

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE**

April 2, 2018

The City Council of Prairie Village, Kansas, met in regular session on Monday, April 2, 2018, at 6:00 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas. Mayor Laura Wassmer presided.

ROLL CALL

Roll was called by the City Clerk with the following Council Members in attendance: Chad Herring, Jori Nelson, Serena Schermoly, Ronald Nelson, Tucker Poling, Andrew Wang, Sheila Myers, Brooke Morehead, Dan Runion, Courtney McFadden, Ted Odell and Terrence Gallagher.

Staff present: Tim Schwartzkopf, Chief of Police; Keith Bredehoeft, Public Works Director; Katie Logan, City Attorney; Wes Jordan, City Administrator; Jamie Robichaud, Assistant City Administrator and Joyce Hagen Mundy, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Chad Herring moved the approval of the agenda for April 2, 2018 as presented. The motion was seconded by Brooke Morehead and passed unanimously.

INTRODUCTION OF STUDENTS & SCOUTS

No scouts or students were in attendance.

PRESENTATIONS

Mayor Wassmer welcomed Johnson County Commission Chairman Ed Eilert and Johnson County Appraiser Paul Welcome to provide an informational presentation on the Dark Store Theory.

PUBLIC PARTICIPATION

Ben Washburn, 6711 Roe Avenue, commended the Council on the purchase of 4805 West 67th Street for additional park space. He encouraged the City to be visionary in its approach to the development of the park by incorporating the following features: 1) a water feature/splash pad, 2) children's zip line, 3) large climbing attraction and 4) plant a wide variety of trees. This is a unique opportunity for the City to establish a new vision and standard for parks and to showcase Prairie Village.

With no one else to address the City Council, public participation was closed at 6:35 p.m.

CONSENT AGENDA

Mayor Wassmer asked if there were any items from the consent agenda to be removed and discussed. Tucker Poling asked for item #3 to be discussed as the proposed amendment includes additional changes that had not been previously discussed by the Council. This amendment further clarifies the new agenda format adopted on March 19, 2018. He moved to amend Ordinance 2382 by removing the following new language under 1-804(d): “who report directly to the City Administrator.” The motion was seconded by Ron Nelson.

City Administrator Wes Jordan noted this language was added as clarification to the City’s employee appeal process as adopted in the city’s employee handbook. Regular employee appeals are heard by the Assistant City Attorney and only appointed employee appeals are heard by the Council Committee.

Mayor Wassmer suggested that the entire final sentence could be removed as the appeal process was addressed in the employee handbook.

Mr. Poling’s motion to amend was voted on and was defeated by a vote of 7-6, with Mayor Wassmer providing the tie-breaking vote.

Chad Herring moved to amend Ordinance 2382 by removing the final sentence in 1-804(d). The motion was seconded by Shelia Myers and passed unanimously.

Shelia Myers moved for the approval of the Consent Agenda of April 2, 2018 as amended:

- Approval of the regular City Council meeting minutes for March 19, 2018
- Ratification of the Mayor’s appointments to the Prairie Village Arts Council and Parks and Recreation Committee.

| | | |
|---------------------|-----------------|----------------|
| Dan Andersen | Arts Council | Expires 2/2020 |
| Cecilia Vigilaturo | Arts Council | Expires 2/2019 |
| Stephen LeCerf | Arts Council | Expires 2/2020 |
| Albert Guarino | Arts Council | Expires 2/2020 |
| Annette Hadley | Arts Council | Expires 2/2020 |
| Julie Flanagan | Arts Council | Expires 2/2020 |
| Elizabeth Holliday | Arts Council | Expires 2/2020 |
| Paul Tosh | Arts Council | Expires 2/2020 |
| Spencer Pellant | Parks Committee | Expires 2/2020 |
| Jerry Lonergan | Parks Committee | Expires 2/2020 |
| Randy Knight | Parks Committee | Expires 2/2020 |
| Cherylynn Brownback | Parks Committee | Expires 2/2020 |
| Dianne Pallanich | Parks Committee | Expires 2/2020 |
| Lauren Wolf | Parks Committee | Expires 2/2020 |

| | | |
|---------------|-----------------|----------------|
| Matthew Geary | Parks Committee | Expires 2/2020 |
| Diane Mares | Parks Committee | Expires 2/2020 |
| Peggy Couch | Parks Committee | Expires 2/2019 |

- Adopt Ordinance 2382 amending Section 1-804 entitled “Council Committee of the Whole: Membership, Duties and Meetings” of the Code of the City of Prairie Village, Kansas as amended by the Council.

