

CITY OF PRAIRIE VILLAGE

November 15, 2010

Committee Meeting

6:00 p.m.



City Council Meeting

November 15, 2010



Dinner will be provided by:

Dragon Inn

Beef with Broccoli
Shrimp & Seasonal Vegetables
Sweet & Sour Chicken

COUNCIL COMMITTEE
November 15, 2010
6:00 p.m.
Council Chambers

AGENDA

CHARLES CLARK, COUNCIL PRESIDENT

AGENDA ITEMS FOR DISCUSSION

- *COU2010-58** **Consider Project 190890: 2010 Bond Project - Construction Change Order #4 adding Project 190883, 2010 CARS Project on Somerset Drive from Roe Avenue to Reinhardt Lane**
Keith Bredehoeft
- COU2010-59** **Consider Project 191024: 2010 Concrete Repair Program Construction Change Order #2 (Final)**
Keith Bredehoeft
- *COU2010-56** **Consider adoption of the 2010 Standard Traffic Ordinance for Kansas Cities and the Uniform Public Offense Code for Kansas Cities**
Captain Schwartzkopf
- Update on Prairie Elementary "Democracy in Action" Initiative**
Captain Schwartzkopf
- Presentation on Exterior Grant Program**
Dennis Enslinger

***Council Action Requested the same night**



PUBLIC WORKS DEPARTMENT

Council Committee Meeting Date: November 15, 2010
Council Meeting Date: November 15, 2010

***COU2010-58: CONSIDER PROJECT 190890: 2010 Bond Project-
CONSTRUCTION CHANGE ORDER #4 ADDING PROJECT 190883, 2010
CARS PROJECT ON SOMERSET DRIVE FROM ROE AVENUE TO
REINHARDT LANE**

RECOMMENDATION

Staff recommends the City Council approve construction change order #5, for \$1,081,749.20 with O'Donnell and Sons Construction for adding project 190883.

COUNCIL ACTION REQUESTED: November 15, 2010

BACKGROUND

This Change Order is for the addition of street rehabilitation work on Somerset Drive from Roe Avenue to Reinhardt Lane. Work will include concrete sidewalk and curbs, full depth pavement repairs, drainage modifications, new concrete crosswalks at Mission Road, and new asphalt pavement. This project will change Somerset Drive between Mission Road and 83rd Street to a three lane roadway. Between Roe Avenue and Mission Road an 8 foot wide sidewalk/multi-use path will be installed. This project is partly funded from the CARS program. CARS has approved \$550,000.00 for this project. City funding will come from the bond funds.

FUNDING SOURCE

Funding is available in the 2010 CIP using Bond funds under project 190883.

ATTACHMENTS

1. Construction Change Order #5 with O'Donnell and Sons Construction

PREPARED BY

Keith Bredehoeft, Project Manager

November 11, 2010



CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT
CONSTRUCTION CHANGE ORDER NO. 6

City's Project: 2010 Street Bond Project 190890

Date Requested: November 15, 2010

Contract Date: December 21, 2009

Consultant's Name: N/A

Contractor's Name: O'Donnell and Sons Construction Co., Inc.

REQUIRED CHANGES TO PRESENT CONTRACT

Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
1	\$160,054.50	LS	Traffic Control	1	\$20,800.00	\$180,854.50
118	\$15,340.00	EA	Erosion Control-Gravel Filter Bags	129	\$130.00	\$16,770.00
2,110	\$8,967.50	LF	Erosion Control-Silt Fence	2,610	\$4.25	\$11,092.50
1	\$33,800.00	LS	Construction Staking	1	\$7,400.00	\$41,200.00
2	\$825.00	EA	County Project Sign	4	\$412.50	\$1,650.00
1,396	\$97,720.00	SY	Sidewalk Ramp-Replacement	2,191	\$70.00	\$153,370.00
8,564	\$307,875.80	SY	Concrete Sidewalk-Replacement 4"	11,874	\$35.95	\$426,870.30
9,087	\$445,263.00	SY	6" Concrete Driveway-Replacement	9,887	\$49.00	\$484,463.00
1,234	\$29,616.00	SF	Truncated Dome Panel	1,692	\$24.00	\$40,608.00
42,481	\$881,480.75	LF	Concrete Curb & Gutter-Replacement	47,911	\$20.75	\$994,153.25
18,314	\$173,983.00	SY	Sod-Fescue	23,714	\$9.50	\$225,283.00
1,465	\$8,790.00	LF	Lawn Sprinkler-Pipe Replacement	1,965	\$6.00	\$11,790.00
85	\$5,525.00	EA	Lawn Sprinkler-Head Replacement	115	\$65.00	\$7,475.00
4,076	\$96,397.40	SY	Full Depth Pavement Repair-Arterial	4,315	\$23.65	\$102,049.75
32,100	\$59,385.00	SY	2" Cold Milling	54,613	\$1.85	\$101,034.05
839	\$5,453.50	LF	12" Thermo Pvmnt Marking-Solid White	1,759	\$6.50	\$11,433.50
168	\$1,478.40	LF	24" Thermo Pvmnt Marking-Solid White	358	\$8.80	\$3,150.40
2,985	\$173,130.00	LF	24" Storm Sewer RCP Class III	3,000	\$58.00	\$174,000.00
1	\$2,200.00	EA	Concrete Drain Inlet 4'x4'	3	\$2,200.00	\$6,600.00
5	\$16,500.00	EA	Concrete Junction box 4'x4'	6	\$3,300.00	\$19,800.00
670	\$11,725.00	CY	Topsoil	1,570	\$17.50	\$27,475.00
5,666	\$262,902.40	TON	4" Asphalt Base (APWA Type 1)	5,806	\$46.40	\$269,398.40
4,923	\$83,691.00	TON	4" Granular Base	5,683	\$17.00	\$96,611.00
1,527	\$96,964.50	SY	Portland Concrete Pavement 8"	2,317	\$63.50	\$147,129.50
3,372	\$19,051.80	SY	Subgrade Stabilization Fabric	3,744	\$5.65	\$21,153.60
500	\$13,000.00	LF	Underdrain Pipe	800	\$26.00	\$20,800.00
2,749	\$107,211.00	SY	Concrete Sidewalk - New 4"	6,790	\$39.00	\$264,810.00
930	\$1,860.00	LF	4" Thermo Pvmnt Marking-Yellow/White/Broken	9,630	\$2.00	\$19,260.00
622	\$1,474.14	LF	4" Thermo Pvmnt Marking-Double Yellow	3,222	\$2.37	\$7,636.14
23,588	\$212,292.00	SY	Pavement Demolition - 6.5"	27,205	\$9.00	\$244,845.00
0	\$0.00	LF	12" Epoxy Crosswalk Striping	640	\$7.15	\$4,576.00
0	\$0.00	TON	SuperPave (ILC 35% FRAP)	3,000	\$62.30	\$186,900.00
0	\$0.00	EA	Left/Right/Straight Arrow-Preformed Thermo	53	\$220.00	\$11,660.00
0	\$0.00	EA	Epoxy Left/Right/Straight Arrow	10	\$137.50	\$1,375.00
0	\$0.00	EA	Epoxy "ONLY"	1	\$192.50	\$192.50
0	\$0.00	EA	Concrete Median Island	5	\$2,300.00	\$11,500.00
0	\$0.00	SY	Commercial Driveway - 8"	570	\$63.50	\$36,195.00
0	\$0.00	CY	8" Concrete Crosswalk (Type III)	55	\$555.30	\$30,541.50

TOTAL \$3,333,956.69

NET Increase TOTAL \$4,415,705.89
NET Increase \$1,081,749.20

EXPLANATION OF CHANGE - This change order is to cover the following items:

This Change Order is for the addition of street rehabilitation work on Somerset Dr from Roe Ave - Reinhardt Ln Project Number 190883. Work will include repair to concrete sidewalk and curbs, full depth pavement repairs, new concrete commercial approaches and driveways and installation of new drain pipes and inlets. This project is partly funded from the CARS program.

The Consultant does not anticipate a related Engineering Change Order.

	Contract Value	Contract Days
Original Contract	\$6,550,000.00	
Current Contract including previous Change Orders	\$7,401,613.66	
NET This Change Order	\$1,081,749.20	
New Contract Price	\$8,483,362.86	

Contractor _____

Date _____

Keith Bredehoeft, Interim Director of Public Works
City of Prairie Village, KS

Date _____

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

Date _____



PUBLIC WORKS DEPARTMENT

Council Committee Meeting Date: November 15, 2010

Council Meeting Date: December 6, 2010

COU2010-59: CONSIDER PROJECT 191024: 2010 CONCRETE REPAIR PROGRAM CONSTRUCTION CHANGE ORDER #2 (FINAL)

RECOMMENDATION

Move to approve construction change order #2(Final) with Miller Paving Inc. for Project 191024: 2010 Concrete Repair Program for \$ \$13,315.22.

BACKGROUND

This Final Change Order reflects the final field measured quantities for all bid items. These items include curb and gutter repair, sidewalk repair and ADA ramp reconstruction.

FUNDING SOURCE

Funds for this work will come from Project 191001- ADA Compliance and will be attributed to the ADA compliance work that was done with this project.

RELATED TO VILLAGE VISION

TR1c. Ensure that infrastructure improvements meet the needs of all transportation users.

ATTACHMENTS

1. Construction Change Order #2 (FINAL) with Miller Paving.

PREPARED BY

Keith Bredehoeft, Project Manager

November 10, 2010



CITY OF PRAIRIE VILLAGE
 PUBLIC WORKS DEPARTMENT
 CONSTRUCTION CHANGE ORDER NO. 2

City's Project: #191024 2010 Concrete Repair Program

Date Requested: November 1, 2010

Contract Date: June 1, 2010

Consultant's Name: N/A

Contractor's Name: Miller Paving & Construction, LLC

REQUIRED CHANGES TO PRESENT CONTRACT

Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
0	\$0.00	LS	Finalizing Quantities for the 2010 Concrete Repair Program	LS	\$13,315.22	\$13,315.22

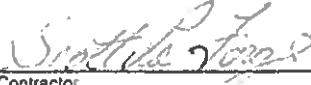
TOTAL \$0.00

NET TOTAL Increase \$13,315.22

EXPLANATION OF CHANGE - This change order is to cover the following items:
 Finalizing quantities for the 2010 Concrete Repair Program

The Consultant does not anticipate a related Engineering Change Order.

	Contract Value	Contract Days
Original Contract	\$630,000.00	136
Current Contract including previous Change Orders	\$630,000.00	146
NET This Change Order	\$13,315.22	146
New Contract Price	\$643,315.22	146


 Contractor

11-10-10
 Date


 Keith Bredehoeft, Interim Public Works Director
 City of Prairie Village, KS

11-10-10
 Date

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

 Date



POLICE DEPARTMENT

Council Meeting Date: November 15, 2010

***COU2010-56: Consider adoption of the 2010 Standard Traffic Ordinance for Kansas Cities and the Uniform Public Offense Code for Kansas Cities**

RECOMMENDATION

Staff recommends that Governing Body adopt Ordinance 2232 incorporating the Uniform Public Offense Code, (UPOC), and Ordinance 2233 incorporating the Standard Traffic Ordinance, (STO), 2010 edition, prepared and published by the League of Kansas Municipalities with certain sections deleted and with additional and supplemental sections.

COUNCIL ACTION REQUESTED: November 15, 2010

BACKGROUND

On an annual basis, the City receives the latest edition of the UPOC and the STO from the League of Kansas Municipalities. Prior to the request for incorporation, the offense codes and traffic ordinances were reviewed against current City ordinances for any discrepancies. Any deletions or additions were reviewed and approved by the City Prosecutor. The following page addresses those changes.

The changes include the following:

UPOC Ordinance:

1. Deleted smoking sections 10.24, 10.25, 10.26 because the City amended their own smoking ordinance.
2. Section 10.1 Criminal Use of Weapons: Added the following verbiage –

This subsection shall not prohibit any ordinary pocket knife, which has a spring, detent or other device which creates a bias towards closure of the blade and which requires hand pressure applied to such spring, detent, or device through the blade of the knife to overcome the bias towards closure to assist in the opening of the knife;

STO Ordinance:

1. Seat belt fines: Deleted the fine of \$5.00 and replaced it with the fine of \$30.00 which has been the standard fine for seat belt of front-seat passengers.

