (assigned 09/27/2006)  
COU2007-02 Consider Reducing size of Council & term limits for elected officials (assigned 1/8/2007)  
COU2007-35 Consider reactivation of Project 190709: 83<sup>rd</sup> Street/Delmar Drainage Improvements  
COU2007-40 Consider Code Enforcement - Interior Inspections (assigned 5/2/2007)  
COU2007-74 Consider reactivation of Prairie Village Development Corporation (assigned 12/3/2007)  
COU2008-21 Consider Project 190865:2009 CARS - Roe Avenue Resurfacing from Somerset Drive to 83<sup>rd</sup> Street (assigned 2/26/2008)  
COU2008-22 Consider Project 190890: 2009 Street Resurfacing Program (assigned 2/26/2008)  
COU2008-67 Consider sidewalk policy relative to sidewalks (8200 Rosewood) (assigned 8/13/2008)  
COU2008-75 Consider approval of a modification to Personnel Policy 910 regarding "comp time" (assigned 10/1/2008)  
COU2008-100 Consider approval of ordinance affirming City Boundaries (assigned 12/10/2008)  
COU2009-03 Consider Project 191023: 2009 Concrete Repair Program (assigned 12/23/2008)  
COU2009-04 Consider Project P5000: 2009 Crack Seal/Slurry Seal Program (assigned 12/23/2008)  
COU2009-05 Consider Project P5001: 2009 Street Repair Program (assigned 12/23/2008)  
COU2009-14 Consider Project 190870: 2010 Street Resurfacing Program (assigned 1/13/2009)  
COU2009-15 Consider Project 190721: 2009 Storm Drainage Repair Program (assigned 1/13/2009)  
COU2009-16 Consider Project 190876: 2010 CARS, 83<sup>rd</sup> Street Resurfacing from Nall Avenue to Roe Avenue (assigned 1/13/2009)  
COU2009-17 Consider Project 190877: 2009 CARS, 83<sup>rd</sup> Street Resurfacing: Roe Avenue to Somerset Drive (assigned 1/13/2009)  
COU2009-26 Consider Project 190722: 2010 Storm Drainage Repair Program Design Agreement (assigned 2/6/2009)  
COU2009-27 Consider Project 190871: Mission Lane Bridge Replacement (assigned 2/6/2009)  
COU2009-59 **Consider Ordinance establishing Moratorium on Wireless Communication Towers (assigned 5/27/2009)**  
COU2009-60 **Presentation about On-site Fitness Room and Consider allocation of funds (assigned 5/27/2009)**  
COU2009-61 **Consider 2009 Police Pension Plan Contribution (assigned 5/27/2009)**  
COU2009-62 **Consider approval of a Charter Ordinance regarding Primary and General Elections (assigned 5/27/2009)**

### **PARKS AND RECREATION COMMITTEE**

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

### **PLANNING COMMISSION**

- PC2007-01 Study City zoning regulations to address those items identified by the Village Vision Strategic Investment Plan in 2007 (assigned 8/20/2007)  
PC2008-01 Consider Cell Tower Policy (assigned 3/19/2008)  
PC2008-02 Consider development of ordinances to support best practices for renewable energy and for green design related to residential and commercial building design (assigned 7/7/08)

### **PRAIRIE VILLAGE ARTS COUNCIL**

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