A roll call vote was taken with the following votes cast: “aye” Herring, J. Nelson, Schermoly, R. Nelson, Poling, Wang, Myers, Morehead, Runion, McFadden, Odell and Gallagher

COMMITTEE REPORTS

Planning Commission

PC2018-03 Consider approval of the rezoning of 7540 Reinhardt Street from R-IA to R-IB (Single Family Residential District)

ORDINANCE 2380 - AN ORDINANCE REZONING PROPERTY LOCATED AT 7540 REINHARDT STREET, PRAIRIE VILLAGE, KANSAS FROM R-1A (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) AND DIRECTING THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF PRAIRIE VILLAGE, KANSAS; AND REINCORPORATING SAID ZONING MAP BY REFERENCE.

Jamie Robichaud stated the property at 7540 Reinhardt Street is currently zoned R-IA and the applicant is proposing to split the 128’ wide lot into two 64’ wide lots. The dimensions of the proposed lot split would not conform to code under R-1A; therefore, they are requesting a zoning change from R-IA to R-1b, which allows smaller size lots. The proposed new lots would conform to City regulations. No one was present at the public hearing before the Planning Commission or at the neighborhood meeting to speak in opposition to the requested rezoning. Staff recommended approval of the request based on the overall character of this area, with several lots not conforming to the established zoning. The Planning Commission unanimously recommends the approval of the rezoning. However, Mrs. Robichaud noted in its approval the Commission clearly stated that this action was for this lot only and not to be misconstrued as setting precedence. She added that the Planning Commission acknowledged the need for this entire area to be looked at as the Comprehensive Plan is updated.

Concerns were raised regarding this action setting a precedence, if the request met the criteria for rezoning and the proposed size of the homes by Council members Herring, J. Nelson, Poling and Runion. Council members Odell and Gallagher and Mayor Wassmer spoke in support of the proposed redevelopment in this area, noting this is a unique situation.

John Moffitt, 5300 College Blvd., noted this is a unique lot placed in an area where the zoning was established after the development of the area, creating several non-conforming properties.

Ted Odell moved the Governing Body adopt Ordinance 2380, rezoning property at 7540 Reinhardt Street from R-IA to R-IB. The motion was seconded by Terrence Gallagher.

A roll call vote was taken with the following votes cast: “aye” Schermoly, R. Nelson, Wang, Myers, Morehead, McFadden, Odell, Gallagher and Wassmer; “nay” Herring, J. Nelson, Poling and Runion. Mayor Wassmer declared the ordinance adopted.

PC2018-04 Consider approval of a Special Use Permit for the operation of an animal daycare at 8827 Roe Avenue

ORDINANCE 2381 - AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR THE OPERATION OF AN ANIMAL DAY CARE PROGRAM AT QUEEN OF PAWS BOUTIQUE AND SPA, 8827 ROE AVENUE, PRAIRIE VILLAGE, KANSAS

Jamie Robichaud stated the Queen of Paws Boutique and Spa at 8827 Roe Avenue provides animal daycare, pet grooming and training. They were granted an initial Special Use Permit two years ago authorizing up to 20 dogs (under 20 pounds) and up to 15 dogs (over 20 pounds) for dog daycare in an indoor operation. The site is currently zoned CP-1, which allows a variety of retail and service businesses. There have been no code violations during the initial two year permit. The Planning Commission unanimously recommends the approval of the requested Special Use Permit.

Tucker Poling moved the Governing Body adopt Ordinance 2381, granting a Special Use Permit for the operation of an animal day care program at 8827 Roe Avenue subject to the conditions recommended by the Planning Commission. The motion was seconded by Ron Nelson.

A roll call vote was taken with the following votes cast: “aye” Herring, J. Nelson, Schermoly, R. Nelson, Poling, Wang, Myers, Morehead, Runion, McFadden, Odell and Gallagher

MAYOR’S REPORT

Mayor Wassmer noted the information placed on the dais was information she had received earlier in her career and hoped council members would find it helpful as well. She and Chief Schwartzkopf were privileged to serve as “celebrity meals on wheels” delivery persons in Prairie Village. She added that she recently attended the following events on behalf of the City: Overland Park Mayor’s Breakfast, Johnson County State of the County Address, and Kansas City, Missouri State of the City Address.

STAFF REPORT

Public Safety

- Chief Schwartzkopf noted his partner on the “Meals on Wheels” event was Max Deweese, a 97 year old WWII Marine veteran. Mr. Deweese will be speaking to the police staff on his experiences.
- Chief shared an update on the Village Video Partnership program, noting they have 18 residents participating. Chief explained further on how the program worked, addressing concerns expressed to Council members regarding how the video footage would be used and stored.
- The next Coffee with a Cop will be held on Friday, April 13th at Panera from 7 a.m. to 9 a.m.