FUNDING SOURCE

N/A

ATTACHMENTS

Ordinance 2232

Ordinance 2233

PREPARED BY

Capt. Tim M. Schwartzkopf

Patrol Commander

Date: October 28, 2010

ORDINANCE 2232

AN ORDINANCE AMENDING CHAPTER XI OF THE CODE OF THE CITY OF PRAIRIE VILLAGE, 2003, ENTITLED "PUBLIC OFFENSES & TRAFFIC" BY INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", EDITION OF 2010, WITH CERTAIN DELETIONS AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; AND REPEALING CHAPTER XI, ARTICLE 1 OF THE PRAIRIE VILLAGE MUNICIPAL CODE

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

SECTION ONE

11-101. is hereby adopted to read as follows:

11-101. INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Prairie Village, Kansas, that certain code known as the "Uniform Public Offense Code," edition of 2010, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, with certain sections deleted and with additional and supplemental sections, such incorporations being authorized by K.S.A. §§12-3301 and 12-3302 and K.S.A. §§12-3009 through 12-3012. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped, "Official Copy as Incorporated by the Code of the City of Prairie Village, Kansas" with such additional sections clearly marked and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

SECTION TWO

11-102. is hereby adopted to read as follows:

11-102. UNIFORM PUBLIC OFFENSE CODE; ADDITIONS.

Article 5 of the Uniform Public Offense Code is hereby amended by deleting existing Section 5.6 and inserting in place thereof the following:

Section 5.6 Purchase or Possession of Cigarettes or Tobacco Products by a Minor.

It shall be unlawful for any person:

- (a) Who is under 18 years of age to purchase or attempt to purchase cigarettes or tobacco products; or
- (b) Who is under 18 years of age to possess or attempt to possess cigarettes or tobacco products. (K.S.A. 79-3321:3322, as amended)

Violation of this section shall be an ordinance cigarette or tobacco infraction for which the fine shall be a minimum of \$25 and a maximum of \$100. In addition, the judge may require the juvenile to appear in court with a parent or legal guardian.

SECTION THREE

11-103. is hereby adopted to read as follows:

11-103. SAME.

Article 5 of the Uniform Public Offense Code is hereby amended by deleting the existing Section 5.8 and inserting in place thereof the following:

Section 5.8 Unlawful Possession, Consumption, and Acquisition of Alcohol or Cereal Malt Beverages by a Minor.

- (a) No person under 21 years of age shall possess or consume alcoholic liquor or cereal malt beverages except as authorized by law.
Violation of this subsection is a violation punishable:
 - (1) By a fine of not less than \$200.00 or by 40 hours of community service or by both, if committed on premises licensed pursuant to Article 26 of Chapter 41 of the Kansas Statutes Annotated; or
 - (2) By a fine of not less than \$200.00 or by 10 hours of community service, or by both, if committed on any other premises.
- (b) No person under 21 years of age shall obtain or purchase, or attempt to obtain or purchase, alcoholic liquor or cereal malt beverages from any person except as authorized by law.
Violation of this subsection is a violation punishable by a fine of not less than \$100.00 and not more than \$250.00 or by 40 hours of community service, or by both.

SECTION FOUR

11-104. is hereby adopted to read as follows:

11-104. SAME.

Article 6 of the Uniform Public Offense Code is hereby supplemented to add the following provisions:

Section 6.26 Unlawful Posting of Pictures and Advertisements.

- (a) Unlawful posting of pictures and advertisements is:
 - (1) The putting up, affixing or fastening of either or both to a traffic control device or traffic control standard or telegraph, telephone, electric light, power or other utility pole, but it is not unlawful to affix official traffic control devices to such poles; or
 - (2) The placement of either or both on public property other than as prescribed in subdivision 3 of this subsection;
 - (3) The placement of either or both on right-of-way without the consent of the landowner or the person in possession whose land lies along the right-of-way where such picture or advertisement is placed; or
 - (4) The placement of either on private property without the consent of the landowner or the person in possession of such property.
- (b) It is unlawful for any person within the city limits to tack, paste, paint, hang or place in any manner whatsoever, or cause to be tacked, posted, hung, or placed in any manner whatsoever, any handbills, dodgers, signs, or advertisements, written or unwritten, or printed matter, to or upon any telephone or telephone pole, sidewalk, or building in the city, or to throw, scatter or cause to be thrown or scattered, any handbills, dodgers or other advertisements or propaganda, or of written or printed matter or paper of any kind upon any street, alley, sidewalk, vacant lot, city property, or yard within the city limits.

Unlawful posting of pictures and advertisements is a Class C violation.

Section 6.27 Opening, Damaging or Removing Coin-Operated Machines.

Opening, damaging or removing coin-operated machines is willfully and knowingly opening, removing or damaging any parking meter, coin telephone, vending machine dispensing goods or services, money changer or any other device designed to receive money in the sale, use or enjoyment of property or services or any part thereof, with intent to commit theft.

Violation of this section is a Class A violation.

Section 6.28 Possession of Tools for Opening, Damaging or Removing Coin-Operated Machines.

Possession of tools for opening, damaging or removing coin-operated machines is the possession of any key, tool, instrument or other device, or any drawing, print or mold of a key or other device or any explosive specifically designed for or suitable for the use in opening or breaking into any parking meter, coin telephone, vending machine dispensing goods or services, money changer or any other device designed to receive money in the sale, use or enjoyment of property or services with intent to commit theft.

Violation of this section is a Class B violation.

SECTION FIVE

11-105. is hereby adopted to read as follows:

11-105. SAME.

Article 9 of the Uniform Public Offense Code is hereby amended by deleting the existing Section 9.9 and inserting in place thereof the following:

Section 9.9 Abusing Toxic Vapors

- (a) Abusing toxic vapors is knowingly possessing, buying, using, smelling, or inhaling the fumes of toxic vapors with the intent of causing a condition of euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system.
- (b) This section shall not apply to the inhalation of anesthesia or other substances for medical or dental purposes.
- (c) In a prosecution for a violation of this section, evidence that a container lists one or more of the substances which are defined as a toxic vapor as one of its ingredients shall be *prima facie* evidence that the substance in such container contains toxic vapors and emits the fumes thereto. (K.S.A. 21-36a12(a))

Abusing toxic vapors is a Class B violation. In addition to any sentence or fine imposed, the court shall enter an order which requires that the person enroll in and successfully complete an alcohol and drug safety action education program or treatment program as provided in K.S.A. 8-1008, and amendments thereto, or both the education and treatment program.

SECTION SIX

11-106. is hereby adopted to read as follows:

11-106. SAME.

Article 9 of the Uniform Public Offense Code is hereby supplemented to add the following provisions:

Section 9.14 Loitering.

- (a) Loitering is loafing, wandering, standing or remaining idle, either alone or in concert with others, in a public place in such manner so as to:
 - (1) Obstruct any public street, public highway, public sidewalk or public building or any other place of public access by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians;
 - (2) Committing in or upon any public street, public highway, public sidewalk or public building or any other place of public access any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, public sidewalk or public building or any other place of public access, all of which prevents the free and uninterrupted ingress, egress and regress therein, thereon and thereto.
- (b) When any person causes or commits any of the conditions enumerated in this section, a law enforcement officer shall order that person to stop causing or committing such conditions and to move on or disperse. Any person who fails or refuses to obey such order is guilty of a violation of this section.

Violation of this section is a Class C violation.

Section 9.15 Unsolicited Publications – Penalty.

- (a) No person shall either directly or indirectly place or deposit or cause to be placed or deposited, upon any building or structures used for human abode, including the lot or lots upon which the structure is located or upon any right-of-way or city property within the city, any newspaper, magazine, publication or any other printed material if the owner or occupant of the structure has previously requested in writing that the publisher or deliverer of the material not place or deposit the material on the structure or lot.
- (b) Exceptions. The provisions of this section shall not apply to distributions made through the U.S. Postal Service or any other private postal service.
- (c) Penalties. Any person who violates the provisions of this section shall, upon conviction thereof, be punished for each such violation by a fine not exceeding \$100 for each such violation.

Section 9.16 Residential Picketing.

It is unlawful for any person to engage in picketing before or about the residence or dwelling of any individual in the city or before or about any church in the city.

Every person convicted of violating this section shall be imprisoned for not more than one year or fined not more than \$2,500 or by both such fine and imprisonment, provided that any person convicted of a second or subsequent conviction shall be required to be confined to not less than five consecutive days in the county jail in addition to any penalty assessed, which period of imprisonment shall not be suspended nor the defendant placed on probation until the five consecutive days are served.

SECTION SEVEN

11-107. is hereby adopted to read as follows:

11-107. SAME.

Article 10 of the Uniform Public Offense Code is hereby amended by deleting existing Section 10.1 and inserting in place thereof the following:

Section 10.1. Criminal Use of Weapons.

- (a) Criminal use of weapons is knowingly:
- (1) selling, manufacturing, purchasing, possessing or carrying any bludgeon, sandclub, metal knuckles or throwing star, or any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement. This subsection shall not prohibit any ordinary pocket knife, which has a spring, detent or other device which creates a bias towards closure of the blade and which requires hand pressure applied to such spring, detent, or device through the blade of the knife to overcome the bias towards closure to assist in the opening of the knife;
 - (2) carrying concealed on one's person, or possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, slung shot, dangerous knife, straight-edged razor stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife, with no blade more than four inches in length, shall not be construed to be a dangerous knife or a dangerous or deadly weapon or instrument;
 - (3) carrying on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;
 - (4) carrying any pistol, revolver, shotgun, rifle or other firearm with similar characteristics, concealed or exposed on or about the person, or in or on any part or area of any air, land or water vehicle unless the pistol, revolver or other firearm is unloaded and encased in a container that completely encloses the pistol, revolver or other firearm, except when on the person's land or in the person's abode or fixed place of business;
 - (5) setting a spring gun;
 - (6) possessing any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.
- (b) Subsections (a)(1), (2), (3) and (4) shall not apply to or affect any of the following:
- (1) law enforcement officers, or any person summoned by an officer to assist in making arrests or preserving the peace, while actually engaged in assisting that officer;
 - (2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crimes, while acting within the scope of their authority;
 - (3) members of the armed services or reserve forces of the United States or the Kansas national guard, while in the performance of their official duty; or
 - (4) manufacture of, transportation to or sale of weapons to a person authorized under (b)(1) through (b)(3) of this section to possess those weapons.
- (c) Subsection (a)(4) does not apply to or affect the following:

- (1) watchmen, while actually engaged in the performance of the duties of their employment;
 - (2) licensed hunters or fishermen, while engaged in hunting or fishing;
 - (3) private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;
 - (4) detectives or special agents regularly employed by railroad companies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment; or
 - (5) the state fire marshal, the state fire marshal's deputies or any member of a fire department authorized to carry a firearm pursuant to K.S.A. Supp. 31-157 and amendments thereto, while engaged in an investigation in which the fire marshal, deputy or member is authorized to carry a firearm, pursuant to K.S.A. 31-157 and amendments thereto.
- (d) Subsections (a)(1) and (6) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment that has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and that has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. 5841 *et seq.* in the name of that person and, if that person transfers that firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.
- (e) Subsection (a)(4) shall not apply to any person carrying a concealed weapon as authorized by K.S.A. Supp. 75-7c01 through 75-7c17.
- (f) It shall be a defense that the defendant is within an exemption. (K.S.A. 21-4201)
- (g) Violation of this section is a Class A violation.

10.1.1 Concealed Carry; Where Prohibited.

- (a) No license issued pursuant to Chapter 32 of the 2006 Session Laws of Kansas shall authorize the licenses to carry a concealed weapon into:
- (1) Any place where an activity declared a common nuisance by K.S.A. 22-3901, and amendments thereto, is maintained;
 - (2) Any police, sheriff, or highway patrol station;
 - (3) Any detention facility, prison, or jail;
 - (4) Any courthouse;
 - (5) Any courtroom, except that nothing in this section would preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in the judge's courtroom;
 - (6) Any polling place on the day an election is held;
 - (7) Any meeting of the governing body of a court, city, or other political or taxing subdivision of the state, or any committee or subcommittee thereof;
 - (8) On the state fairgrounds;
 - (9) Any state office building;
 - (10) Any athletic event not related to or involving firearms which is sponsored by a private or public elementary or secondary school or any private or public institute of postsecondary education;
 - (11) Any professional athletic event not related to or involving firearms;
 - (12) Any portion of a drinking establishment as defined by K.S.A. 41-2601, and amendments thereto, except that this provision shall not apply to a restaurant as defined by K.S.A. 41-2601, and amendments thereto;
 - (13) Any elementary or secondary school building or structure used for student instruction or attendance;
 - (14) Any community college, college, or university facility;

- (15) Any place where the carrying of firearms is prohibited by federal or state law;
 - (16) Any child exchange and visitation center provided for in K.S.A. 75-720 and amendments thereto;
 - (17) Any community mental health center organized pursuant to K.S.A. 19-4001 *et seq.*, and amendments thereto; mental health clinic organized pursuant to K.S.A. 65-211 *et seq.*, and amendments thereto; psychiatric hospital licensed under K.S.A. 75-3307b, and amendments thereto; or state psychiatric hospital, as follows: Larned state hospital, Osawatomie state hospital, or Rainbow mental health facility;
 - (18) Any city hall;
 - (19) Any public library operated by the state or by a political subdivision of the state;
 - (20) Any day care home or group day care home, as defined in Kansas administrative regulation 28-4-113, or any preschool or childcare center, as defined in Kansas administrative regulation 28-4-420; or
 - (21) Any church or temple.
- (b) Violation of section is a class A violation. (2006 Session Laws of Kansas, Chapter 32)

10.1.2 Concealed Carry: Where Prohibited by Employers.

- (a) Nothing in Chapter 32 of the 2006 Session laws of Kansas shall be construed to prevent:
 - (1) Any public or private employer from restricting or prohibiting in any manner persons licensed under the act from carrying a concealed weapon while on the premises of the employer's business or while engaged in the duties of the person's employment by the employer; or
 - (2) Any entity owning or operating business premises open to the public from restricting or prohibiting in any manner persons licensed under the act from carrying a concealed weapon while on such premises, provided that the premises are posted in a manner reasonably likely to come to the attention of persons entering the premises, as premises where carrying a concealed weapon is prohibited; or
 - (3) A property owner from restricting or prohibiting to any manner persons licensed under the act from carrying a concealed weapon while on such property provided that the premises are posted, in a manner reasonably likely to come to the attention of persons entering the property where carrying a concealed weapon is prohibited.
- (b) Carrying a concealed weapon on premises in violation of any restriction or prohibition allowed by subsection (a), or in violation of any restriction or prohibition allowed by subsection (b) or (c) if the premises are posted as required by such subsection, is a class B violation. (2006 Session Laws of Kansas, Chapter 32)

10.1.3 Concealed Carry: When Impaired. It is a class A violation for a person licensed pursuant to Chapter 32 of the 2006 Session Laws of Kansas to carry a concealed weapon while under the influence of alcohol or drugs, or both. (2006 Sessions Laws of Kansas, Chapter 32)

SECTION EIGHT

11-108. is hereby adopted to read as follows:

11-108. SAME.

Article 10 of the Uniform Public Offense Code is hereby amended to delete sections 10.24, Smoking Prohibited, 10:25, Smoking-Posted Premises and 10.26, Smoking Prohibited-Penalties and supplemented to add the following provisions:

Section 10.24 Intoxicating Liquor and Cereal Malt Beverage – Consumption and Possession of Open Containers Prohibited at Certain Places.

It is unlawful for any person to drink, consume, or possess an open container of alcoholic liquor or cereal malt beverage upon the public streets, alleys, roads or highways, or upon property owned by the City.

(a) The provisions of this section shall not apply to the consumption or possession of alcoholic liquor or cereal malt beverage upon property owned by the city and operated as the Prairie Village Community Center; provided further, that no person shall possess or consume any alcoholic liquor or cereal malt beverage at the Prairie Village Community Center unless:

(1) That person is in attendance at an event or a function for which permit authorizing the serving and consumption of liquor and beer has been previously issued by the city, and

(2) The liquor or beer being consumed has been provided by the individual, person, or organization to which the permit has been issued.

Violation of this section is a Class C violation.

Section 10.25 Drunkenness.

It is unlawful for any person to be drunk on any highway, street or in any public place or building in the city.

Violation of this section is a Class B violation.

Section 10.26 Impersonating an Officer.

It is unlawful for any person to exercise or to assume to exercise any of the powers conferred upon any police officer, or to represent himself or herself to be any such officer, or to possess the power and authority thereof, unless such person is a duly authorized officer of the law.

Violation of this section is a Class B violation.

Section 10.27 Vehicles in City Parks.

It is unlawful to run, stand or park any motor vehicle or motorized bicycle through or across or over any part of any city park, other than roadways or parking areas so designated.

Violation of this section is a Class C violation.

Section 10.28 Smoking on Common Carrier Buses -- Penalty.

(a) No person shall smoke or carry in his or her hand a lighted cigar, cigarette or pipe, while in or upon any motorbus operated in common carrier passenger service upon the streets or public ways of the city.

(b) Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$5 nor more than \$100.

Section 10.29 Public Urination or Defecation.

No person shall urinate or defecate in any place open to the public or while exposed to public view, except while using appropriate fixtures in a restroom or other facility designed for the sanitary disposal of human waste.

Violation of this section is a Class C violation.

Section 10.30 Public Nudity.

No person shall knowingly or intentionally appear in a state of nudity in a public place. Nudity is defined as the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering; the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple; or the depiction of covered male genitals in a discernible state of sexual arousal.

Violation of this section is a Class A violation.

SECTION NINE

11-109 is hereby adopted to read as follows:

11-109. SAME.

Article 11 of the Uniform Public Offense Code is hereby supplemented to add the following provisions:

Section 11.13 Window Peeping.

Window peeping is the going upon property owned or occupied by another without such person's consent for the purpose of looking into any window, door, skylight or other opening into a house, room or building.

Violation of this section is a Class A violation.

Section 11.14 Severability.

If any provision of this Article 11 is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby.

SECTION TEN Repeal

Existing Article 1 of Chapter XI of the Prairie Village Municipal Code is hereby repealed.

SECTION ELEVEN Effective Date

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

PASSED AND APPROVED THIS _____ DAY OF NOVEMBER, 2010

RONALD L. SHAFFER, MAYOR

ATTEST:

APPROVED AS TO FORM:

JOYCE HAGEN MUNDY, CITY CLERK

CATHERINE P. LOGAN, CITY ATTORNEY

ORDINANCE 2233

AN ORDINANCE AMENDING CHAPTER XI OF THE CODE OF THE CITY OF PRAIRIE VILLAGE, 2003, ENTITLED "PUBLIC OFFENSES & TRAFFIC" BY REPEALING CHAPTER XI, ARTICLE 6 ENTITLED "STANDARD TRAFFIC ORDINANCE" AND INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", EDITION OF 2010, WITH CERTAIN DELETIONS AND ADDITIONS; AND PRESCRIBING ADDITIONAL REGULATIONS.

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

SECTION ONE

11-601. is hereby adopted to read as follows:

11-601. INCORPORATING STANDARD TRAFFIC ORDINANCE

A. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Prairie Village, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2010, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3301 and 12-3302 and K.S.A. 12-3309 through 12-3012. Not less than three copies of said standard ordinance shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Prairie Village, Kansas," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, municipal judges and all administrative departments of the city charged with the enforcement of the ordinances shall be supplied, at the cost of the city, such number of official copies of such "Standard Traffic Ordinance" similarly marked, deleted and changed as may be deemed expedient.

SECTION TWO

Article 17, Section 182.1 of the Standard Traffic Ordinance is hereby amended as follows:

Article 17, Section 182.1, subsection (e)(1) is deleted and replaced with the following:

(e)(1): Prior to July 1, 2011 persons violating subsection (a) shall be fined \$30.00, including court costs.

Article 17, Section 182.1, subsection (e)(2) is deleted and replaced with the following:

(e)(2): From and after July 1, 2011 persons violating subsection (a) of 8-2503, and amendments thereto shall be fined \$30.00, including court costs.

SECTION THREE

11-602. is hereby adopted as follows:

11-602. SAME; TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this article that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.

(b) All traffic violations which are included within this article, and which are not ordinance traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses.

SECTION FOUR

11-603. is hereby adopted as follows:

11-603.PENALTY FOR SCHEDULED FINES.

- (a.) The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judges establish a fine in a fine schedule shall not be more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.
- (b.) Every person convicted of a violation of any of the provisions of this ordinance for which another penalty is not provided by this ordinance or by the schedule of fines established by the judge of the municipal court shall be punished for first conviction thereof by a fine of not more than \$500 or by imprisonment for not more than one month or by both such fine and imprisonment; for a second such conviction within one year thereafter that person shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than six months or both such fine and imprisonment; upon a third or subsequent conviction within one year after the first conviction such person shall be punished by a fine of not more than \$2,500 or by imprisonment for not more than one year or by both such fine and imprisonment. (K.S.A. 8-2116; K.S.A. 21-4503; K.S.A. 21-4503a).

SECTION FIVE

11-604. is hereby adopted as follows:

11-604.TRAFFIC CONTROL SIGNAL PREEMPTION DEVICES

Article 4, Section 13.1 of the Standard Traffic Ordinance is hereby amended as follows:

Article 4, Section 13.1, subsection (c) is deleted and replaced with the following:

“(c) The provisions of this section shall not apply to the operator, passenger, or owner of any of the following authorized emergency or public works vehicles, in the course of such person’s emergency or public safety duties:

- (1) Publicly owned fire department vehicles
- (2) Publicly owned police vehicles
- (3) Motor vehicles operated by ambulance services permitted by the emergency medical services board; or
- (4) Publicly owned public works vehicles during snow removal operations.”

SECTION SIX

11-605. is hereby adopted as follows:

11-605. UNATTENDED MOTOR VEHICLE.

Article 13, Section 107 of the Standard Traffic Ordinance is hereby amended by deleting existing Section 107 and inserting in place thereof the following:

“Sec. 107. Unattended Vehicles. No person either operating or in charge of a motor vehicle shall leave the vehicle unattended and unlocked on either a public or private area within the City unless the ignition of such vehicle is in the locked position and the keys are removed from the ignition and are not visible from the exterior of the vehicle. These provisions shall not apply if the windows are closed and the doors locked or the vehicle is in a closed and secure building. A vehicle shall be presumed unattended if the owner or person in charge of the vehicle is not in the vehicle or is not in the immediate vicinity so as to have direct control or access to the vehicle.”

SECTION SEVEN

Existing Article 6 of Chapter XI of the Prairie Village Municipal Code is hereby repealed.

SECTION EIGHT Effective Date

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

PASSED AND APPROVED THIS _____ DAY OF NOVEMBER, 2010.

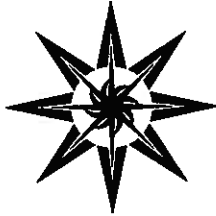
Ronald L. Shaffer, Mayor

ATTEST:

APPROVED AS TO FORM:

Joyce Hagen Mundy, City Clerk

Catherine P. Logan, City Attorney



ADMINISTRATION

City Council Committee Meeting Date: November 15, 2010

Exterior Grant Program Summary

BACKGROUND

The development of the Exterior Grant Program began in 2007. The grant program is awarded as a 20% reimbursement of the actual cost of construction and/or material costs. The minimum required private investment is \$5,000 with no maximum investment amount. The minimum grant is \$1,000 up to the maximum grant amount of \$2,500. Eligible improvements include, but are not limited to: complete exterior house painting or siding, door/window repair or replacement, new roof, masonry, foundation repair, awnings, building additions, and landscaping. New construction is also eligible.