Public Works

- Keith Bredehoeft provided an update on 68th & Mission, noting that Mr. Baker will be presenting his findings at a future meeting.
- The Bike/Pedestrian Committee recommendations will be presented at the next City Council Meeting.
- Mr. Bredehoeft noted staff will be looking at possible locations for lighted crosswalk signals based on established criteria such as the volume of traffic and width of the roadway.

Administration

- Jamie Robichaud reported that 23 Exterior Grants have been awarded. No one is currently on the waiting list. Four projects have been completed and turned in their requests for reimbursement.
- Republic will be mailing postcards to all Prairie Village residents reminding them of the upcoming Large Item Pickup to be held Saturday, April 14th for homes on and north of 75th Street and Saturday, April 21st for homes south of 75th Street.
- City Attorney Katie Logan announced that she will be retiring and no longer performing regular duties for Prairie Village as City Attorney. Mayor Wassmer acknowledged Mrs. Logan’s service and noted that she would be offering for appointment as City Attorney David Waters with Lathrop Gage at the next meeting. Mayor Wassmer reviewed Mr. Waters’ extensive experience in municipal government.
- Wes Jordan stated the April Action Plan was in the packet.
- The April 16th council agenda will include CARS agreement, Bike/Pedestrian report, parks programming agreement with Johnson County Parks & Recreation, presentation by Kansas Historical Society, discussion on for-profit entities use of city facilities/parks and insurance renewal.

OLD BUSINESS

Mr. Odell requested an update on property maintenance activities. Mayor Wassmer responded that information was presented at an earlier meeting by Mrs. Robichaud.

NEW BUSINESS

Serena Schermoly asked what the protocol was for the receipt of Council mail at City Hall. The City Clerk responded that first class mail was opened and scanned to the recipient. Other mail was held and delivered at the next City Council meeting. Confidential mail was not opened.

Mayor Wassmer called for a five minute break before moving into the Council Committee of the Whole portion of the meeting.

Brooke Morehead moved the City Council go into the Council Committee of the Whole portion of the meeting. The motion was seconded by Jori Nelson and passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE

Council President Dan Runion presided over the Council Committee of the Whole.

COU2018-17 Consider approval of the addition of a new Stormwater Engineer FTE for the Public Works Department

Public Works Director Keith Bredehoeft provided background on the growth of stormwater management operations for the City. In 2009, a stormwater utility fee was established to fund this program. The stormwater management operations are currently managed by the Senior Project Manager. The responsibilities for this position have also increased. Growth in this program is currently being handled by using the services of a contracted engineer at a cost of \$110,000 for 2018. This is a good short term solution, but is not financially viable in the long term.

All funding for this position will come from the Stormwater Utility Fee. Funding for this position in 2018 will utilize the remaining funds for the consulting stormwater engineer. This position will be included as a new FTE in 2019 funded by the Storm Water Utility fee.

It was confirmed that the City would be able to terminate its existing contract for these services once an employee was hired. Mr. Bredehoeft answered questions regarding the sustainability of this position, what functions they would perform and the value gained by having a city employee rather than a contract employee. It was confirmed that since funding for this position comes from the designated stormwater utility fund and not the general fund, moving forward with this position would not impact the City's ability to address other staffing needs.

Keith Bredehoeft stated the stormwater utility fee has been in place since 2009 and has not been changed, but could be increased. It was stated that \$1.6M is generated annually by this fee that is designated for stormwater operations use only.



Ted Odell moved to recommend the City Council approve the addition of a Stormwater Engineer FTE for the Public Works Department. The motion was seconded by Tucker Poling and passed by a vote of 11 to 1 with Mrs. Morehead voting in opposition.

Chad Herring moved to adjourn the Council Committee of the Whole portion of the meeting and return to the City Council meeting. The motion was seconded by Brooke Morehead and passed unanimously.

ANNOUNCEMENTS

Mayor Wassmer noted the announcements could be found in the Council packet. Sheila Myers reported that the Environment/Recycle Committee will not be hosting an Earth Day event this year due to turnover on the committee and shortage of time for planning purposes.

ADJOURNMENT

Jori Nelson moved for the adjournment of the City Council meeting. The motion was seconded by Serena Schermoly and passed unanimously. With no further business to come before the City Council, the meeting was adjourned at 8:00 p.m.

Joyce Hagen Mundy
City Clerk