In developing the initial eligible areas, staff used two methods of determining the targeted areas: the General Land Use map from Village Vision (pg. 3.22) and a map of codes violations for the years from 2003 to 2005. Not surprisingly, both of these maps, when overlaid, correlate to each other. Using the Village Vision map, staff identified four areas for 'Neighborhood Improvement' and running the boundaries of these areas to the edges of their respected blocks, three key areas were identified during the initial year of implementation:

Area 1: All Streets West of the Center-Line of Roe between 71st Street (south side only) to 75th Street (north side only)

Area 2: All Streets East of the Center-Line of Belinder

Area 3: All Streets West of the Center-Line of Nall between 75th Street to 79th Street (north side only)

To be eligible for the grant the property must be located within a designated grant improvement area. In addition, all property taxes must be current, adequate property insurance must be in effect, and all improvements must conform to City of Prairie Village Municipal Code and other applicable building codes. There is a limit of one grant per property every ten years. The program would apply to all residential property owners regardless of residency in the home. While a single owner may apply for multiple properties within a program year, these grants cannot run concurrently; only one property at a time will be approved. The City Council allocated \$37,500 from the Economic Development Fund in the initial year of operation and anticipated a private investment of \$150,000 as a result of the program.

DISCUSSION:

In the initial year of the program, 2008, the City funded 16 grants.

Area	Number of Grants	Grant Award	Private Investment
1	4	\$7,530	\$39,025
2	10	\$18,564	\$103,225
3	2	\$4,039	\$31,964
Totals	16	\$30,133	\$174,214

The public/private dollar ratio for 2008 was \$1 public investment for every \$5.78 of private investment. There were some minor revisions made to the program at the end of 2008 which included:

- Change in the boundaries of Area 3 to include all streets West of Juniper from 75th Street to 79th Street
- Change in the boundaries of Area 2 to include all streets East of Norwood from 75th Street to Somerset
- Include all addresses on boundary streets, and
- City Council allocated \$50,000 for the program in 2009

In 2009, the second year of the program, the City funded 28 grants.

Area	Number of Grants	Grant Award	Private Investment
1	7	\$11,994	\$69,926
2	10	\$12,408	\$758,257
3	11	\$18,400	\$111,606
Totals	28	\$42,802	\$256,789

The public/private dollar ratio for 2009 was \$1 public investment for every \$5.00 of private investment. There were some revisions made to the program at the end of 2009 which included:

- Adding the area bound by 69th St on the north, 71st St on the south, Nall to Reeds to Area 1
- Adding the area bound by 71st St to 75th St from Roe to Village Drive to Area 1
- Extending Area 3 east to Delmar, and
- City Council continued to allocate \$50,000 for the program in 2010

In 2010, the City funded 19 grants with 3 still pending

Area	Number of Grants	Grant Award	Private Investment
1	8	\$15,648	\$95,499
2	8	\$15,307	\$100,942
3	3	\$6,069	\$78,222
Totals	19	\$37,024	\$274,663

The current public/private dollar ratio for 2010 is \$1 public investment for every \$7.42 of private investment. Staff is not proposing any modifications to the program for 2011 should the City Council decide to continue the program.

ACTION/RECOMMENDATION:

During the 2011 FY budget discussions, the City Council asked that staff provided a summary of the grant program activities since the inception of the program to evaluate the overall effectiveness of the program. The City Council has allocated \$50,000 in the FY 2011 budget to implement the program in 2011 should City Council decide to continue the program.

Funding was allocated from the Economic Development Fund. The anticipated balance in the Economic Development Fund with all FY 2011 budget allocations is \$ 2,044,978. Since the Economic Development Funding is a dedicated fund, any unused funds would remain in the Economic Development Fund for future use if the City Council decides not to continue the program.

ATTACHMENTS:

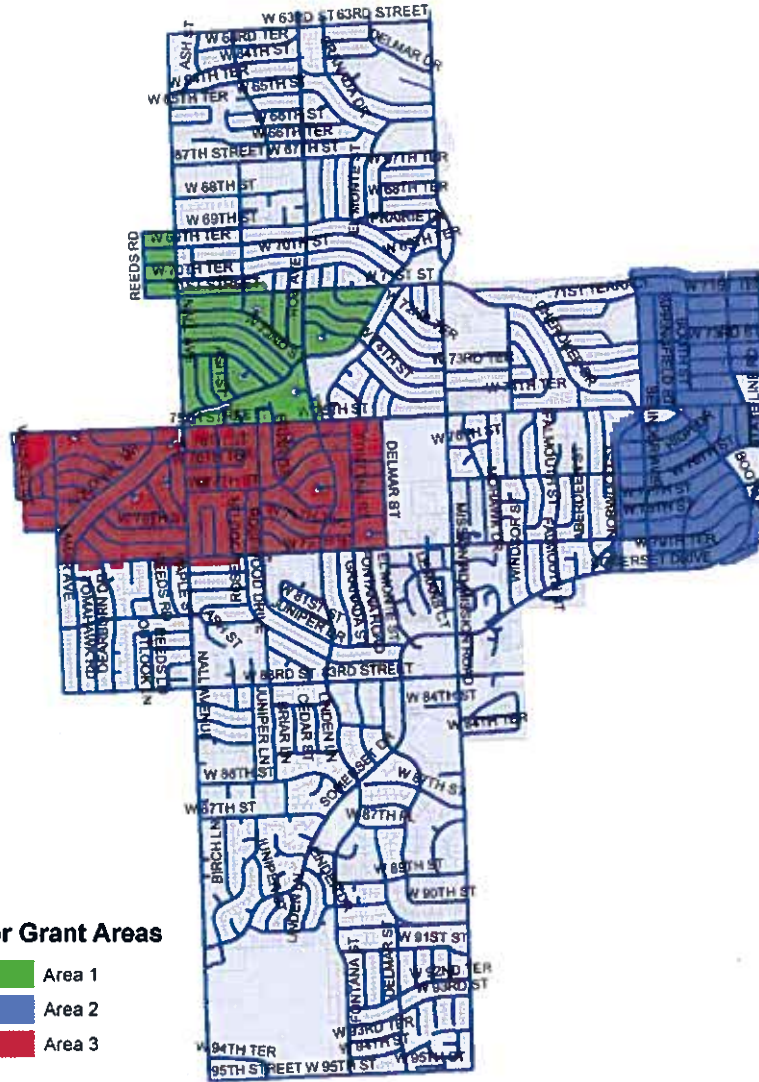
Existing Exterior Grant Boundaries

PREPARED BY

Dennis J. Enslinger
Assistant City Administrator
Date: November 12, 2010

Existing Exterior Grant Areas

City of Prairie Village Exterior Grant Program



Exterior Grant Areas

- Area 1
- Area 2
- Area 3



**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
November 15, 2010
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 - November 1, 2010
2. Approve Claims Ordinance 2877
3. Ratify the Mayor's appointment of Al Pugsley, Jr to the Environment/Recycle Committee with his term expiring in April, 2013
4. Approve amendment to "Attachment A" for the 2010 Parks Projects with Indigo Design in the amount of \$7,500.00
5. Approve the renewal of the Blue Valley Public Safety Contract for the City's Outdoor Warning Siren System Maintenance for 2011
6. Approve the renewal of a contract with Delta Dental of Kansas as the City's dental insurance provider
7. Approve changing vision providers to Superior Vision for the 2011 Plan year
8. Approve The Standard as the City's life and accidental death and dismemberment insurance provider for the 2011 plan year
9. Approve changing to Hartford as the City's long-term disability insurance provider for the 2011 plan year
10. Approve the renewal of software maintenance agreement for Laserfiche

VI. MAYOR'S REPORT

Consider the appointment of Bruce McNabb as the Public Works Director

VII. COMMITTEE REPORT

COUNCIL COMMITTEE OF THE WHOLE

Consider the 2011 Joint City/County Legislative Platform - (Council Committee of the Whole Minutes November 1, 2010)

Consider Project 19890: 2010 Bond Project - Construction Change Order #4 adding Project 190883, 2010 CARS Project on Somerset Drive from Roe Avenue to Reinhardt Lane

Consider adoption of the 2010 Standard Traffic Ordinance for Kansas Cities and the Uniform Public Offense Code for Kansas Cities

FINANCE COMMITTEE

Consider CIP funding considerations for the 2011 Budget

Consider renewing Blue Cross Blue Shield of Kansas City as the City's health care provider establishing a PPO option as the City's 'base' insurance plan

PLANNING COMMISSION

Consider Request for Special Use Permit for the operation of a Country Club/Private Club (Meadowbrook Country Club) at 9101 Nall Ave

- 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

CONSENT AGENDA

CITY OF PRAIRIE VILLAGE, KS

November 15, 2010

CITY COUNCIL
CITY OF PRAIRIE VILLAGE
NOVEMBER 1, 2010

The City Council of Prairie Village, Kansas, met in regular session on Monday, November 1, 2010 at 7:30 pm 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, Dale Warman, Ruth Hopkins, Steve Noll, Andrew Wang, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz.

Also present were: Wes Jordan, Chief of Police; Keith Bredehoeft, Interim Public Works Director; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Dennis Enslinger, Assistant City Administrator; Karen Kindle, Finance Director and Joyce Hagen Mundy, City Clerk.

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

PUBLIC PARTICIPATION

Grant Nelson, 7932 Dearborn, a new resident was in attendance to learn more about the City. Also two high school students from Rockhurst High School were present for their American Government class.

CONSENT AGENDA

Charles Clark moved approval of the Consent Agenda for November 1, 2010:

1. Approve Regular Council Meeting Minutes - October 18, 2010

2. Approve the Interlocal Agreement between the City of Prairie Village and Johnson County Park and Recreation District for the use of City facilities for 2001 programming.
3. Ratify the Mayor's appointment of Daniel Andersen and Kathy Peterson to serve as Co-Chairs of the Prairie Village Jazz Fest Committee.
4. Authorize the continuation of multi-year agreements for 2011.
5. Authorize the continuation of on-going or auto renew agreements for 2011.
6. Adopt Ordinance 2231 relating to smoking regulations in the City of Prairie Village, Kansas; amending the Prairie Village Municipal Code Section 11-404.
7. Approve the addition of 63rd Street from Nall Avenue to Roe Avenue to the 2010 Street Bond Project.

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

MAYOR'S REPORT

Mayor Shaffer presented his report at the earlier Council Committee of the Whole meeting enumerating on the events he had attended during the past weeks representing the City of Prairie Village.

COMMITTEE REPORTS

Council Committee of the Whole

On behalf of the Council Committee of the Whole, Charles Clark moved the Governing Body approve the use of \$17,138 in Contingency Funds for the purchase of a 2011 Ford Escape from Shawnee Mission Ford for use by the Building Inspections Division. The motion was seconded by Dale Beckerman and passed unanimously.

Community Center Committee

David Belz announced at the earlier Council Committee of the Whole meeting that the surveys for the Community Center have been mailed out. More than 1500 were

mailed and they are hoping for a response of 400 or more to get a qualified analysis. Mr. Belz noted the survey poses difficult questions regarding not only would you support a community center, but questions regarding how it should be funded, what level of user fees would be appropriate and would they support a tax increase to fund the community center and if so, how large a tax increase. They are seeking to determine the depth of the community's level of support.

The consultant is also doing a market analysis of other community center facilities within a ten mile radius. Once the surveys are returned, the consultant will evaluate them and present them to the Committee for discussion. Mr. Belz stated he does not expect to have information to bring back to the City Council until after the first of the year.

Mayor's Holiday Tree Lighting

The Holiday Tree light will take place at Corinth Square on Thursday, December 2nd. Diana Ewy Sharp reported several new events have been added to the celebration including complimentary gift wrapping. Mr. Ewy Sharp noted she needed additional volunteers for the gift wrapping. There will be carolers going around the center. The local restaurants, Johnny's, Salty Iguana and BRGR, have all agreed to donate a portion of their receipts from that evening to the Mayor's Holiday Tree Lighting Fund and Lane4 has also given a donation to the event.

STAFF REPORTS

Mayor Shaffer announced that staff reports were given at the Council Committee of the Whole meeting.

OLD BUSINESS

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

NEW BUSINESS

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

ANNOUNCEMENTS

Finance Committee	11/02/2010	5:00 p.m.
Planning Commission	11/02/2010	7:00 p.m.
Sister City Committee	11/08/2010	7:00 p.m.
Parks & Recreation Committee	11/10/2010	7:00 p.m.
Council Committee of the Whole	11/15//2010	6:00 p.m.
City Council	11/15/2010	7:30 p.m.

The Prairie Village Arts Council is pleased to announce a photography exhibit by Bess Wallerstein and Chris Huff in the R. G. Endres Gallery for the month of November. The reception will be held on November 12th from 6:30 - 7:30 p.m.

Mayor Shaffer reminded all to vote on Tuesday, November 2nd.

There will be a Ribbon Cutting Rededication for Macy's on Thursday, November 4th at 8 a.m.

The Municipal Foundation will be hosting the annual Mayor's Holiday Tree Lighting on Thursday, December 2nd at Corinth Square at 6 p.m.

The Mayor's Holiday Gala for volunteers is December 10th at 6:30 p.m. at Homestead Country Club.

The Municipal Foundation will be hosting a Gingerbread House Decorating Party on Sunday, December 12th. There will be sessions at 1 p.m., 2:30 and 4 p.m.

The City Clerk's office has a new style of ceramic coffee mug for sale. They are \$5.00 each.

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

ADJOURNMENT

With no further business to come before the City Council, the meeting was adjourned at 7:42 pm.

A handwritten signature in black ink, reading "Joyce Hagen Mundy". The signature is written in a cursive, flowing style with a large, sweeping underline that extends across the width of the name.

Joyce Hagen Mundy
City Clerk

CITY TREASURER'S WARRANT REGISTER

DATE WARRANTS ISSUED:

Warrant Register Page No. 1

November 15, 2010

**Copy of Ordinance
2877**

Ordinance Page No.

An Ordinance Making Appropriate for the Payment of Certain Claims.

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

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

NAME	WARRANT NUMBER	AMOUNT	TOTAL
EXPENDITURES:			
Accounts Payable			
95825-95927	10/1/2010	257,083.60	
95928-95935	10/8/2010	125,446.50	
95936-96027	10/15/2010	1,194,872.46	
96028	10/19/2010	1,441.50	
96029-96034	10/22/2010	3,815.95	
96035-96121	10/29/2010	215,141.90	
Payroll Expenditures			
9/10/2010		251,674.93	
9/24/2010		257,144.49	
Electronic Payments			
Intrust Bank -credit card fees (General Oper)		1,493.89	
Intrust Bank - fee		357.49	
KCP&L		10,548.46	
Wageworks - Section 125 admin fees		252.92	
Intrust Bank - purchasing card transactions		8,336.31	
Kansas Gas		1,339.99	
Marshall & Ilsley - Police Pension Remittance		7,156.86	
State Sales Tax Quarterly		2,319.04	
TOTAL EXPENDITURES:			\$ 2,338,426.29
Voided Checks			
LESC Inc	# 95879	(2,178.00)	
TOTAL VOIDED CHECKS:			(2,178.00)
GRAND TOTAL CLAIMS ORDINANCE			2,336,248.29

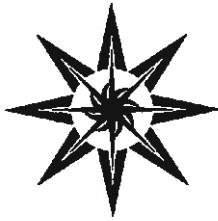
Section 2. That this ordinance shall take effect and be in force from and after its passage.

Passed this 15th day of November 2010.

Signed or Approved this 15th day of November 2010.

(SEAL)

ATTEST: _____
City Treasurer
Mayor



CITY CLERK DEPARTMENT

Council Meeting Date: November 15, 2010

**CONSENT AGENDA: CONSIDER APPOINTMENT TO THE
 ENVIRONMENT/RECYCLE COMMITTEE**

RECOMMENDATION

Ratify the Mayor's appointment of Al Pugsley, Jr. to the Environment/Recycle Committee with his term expiring in April, 2013.

BACKGROUND

Mayor Shaffer is pleased to place before you the appointment of Al Pugsley, Jr. to the Environment/Recycle Committee. Mr. Pugsley's volunteer application is attached.

ATTACHMENTS

1. Volunteer Application

PREPARED BY

Jeanne Koontz, Deputy City Clerk
November 8, 2010



City of Prairie Village

APPLICATION TO VOLUNTEER

Please complete this form and return it to the City Clerk's Office, 7700 Mission Road, Prairie Village, Kansas 66208. If you have any questions, please contact the City Clerk's Office at 913-381-6464 or send an e-mail to cityclerk@pvkansas.com.

Name Al Pugsley Jr Spouse's Name Carole
Address 9029 Rosewood Dr Zip 66207 Ward 5
Telephone: Home 913-381-1091 Work NA Fax Call first
E-mail apphs58@yahoo.com Other Number(s): _____
Business Affiliation Retired
Business Address _____
What Committee(s) interests you? Environmental

Please tell us about yourself, listing any special skills or experiences you have which would qualify you for a volunteer with the City of Prairie Village.

I drive an electric car. My home is very energy efficient. I am very much interested in helping America live sustainably. I have solar PV on my home. I serve on other environmental committees such the environmental action committee at Village Church, Sustainable Sanctuary Coalition, Earth Keepers and the Mid-America Electric Auto Association.

Thank you for your interest in serving our community.



PUBLIC WORKS DEPARTMENT

Council Meeting Date: November 15, 2010

CONSENT AGENDA: CONSIDER AMENDMENT TO THE 2010 PARKS CONTRACT WITH INDIGO DESIGN

RECOMMENDATION

Staff recommends approval of the amendment to "Attachment A" for the 2010 Parks Projects with Indigo Design in the amount of \$7,500.00.

BACKGROUND

This amendment allows for increased construction administration services provided by Indigo Design for the Franklin Park Project. Construction administration for this project is handled by Indigo Design and City Staff. Indigo Design's level of involvement in the construction administration phase of the contract increased over what was included in the original contract.

FUNDING SOURCE

Funding is available in the Capital Infrastructure Program Project 190659, Franklin Park Improvements.

ATTACHMENTS

1. Additional Scope of Services for Indigo Design

PREPARED BY

Keith Bredehoeft, Project Manager

November 10, 2010

Prairie Village Park Projects.

ATTACHMENT A – ADDITIONAL SERVICES SCOPE

Revised 11/11/10

This supplemental section for Attachment A further defines the design scope and deliverables for additional services related to Franklin Park, specifically the Roe Avenue parking modifications and naturalization of the drainage channel, plus daily construction observation services:

DESIGN SCOPE

Roe Avenue Parking and Internal Parking Modifications

- Expand the existing northern-most parking area on Roe to allow conversion from parallel parking to angled parking.
 - Parking count will increase from 10 to approximately 19 stalls.
 - A new curb line will be established with an expanded asphalt surface.
 - The depth of the stalls may be increased beyond typical depths to allow for increased visibility of cars backing into Roe Ave. The parking angle will be a minimum of 45-degrees.
 - The stalls will be striped per Prairie Village standards.
- The two other existing parking areas on Roe will remain in their current configuration.
- An additional 9 stalls will be added to the east side of the existing internal parking lot, after the extension of creek channel piping as noted below. (These stalls are in addition to the 9 stalls already being added to the west side of the internal parking per the base contract).

Drainage Channel Pipe Modifications

- The pipes under the park entry drive will be replaced and extended farther to the south to allow expansion of the internal parking, as noted above. Plans for this portion of the project will be provided directly to Public Works and will be constructed independently of the park renovation project.

Naturalized Drainage Channel

The following drainage channel improvements will be employed from the park entry drive piping to the south edge of the park:

- Remove the concrete bottom and re-grade channel to create a small amount of “meander” in the flow-line.
- Install a gravel base in the stream bottom to increase percolation into the soil profile.
- Install limestone bottom over the gravel, with large limestone boulders along both banks to create a “naturalized” channel and to protect the banks during high flow.
- Re-grade stream banks to create a more natural look, and seed with cool-season, fine fescues to increase the aesthetic affect.

DELIVERABLES - Deliverables will coincide with the schedule for remainder of the Franklin Park improvements and include:

Prairie Village Park Projects.

ATTACHMENT A – ADDITIONAL SERVICES SCOPE

Phase 1 – Schematic Design

- 24x36 plan sets to illustrate site plan and detailed design features (6 copies for City) - Layout, grading, landscape, and details for items noted in the design scope.

- Opinion of Probable Project Costs
- Rendered plan for presentation purposes (for Public, PRC, and Council)
- Digital copies of all of the above

Phase 2 – Design Development

- 24x36 plan sets to illustrate dimensions for all site plan and design features (6 copies for City) - Layout, grading, and landscape.
- Opinion of Probable Project Costs
- Digital copies of all of the above

Phase 3 - Construction Documents

- 24x36 plan sets for bidding and construction purposes (6 copies for City) for all items noted in the design scope
- Project Manual with City-approved front end documents, bid form, and project specifications.
- Opinion of Probable Project Costs
- Digital copies of all of the above

Phase 4 – Bidding Administration

- Responses to bidder inquiries
- Addenda document preparation
- Bid tabulation form
- Assistance with bid tabulation and review

Phase 5 – Construction Administration

- The design team will provide on-call services to assist with plan interpretation at the discretion of the City.
- The design team will review shop drawings, as needed.
- A minimum of three (3) site visits will be conducted by Indigo Design during construction to coordinate with the Contractor relative to the naturalized stream, specifically to review final grading, review placement of stones in the stream, and mark/adjust plant locations, etc.

Construction Observation

- During the course of the construction phase of the Franklin Park 2010 Improvement project (estimated to be 16 weeks), conduct daily visits to the construction site to review progress.
- Maintain daily notes of general activities, recent progress, and weather/site conditions.
- Address immediate questions and concerns of the contractor and coordinate with City, as needed.



POLICE DEPARTMENT

Council Meeting Date: November 15, 2010

CONSENT AGENDA: Consider Renewal of the Blue Valley Public Safety Contract for the City's Outdoor Warning Siren System Maintenance for 2011.

RECOMMENDATION

Staff recommends approval of the agreement between the City of Prairie Village and Blue Valley Public Safety in the amount of \$3,504.00 to be paid out of 01-03-21-6000-000 for 2011.

BACKGROUND

Blue Valley Public Safety has maintained the siren system for the City's outdoor warning each year since 1984. The maintenance price has not increased and there have been no changes in the terms and conditions from previous years -- this is merely a renewal for maintenance.

The Department has experienced no problems with the past contracts and the City Attorney has previously reviewed and approved this document.

ATTACHMENTS

2011 Maintenance Agreement, including Terms and Conditions.

PREPARED BY

Wes Jordan
Chief of Police
November 10, 2010



PO Box 363 • 509 James Rollo Dr. • Grain Valley, MO 64029
(816) 847-7502 • 1-800-288-5120 • Fax (816) 847-7513

November 2, 2010

Prairie Village Police Department
ATTN: Jennifer Wright, Executive Assistant
7710 Mission Road
Prairie Village, KS 66208

Dear Jennifer,

Enclosed is the new contract for the maintenance of the City outdoor warning siren system. We have appreciated the opportunity in the past to work for you maintaining your warning system and look forward to renewing the contract for this year.

The contract for maintenance on the **Prairie Village Outdoor Warning Siren System** is for the year, **January 1, 2011, through December 31, 2011**. The prices, terms and conditions have remained the same as last year.

Should you have any further questions, please feel free to call my office at (816) 847-7502 or fax # (816) 847-7513.

Thank you for your continued interest in our services.

Sincerely,

Norma R. Cates
Norma R. Cates
Office Manager

NRC/daw

Encl.

www.bvpsonline.com



509 JAMES ROLLO DRIVE ♦ PO BOX 363
GRAIN VALLEY, MO 64029
(816) 847-7502

MAINTENANCE AGREEMENT

PO # _____

Maintenance Period: 01-01-11 thru 12-31-11

Payment Period: Annual

Customer Address		Billing Address		
Prairie Village Police Department ATTN: Jennifer Wright, Ex. Asst. 7710 Mission Road Prairie Village, KS 66208 Phone Attention of				
Qty.	Model and Description	Unit per Month	Month Total	Annual
2	M/N 2T22 Sirens	25.00	50.00	
2	M/N ARCH Radio Controls	15.00	30.00	
4	M/N 2001 Sirens	16.00	64.00	
4	M/N FCTD Radio Controls	17.00	68.00	
16	Batteries	5.00	80.00	
	Monthly Total:		292.00	
	ANNUAL TOTAL:			\$ 3,504.00

BLUE VALLEY PUBLIC SAFETY

Norma R. Cates
Norma R. Cates, Office Manager

Date: 11/2/2010 3:24:00 PM

CUSTOMER
City of Prairie Village, KS

By: _____

Date: _____

TERMS AND CONDITIONS

This Maintenance Agreement (this Agreement) is between Blue Valley Public Safety ("BLUE VALLEY") and the ("CUSTOMER") as indicated on the reverse side of this Agreement.

In consideration of the mutual agreements herein contained, BLUE VALLEY and the CUSTOMER agree as follows:

1. Subject to the terms and provisions of the Agreement, BLUE VALLEY hereby agrees to maintain and service for equipment (the "EQUIPMENT") described on the reverse side of this Agreement beginning and ending on the dates indicated.

2. CUSTOMER hereby agrees to pay BLUE VALLEY the total of monthly charge(s) set forth on the reverse side for the one-year term of this Agreement. In addition, CUSTOMER shall pay for any sales, use, excise or other taxes, if any, which may be imposed upon the furnishing of parts, components or service pursuant to this Agreement.

3. The services to be performed by BLUE VALLEY hereunder shall consist of repair or replacement of the EQUIPMENT and parts and components thereof which have malfunctioned or become inoperative in normal wear and usage. This Agreement does not extend to repair or replacement of the EQUIPMENT or parts or components thereof which have malfunctioned or become inoperative for any other reason, including, but not limited to, misuse, abuse, vehicular accident, fire, natural disaster, explosion or other casualty, or modification or alteration by any party other than BLUE VALLEY.

4. BLUE VALLEY'S obligation to service the EQUIPMENT pursuant to this Agreement shall consist of its obligation of repair or replacement hereinabove set forth. In the event of any breach of such obligation by BLUE VALLEY, CUSTOMER'S sole remedy shall be to terminate this Agreement and receive from BLUE VALLEY the lesser of: (i) the actual and reasonable cost of such repair or replacement by another party; or (ii) the monthly charges theretofore paid by CUSTOMER in respect of such of the EQUIPMENT for which breach is claimed by CUSTOMER. In no event shall BLUE VALLEY be responsible for consequential damages or other damages, such as, but not limited to, loss of profits, cost of purchasing or renting replacement equipment, or loss of use of the EQUIPMENT or vehicles in which the EQUIPMENT shall be installed. This limitation on the liability of BLUE VALLEY shall not extend to any claim for damages arising out of injury to person or property directly and proximately caused by the EQUIPMENT.

5. BLUE VALLEY shall be under no obligation to provide services at any site other than the site, designated pursuant to this Agreement. In the event that BLUE VALLEY should nonetheless perform service at any other site at the request of CUSTOMER, then CUSTOMER shall be responsible for providing a safe and suitable working site, and shall be responsible for all additional costs and expenses incurred by BLUE VALLEY in performing services at such site, including, but not limited to, transportation costs, temporary equipment rentals, employee overtime, and additional labor costs resulting from utilization of local union workmen to conform with any agreements or other requirements affecting such work site.

6. Any item of the EQUIPMENT which is not new or which has not been subject to a Maintenance service agreement with BLUE VALLEY immediately prior to this Agreement shall be inspected by BLUE VALLEY at CUSTOMER'S request and restored to operative condition at the expense of CUSTOMER. In the event BLUE VALLEY is unable to restore the EQUIPMENT to operative condition, then effective upon the date of notice of such fact to CUSTOMER, this Agreement shall be terminated as to such EQUIPMENT and the charges hereunder equitably reduced. Such termination shall have no effect as to any other EQUIPMENT hereinabove specified, and in addition, CUSTOMER shall pay its reasonable charges for parts and labor expended in its attempt to restore such EQUIPMENT to operative condition.

7. BLUE VALLEY warrants that parts, components and services furnished pursuant to this Agreement shall be commercially free from defects of material and workmanship at the time EQUIPMENT is returned to CUSTOMER. Any claim for breach of this warranty shall be ineffective unless written notice thereof shall be given to BLUE VALLEY within the period of one year from the date hereof. THIS WARRANTY IS EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES OF MERCHANTABILITY, FITNESS FOR PURPOSE AND OF ANY OTHER TYPE, WHETHER EXPRESS OR IMPLIED.

8. BLUE VALLEY shall use reasonable diligence to perform its obligations hereunder on a commercially timely basis but subject to delays or failures resulting from fire, war, labor disputes, acts of God, governmental regulations, commercial shortages, component or material unavailability, and other causes beyond its reasonable control. Performance by BLUE VALLEY is further conditioned upon complete information or instructions being furnished by CUSTOMER regarding inoperative or malfunctioning conditions of the EQUIPMENT and possible causes thereof.

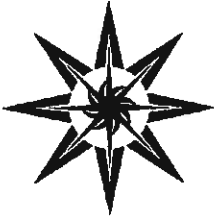
9. CUSTOMER represents and warrants that: (i) CUSTOMER owns the EQUIPMENT or has full right of possession and use thereof throughout the term of this Agreement, (ii) CUSTOMER has full power and authority to enter into this Agreement; and (iii) the performance of this Agreement by BLUE VALLEY as hereinabove set forth will not violate any contracts or arrangements to which CUSTOMER is a party or which may be binding upon CUSTOMER.

10. This Agreement may terminate by either party hereto in whole or in part as to less than all items of the EQUIPMENT upon giving to other party sixty (60) days advance written notice of its intent to terminate; except that (i) BLUE VALLEY shall complete all services herein required of it with respect to EQUIPMENT therefore delivered to BLUE VALLEY and shall return same to CUSTOMER, (ii) CUSTOMER shall pay for all charges or other costs accruing prior to the effective date of termination or with respect to EQUIPMENT thereafter returned to CUSTOMER by BLUE VALLEY, and (iii) BLUE VALLEY shall return to CUSTOMER all payments made by CUSTOMER applicable to terminated maintenance service to have been rendered by BLUE VALLEY subsequent to the effective date of termination.

11. This Agreement constitutes the only agreement between BLUE VALLEY and CUSTOMER respecting the subject matter hereof and supersedes all prior agreements or understandings, whether written or oral. This Agreement may not be amended or modified except in writing signed by BLUE VALLEY and CUSTOMER. Neither party may assign any rights hereunder without the prior written consent of the other. This Agreement shall be solely for the benefit of BLUE VALLEY and CUSTOMER and no other party shall have any rights hereunder.

12. *SPECIAL PROVISIONS

96 Hours response time



HUMAN RESOURCES

City Council Meeting Date: November 15, 2010

Consent Agenda: Consider renewing Delta Dental of Kansas as the City's dental insurance provider, changing vision insurance providers to Superior Vision, renewing The Standard as the City's life and accidental death and dismemberment insurance provider, and changing the City's long-term disability provider to Hartford.

SUGGESTED MOTION

Move that the Committee:

- 1) Approve Delta Dental of Kansas as the City's dental insurance provider for the 2011 plan year.
- 2) Approve changing vision providers to Superior Vision for the 2011 plan year.
- 3) Approve The Standard as the City's life and accidental death and dismemberment insurance provider for the 2011 plan year.
- 4) Approve changing to Hartford as the City's long-term disability insurance provider for the 2011 plan year.

BACKGROUND

Dental

The City currently contracts with Delta Dental of Kansas for employee dental insurance. With the assistance of CBIZ, the City's employee benefits consultant, Delta Dental submitted a 0% increase for the 2011 plan year. Additionally, Delta Dental also offered a 5.50% increase cap for the 2012 plan year.

Vision

In 2006, the City began offering vision insurance through Spectera. In order to review the benefit and associated cost, Staff asked CBIZ to request proposals from other vision providers for the City's vision insurance. While the City received several quotes, the best benefit/cost scenario was through Superior Vision. The impact of changing providers to Superior Vision will result in a savings of \$3,480. The cost sharing will be as follows:

	<u>Total</u>	<u>Employee</u>	<u>City</u>
EE Only	5.52	0.00	5.52
EE + Spouse	10.92	5.40	5.52
EE + Child(ren)	10.70	5.18	5.52
Family	16.26	10.74	5.52

Life & Accidental Death and Dismemberment (AD&D)

The City currently offers life and AD&D insurance in the amount of \$10,000 and five (5) times their annual salary to non-commissioned employees and commissioned

employees, respectively. The City requested that CBIZ review the rates with The Standard in order to determine if the cost could be decreased. The Standard agreed to decrease the cost per thousand dollars in coverage for life insurance from \$0.13 to \$0.09 resulting in an estimated savings of \$7,473.00. The cost per thousand dollars in coverage for AD&D insurance will remain at \$0.03.

Long-Term Disability (LTD)

Currently, the City uses Lincoln Financial as the City's long-term disability insurance provider. This benefit gives the employee sixty percent (60%) of their wages should they become unable to work for an extended amount of time. Staff requested that CBIZ obtain quotes for this benefit from other providers. The City received several responses, but the best was from Hartford. Hartford was able to decrease the cost per \$100 in covered payroll from \$0.46 to \$0.28 which results in an estimated \$6,160 savings. Along with the decrease, Hartford was able to give the City a three year rate guarantee.

Prepared By:

Nicholas Sanders, PHR, IPMA-CP

Human Resources Specialist

Date: November 10, 2010



CITY CLERK DEPARTMENT

Council Meeting Date: November 15, 2010
Consent Agenda

Consider annual renewal of software maintenance agreement for Laserfiche

RECOMMENDATION

Recommend the City Council approve the renewal of the annual software maintenance with R & D Computer Systems, LLC to provide Laserfiche support in 2011

BACKGROUND

In 1997, the City purchased a Laserfiche document imaging system. For the past several years, R & D Computer Systems has provided both software maintenance and training for the system. The volume of information on the systems continues to grow with regular input and use by administrative staff.

FINANCIAL IMPACT

The cost of service for 2011 has not increased from the 2010 agreement with an annual cost of \$1350. This amount has been included in the City Clerk's 2011 Operating Budget.

PREPARED BY

Joyce Hagen Mundy
City Clerk

Date: November 10, 2010

**COUNCIL COMMITTEE OF THE WHOLE
November 1, 2010**

The Council Committee of the Whole met on Monday, November 1, 2010 at 6:30 p.m. The meeting was called to order by Council President Charles Clark with the following members present: Mayor Ron Shaffer, Al Herrera, Dale Warman, Ruth Hopkins, Steve Noll, Andrew Wang, Laura Wassmer, Dale Beckerman, David Morrison, Diana Ewy Sharp and David Belz. Staff Members present: Wes Jordan, Chief of Police; Keith Bredehoeft, Interim Public Works Director; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Dennis Enslinger, Assistant City Administrator; Karen Kindle, Finance Director and Joyce Hagen Mundy, City Clerk.

COU2010-55 Consider request for use of Contingency Funds to purchase a new vehicle for the Building Inspections Division

The Building Inspections Division currently has two vehicles, a 1999 Ford Ranger with 21,887 miles and a 2003 Ford Ranger with 44,216 miles. Recently, the 2003 Ford Ranger has been experiencing a number of mechanical issues with the estimated cost for repair approximately \$4641.79 for a vehicle with a blue book value of \$5500. Dennis Enslinger stated that given the current condition of the vehicle and anticipated repair costs, staff is requesting contingency funds to purchase a replacement vehicle.

Staff has reviewed the bid under the Mid-America Council of Public Purchasing and has independently contacted the two lowest bidders under the 2010 MACPP bid process to get a detailed quote with the necessary equipment. Shawnee Mission Ford has given a bid of \$17,138 for a 2011 Ford Escape XLS 4-door 4 x 2 front wheel drive vehicle. Mr. Enslinger reported the City budgeted \$500,000 for contingency in 2010 and currently the fund balance is \$401,340.

Andrew Wang asked if the City would get any greater utility out of an all-wheel drive vehicle. Mr. Enslinger responded it possibly could, but has not had the need for one in the past. He noted, however, staff did look at a hybrid vehicle. The cost was approximately \$10,000 more.

Dale Beckerman made the following motion, which was seconded by David Morrison and passed unanimously:

**MOVE THE GOVERNING BODY APPROVE THE USE OF \$17,138 IN
CONTINGENCY FUNDS FOR THE PURCHASE OF A 2011 FORD
ESCAPE FROM SHAWNEE MISSION FORD FOR USE BY THE
BUILDING INSPECTIONS DIVISION.**

**COUNCIL ACTION TAKEN
11/01/2010**

COU2010-57 Consider Joint City/County Legislative Platform

Quinn Bennion noted that every year the Council develops and adopts a legislative program that establishes the City's legislative priorities for the upcoming session. The past few years the Council has adopted a joint City/County platform to assert its common positions with all of its representatives in Topeka. Chris Engel has been coordinated this effort with the County.

Managers met last week to discuss the 2011 platform. At that meeting the recommendation was to keep the platform very similar to the joint 2010 platform with updated language for standing items and the deletion of the items regarding Rainbow Mental Health and Buses on the Shoulder as they were successfully addressed by the 2010 legislative session.

Diana Ewy Sharp asked Chief Jordan if he was satisfied that the issues regarding Rainbow Mental Health have been resolved or if he felt it should remain a legislative priority. Chief Jordan responded that he felt it was on the proposed Legislative priorities. Quinn Bennion noted the information distributed is preliminary and that more information would be available prior to the Council taking formal action. He stated he would clarify if "Rainbow Mental Health" is intended to be on the list. He does not see it on the 2010 listing and felt perhaps contrary to the cover sheet this was meant to be added, not deleted.

Dale Beckerman made the following motion, which was seconded by Al Herrera and passed unanimously:

**FORWARD THE 2011 JOINT CITY/COUNTY LEGISLATIVE PLATFORM
TO THE GOVERNING BODY FOR ACTION AT THE NOVEMBER 15th
COUNCIL MEETING.**

COUNCIL ACTION REQUIRED

Park & Recreation 2010 Summer Recreation Presentation

Quinn Bennion briefly highlighted the 2010 Summer Recreation Report prepared by Chris Engel. The past season was the best in several years due to the weather and amenities offered by the pool. The average attendance was 845 with an average temperature of 91 degrees. The use of the Super Pass program increased from 2 to 3 percent to over 10 percent. However, one complaint was received that will be addressed with the committee regarding the ability of a non-resident to purchase a super pass and use the Prairie Village pool at a lower cost than that paid by a Prairie Village resident. Diana Ewy Sharp added there was strong participation in the program by Leawood residents. This was the first year that non-residents were allowed to purchase the Super Pass.

Dale Beckerman noted that Prairie Village residents are also attending neighboring cities' pools. It was also noted that the pools participating in the program are not equal

in the amenities they offer and perhaps the revenue sharing formula needs to be changed. Mr. Bennion noted the cities participating in the program are meeting next week to talk about the program and concerns will be addressed at that time and reported back to the Council.

Quinn Bennion noted that revenue covered 84.4% of the pool expenditures this past year; however, that is the result of the refunding of the pool bonds and the Council should expect that level to go back down next year.

STAFF REPORTS

Public Safety

- Chief Jordan reported that Halloween was quiet.
- Prairie Village Police were not involved with the police chase that originated in Independence and ended with a crash at the Meadowbrook Golf Club.
- Chief Jordan stated the school district had thought of having a mock school traffic demonstration at Indian Hills Middle School emulating the anticipated traffic situation with the closing of Mission Valley Middle School but the event was cancelled.
- The Police Department will be having two public meetings about the break-ins east of Mission Road (Monday, November 15th at Belinder School and Thursday, November 18th at Mission Road Bible Church). He noted the burglaries have slowed, but have not stopped.

Public Works

- Keith Bredehoeft announced that a decision on the 63rd Street Paving Project being coordinated with the City of Mission has been delayed until November 17th.
- Public meetings will be held on the proposed changes to Cambridge Street near Weltner Park on November 17th at City Hall from 5 to 7 p.m. Plans will be available for review.
- The work at Franklin Park is nearly complete. The pre-fabricated shelter will not be delivered until the later part of November. Everything that can be done in preparation for that structure has been done. Mr. Bredehoeft noted the contractor may be assessed liquidated damages as the Project was to have been completed by October 22. There will be some things that will not be able to be completed until spring.

David Morrison asked for further information on the liquidated damages. Mr. Bredehoeft stated that the contract designated damages of \$250 for each day beyond the scheduled completion date of the project. Quinn Bennion added that there will likely be negotiation between the contractor and the City on this issue.

- Mr. Bredehoeft reported that he had given Paddock Court estimated costs for them to bring their private street to City standards necessary for the City to accept the street. They have decided not to pursue seeking public street status at this time due to the rather significant cost involved.
- Two of the public works crew workers, Mike Glasscock and Chris Worden placed 3rd and 4th in the area snow plow rodeo with over 75 participants. .

Administration

- Dennis Enslinger reported the November Art Exhibit reception will be held on Friday, December 10th.
- The City has entered into a partnership with KCP&L for the placement of LED street lighting in designated areas of the City. The lights will remain up for a year and then be evaluated based on cost savings, lighting provided, etc.
- Staff is meeting with Johnson County Wastewater representatives regarding the remediation work to be done within the City. He stated he would forward a map identifying the work locations to Council members for their information.

Diana Ewy Sharp asked if the City was continuing to get calls on leaf pick-up. Mr. Enslinger responded he has only received a few, but noted the height of the season has not yet arrived.

- Quinn Bennion reviewed holiday event dates with the Council and stated he would send out an e-mail to Council with the dates and additional information.
- The Shawnee Mission School District Recommendation Report will be released on Thursday. The report will be discussed and voted upon at the Monday, November 8th meeting of the School Board.
- A finalist for the Public Works Director Position was in town last week for a second interview with the committee and also met with Department Heads and PW staff. The committee is recommending an offer be made to the individual and it is anticipated that he will return to meet the Council at the November 15th meeting.
- Staff had training last week on the City's new web site and is busy creating pages. The first phase launch will be the end of the year.

Mayor's Report

- October 19th - Northeast Johnson County Chamber
- October 20th - MARC Board of Directors
- October 21st - Chamber Lunch featuring the President of Shawnee Mission Medical Center as the speaker
- October 26th - meetings with the Public Works Director Candidate and Northeast Johnson County Chamber after hours event at BRGR
- Mayor Shaffer noted he had received an e-mail complementing the City on the fast response and removal of graffiti from the back of communication boxes. Quinn Bennion noted this is the responsibility of the utility, but the City has a higher standard for removal and thanked Mike Helms with Public Works for his work to remove the graffiti.

COMMITTEE REPORTS

Community Center Committee

David Belz reported that the survey prepared by the consultant for the feasibility study on a potential community center is in the mail. It has been sent out to approximately 1500 households and they are hoping for a return of 400 or more to provide a

statistically valid analysis. The firm is also doing a market analysis looking at other centers located within a ten mile radius. Mr. Belz stated the questions are designed to provide a sense of the depth of commitment for a community center. Questions include questions on how they feel about partnering with another agency and what agency they would support as a partner or would not support. They are asked how supportive they would be of funding the center and what funding sources they would support, i.e. tax increase, user fees, special assessment and at what level. They are asked how much they would be willing to pay to use the center.

Mr. Belz reported that once the data is collected and analyzed it will be presented to the committee. He anticipates the committee would have a recommendation for the Council after the first of the year.

David Morrison asked if the survey asked about a location. Mr. Belz responded it did not. A site needed to be established in order to do a valid market analysis.

Mayor's Holiday Tree Lighting

Diana Ewy Sharp reported this year's event has been expanded and will include complimentary gift wrapping. She asked Council members to volunteer for the gift wrapping. The event will include carolers, a children's art/craft area as well as the usual program. She has also gotten commitments from Johnny's, Salty Iguana and BRGR to donate a portion of their proceeds from sales that evening to the Holiday Tree Fund. Lane4 will also be making a donation to the event.

ADJOURNMENT

Being no further business to come before the Council Committee of the Whole, Council President Charles Clark adjourned the meeting at 7:25 pm.

Charles Clark
Council President



FINANCE COMMITTEE

Finance Committee Meeting Date: November 2nd, 2010
Council Meeting Date: November 15th, 2010

Agenda Item: Discussion of Capital Improvement Project priorities

SUGGESTED MOTION

Council direction is requested regarding the 2011 CIP project priorities. There are two funding considerations:

- 1) I move that Council allocate approximately \$169,000 (resulting from the 0.69 mill levy increase) from General CIP to Streets- Paving program.
- 2) I move that Council repurpose the trail funds originally budgeted for the grant match to the following CIP project _____ .

Options include:

- a. Schliffke Park renovation (Park committee's next priority)
- b. Construct a portion of Brush Creek trail (Porter Park to 71st St)
- c. Street rehab / paving
- d. Other

RECOMMENDATION

Finance Committee discussed this CIP funds and priorities at their November 2nd meeting. Finance Committee recommended allocating the approximately \$169,000 to Streets - paving program and \$200,000 of the \$366,000 to Parks general with the remainder to Streets - paving program. The committee also recommended that the Parks & Recreation Committee discuss and recommend the uses of the \$200,000 and that another park project be identified for the funds instead of Schliffke Park.

BACKGROUND

The 2011 Budget process concluded in August 2010. The CIP plan included two components that need further discussion and direction from the Council. Two funding items need to be confirmed or repurposed.

- 1) Mill levy increase - generates an estimated \$169,000 (or less)
- 2) Trail grant match - \$366,000 (grant was not received)

1) Mill Levy increase

City Council approved a 0.69 mill levy increase as part of the final budget considerations. This adjustment was designated as a transfer to CIP fund, but not

allocated to a specific project. Staff recommends the approximately \$169,000 resulting from the mill levy adjustment be allocated to Streets-Paving program. While the city's street maintenance needs are increasing, the street paving budget was dramatically reduced to balance the budget the last two years. The actual dollar amount will be lower than \$169,000 due to actual assessed values being lower than the estimates received from the County in June.

2) Trail grant match

City Council approved the Parks Master Plan in June 2009 to guide development and funding of future parks and recreation enhancements. The plan includes priority and phasing plans. Since the adoption, the Parks & Recreation Committee has approved several priority recommendations. Attached is a summary of Parks Master Plan prioritization plans with the recommending body and corresponding date of action.

In the fall of 2009, \$2 million was recommended to be included in the 2009 bond issuance to fund Parks Master Plan priorities. Council approved a Charter Ordinance to enable bond funds to be utilized for parks projects. A protest petition challenged the validity of the Charter ordinance. Consequently, the \$2 million anticipated for Parks projects was removed from the 2009 bond issuance and the streets bond portion was increased by \$2 million. Since that time, the protest petition has been deemed invalid, but is being challenged in appeals court.

Once removed from the bond financed project list, the \$2 million in parks projects became cash financed and subject to the same review and prioritization process as other cash projects in the CIP. Following the recommendation of the Parks Committee, the Council approved the following park project priorities in October 2009: Franklin Park, Weltner Park and Schliffke Park.

Prior to the start of the 2011 budget process, the Parks Master Plan project funding was anticipated and estimated at:

Parks project	Anticipated funding
Franklin Park renovation	\$1,080,152
Weltner Park renovation	\$270,000
Schliffke Park renovation	\$212,500
Trail - grant match	\$366,000
Parks Total:	\$1,928,652

The total of \$1.93M does not include the funds being expended in Franklin Park for the drainage pipes (allowing for a larger parking and entrance), the street work with Cambridge realignment (allowing for the Weltner Park expansion project) and the new park signs. The anticipated funding only includes capital expenditures. The costs associated with parks maintenance are still included in

the General Fund. Service levels and funding remained as previous years with some additional maintenance funds for Franklin Park enhancements.

As a result of the 2011 budget discussions and process, next year's budget was balanced, in part, by reducing the transfer from General Fund to CIP projects by \$940,757. The CIP cuts were discussed and approved by Council in June and included:

CIP cuts in 2011 budget	Reduction
Franklin Park renovation	\$100,000
Schliffke Park renovation	\$212,500
City Hall / PD patio replacement	\$240,000
Traffic calming program	\$40,000
Street rehab - 75 th Street	\$600,000
Street rehab / paving (increase)	+\$251,743
CIP Total reduction:	\$940,757

City staff recognized the opportunity to apply for KDOT TE funds to assist with funding for the Brush Creek trail from Porter Park to/through Village Shops. The grant was submitted and approved by Council in the fall of 2009. The grant was for the 2011 and 2012 funding years. The next grant cycle will be for 2013 and 2014 funding years, if future grant funding is available.

Staff recommended the grant submission for two primary reasons: leverage grant funds for an item in the parks plan and trail projects were a high priority for the community as identified in the resident parks survey and Parks Master Plan.

The City applied for the KDOT grant to leverage funds for items included in the Parks plan. The KDOT transportation enhancement grant is funded up to 80% by the State with the local unit funding the remainder. Staff will continue to explore outside funding sources to complete the Parks Master Plan such as MARC STP and Sunflower Grant, unless directed otherwise by Council. Staff views the Parks Master Plan as a guide and priorities should be pursued in the approved order, unless funding opportunities or other viable considerations are presented. For example, the Weltner Park renovation is identified in the Parks Master Plan as a Phase 7 project but was reprioritized to a Phase 1 project due to the Cambridge Street realignment bond project.

The current status of the park project priorities identified in 2009 is:

- 1) Franklin Park renovations - under construction, nearly complete
- 2) Weltner Park renovations - under design, construction in 2011
- 3) Schliffke Park renovations - funding removed from budget in June 2010

Council direction is needed to complete and finalize the CIP plan. Council has an opportunity to prioritize funding for a specific project or program. This item is

timely as the GFOA budget award submission deadline is approaching and has already been extended once.

Council options include reallocation of funds for:

- a. **Schliffke Park renovation.** This project was identified as the next parks priority by the Parks & Recreation Committee and confirmed by City Council last fall prior to the budget discussions.
- b. **Construct a portion of Brush Creek trail (Porter Park to 71st St).** The Brush Creek trail project (or most of it) could be designed and constructed with the funds. Leaving the funds as a trail project would allow application for other grant projects such as Sunflower grant. If this option is selected, it is recommended that Council's park priorities be revisited.
- c. **Street rehab / paving.** Council could determine that street maintenance is a higher priority than the trail or other parks project. The status of the street maintenance program is attached. Staff recommends consideration of this option.
- d. **Other priority project identified by Council**

ATTACHMENTS

- Summary of Parks Master Plan Priorities and Trail Approval History
- Street condition status sheet - distributed as part of the 2010 budget discussions
- Street segments with condition ratings less than 65 - distributed as part of the 2010 budget discussions

Prepared By:

Quinn Bennion

City Administrator

Date: November 9th, 2010

Parks Priorities and Trail Approval History

04/08/09 - PRC approved Parks Master Plan including:

<u>Parks Master Plan Committee Priorities</u>	<u>Financial Phasing Plan Priorities</u>
1. Community Center Options	1. Franklin Park
2. Weltner Park w/ Cambridge re-alignment	2. Porter Park, Brush Creek Trail, McCrum Park
3. McCrum Park	3. Harmon park
4. Trail System	4. Meadowlake Park
5. Sculpture Garden	5. Windsor Park
6. Purchase new parkland	6. Pool Replacement
7. Franklin Park	7. Weltner Park, Schliffke Park, Bennett Park
8. Harmon Park	8 – 14. Trail Segments
9. Swimming Pool	
10. Porter Park	

05/18/09 - COW approved Parks Master Plan

06/01/09 - CC approved Parks Master Plan

08/12/09 - PRC approved priorities as Franklin, Porter, Weltner, Schliffke and Bennett Parks

09/09/09 - PRC approved priorities of Franklin, Porter and Brush Creek Trail

10/14/09 - PRC rescinded 9/9/09 priorities; approved Franklin, Weltner and Schliffke and approved submitting for KDOT funding to pay for removed Brush Creek Trail item

10/19/09 - COW approved submitting for KDOT grant; CC approved PRC priorities of Franklin, Weltner and Schliffke

11/02/09 - COW approved waiving procurement process and awarding design of Franklin, Weltner and Schliffke to Indigo

11/16/09 - COW and CC removed Schliffke from 2010 Indigo project and approved design agreement

12/06/09 - Public Hearing for KDOT Trail Grant; CC approved application submittal

06/21/10 - COW budget discussion; Schliffke cut from budget and Brush Creek Trail match included

June 2010 - Trail grant not awarded by KDOT; trail submitted for MARC STP funding

October 2010 - Trail not awarded funding as part of STP grant

**Prairie Village
Capital Improvement Plan
Status of Street Condition**

As presented in June 2010 as part of the budget process.

Pavement Rating	Number of segments	Percentage
85 and above	369	73%
75 - 84	84	17%
65 - 74	30	6%
64 and below	23	5%
Total	506	

Staff comment:

20 street segments were included in the 2009 bond projects and are reflected as rating 85 and above on the chart. Street segments are rated on a four year cycle. There will be more street segments within the lowest category when the rerating process occurs. The street system is deteriorating and declining more rapidly than previous due to the percentage of streets within the lowest three categories.

City of Prairie Village
 Capital Improvement Projects
 As of 6-9-10

Street Segments and Condition = PCI rating < 65				
Number	Street	From	To	Rating
1	FONTICELLO STREET	67TH STREET	71ST STREET	46
2	71ST TERRACE	STATELINE ROAD	EATON STREET	51
3	ROSEWOOD DRIVE	87TH STREET	SOMERSET DRIVE	52
4	LINDEN DRIVE CDS	86TH STREET	LINDEN DRIVE CDS	57
5	68TH STREET	ROE AVENUE	FONTICELLO STREET	58
6	ROSEWOOD DRIVE CDS	ROSEWOOD DR CDS	ROSEWOOD DR CDS	59
7	WINDSOR STREET	CHEROKEE DRIVE	75TH STREET	59
8	DELMAR STREET CDS	DELMAR ST CDS	SOMERSET DR	60
9	75TH STREET	BELINDER AVENUE	MISSION ROAD	60
10	78TH STREET	NALL AVENUE	TOMAHAWK ROAD	60
11	81ST STREET CDS	MISSION ROAD	81ST STREET CDS	60
12	72ND TERRACE	MISSION ROAD	VILLAGE DRIVE	61
13	76TH STREET	ROE AVENUE	BRIAR STREET	61
14	64TH STREET	HODGES DRIVE	64TH TERRACE	61
15	84TH STREET	FONTANA ROAD	ROE AVENUE	61
16	90TH TERRACE	DELMAR ROAD	ROE AVENUE	61
17	75TH STREET	STATELINE ROAD	BELINDER AVENUE	62
18	73RD STREET CDS	WINDSOR STREET	73RD STREET CUL-DE-SAC	63
19	83RD TERRACE	ROE AVENUE	BRIAR LANE	63
20	90TH STREET	DELMAR ROAD	ROE AVENUE	63
21	94TH STREET	DELMAR ROAD	ROE AVENUE	63
22	78TH STREET	ROE AVENUE	JUNIPER DRIVE	64



FINANCE COMMITTEE

City Council Meeting Date: November 15, 2010

Consider renewing Blue Cross Blue Shield of Kansas City as the City's health care provider establishing a PPO option as the City's 'base' insurance plan.

SUGGESTED MOTION

Move that the Committee:

- 1) Approve Blue Cross Blue Shield of Kansas City as the City's health care provider for the 2011 plan year.
- 2) Establish the PPO plan as the City's 'base' health insurance option for purposes of determining employer premium contributions.
- 3) Approve the addition of a premium differential of \$20 per month for employees participating in the Health Risk Assessment.

BACKGROUND

The City currently contracts with Blue Cross Blue Shield of Kansas City (BCBS) for its employee health insurance plans. The plan year ends in December and consequently, renewals were sought from BCBS for the 2011 plan year. The renewal is based on the claims incurred by plan participants over the twelve month period of September 2009 - August 2010; the City's loss ratio for this period was 92%. With the addition of 10% for pooling, 18% for trend and 20% for administration, that puts the City at 135%, or a 35% renewal increase.

Initially, BCBS submitted a renewal of 33%; with the assistance of CBIZ, the City's employee benefits consultant, BCBS agreed to lower the increase to 22%. Due to budgetary constraints, a 22% renewal would not fit within the amount budgeted for 2011. At the same time, the City was able to secure a decrease in the cost of Vision and Long-Term Disability benefit by changing providers. The City also secured a decrease in the cost of Life/Accidental Death & Dismemberment benefit, and a 0% increase in the dental benefit through Delta Dental of Kansas. A summary of budgeted and renewal costs are shown below.

	Budget	Est. Cost	Difference	Inc/(Dec)
Health - No Changes	748,410	929,155	(180,745)	22%
Dental	33,149	32,995	154	0%
Vision	10,501	7,021	3,480	(31%)
Life/AD&D	27,153	19,680	7,473	(31%)
LTD	21,838	15,678	6,160	(39%)
Total			(163,479)	

Because of the remaining budget shortage from the increase in health insurance costs, plan design changes were necessary. BCBS presented several options to lower the renewal rate from the initial 33%. The decision was made by staff to add an additional PPO plan that would be at an increase of 9.5% from the 2010 premium costs and use it as the basis for determining the funding the City would allot towards the other health plans (the 'base' plan). With the addition of this plan and the change in the base, the budget shortfall was decreased by \$94,341, but still resulted in a funding shortfall of \$69,128. While many items were considered (attached), staff recommends funding the remaining deficit from the following items:

	Estimated Savings
Public Works Project Manager Salary Savings	34,989
Assuming 5 Employees Drop City Plan	23,933
CID Admin Revenue	20,000

Additionally, Staff also adjusted the benefit levels of the HMO and Buy-Up PPO plans in order to bring them in line with the market (attached). With these plan design changes, the renewal from BCBS of the three current health plans offered to employees a QHDHP/HSA, Base PPO, HMO, and Buy-Up PPO results in an increase from the 2010 'base' plan of 22%, 9.5%, 18.8% and 14.4%, respectively.

As, in prior years, the Governing Body determined the cost sharing by the City and the employee for the 'base' plan to be as follows. The City contributes the same dollar amount to the other plans. Employees who elect to participate in another plan (not the 'base' plan) pay a higher percentage of the cost sharing.

	<u>City</u>	<u>Employee</u>
EE Only	100%	0%
EE+1	83%	17%
Family	75%	25%

Based on this information the monthly cost sharing structure for the BCBS plans are attached. The HSA option will still allow the City to fund a portion of the employee's HSA while still reducing overall total healthcare cost. The employee can also contribute to their HSA in the amount of the difference between the IRS annual contribution limit.

Beginning in 2011, staff recommends that employees who participate in a Health Risk Assessment (HRA) conducted by BCBS, receive a \$20 reduction in their premium costs. Employees will be required to go through a basic physical screening in January to determine height, weight, and cholesterol level. With those results, the employee will enter them into an online questionnaire that provides recommendations based on their individual data. Additionally, the employee will be required to update their information later in the year to keep on top of their health and maintain their premium reduction.

Attachments

- Medical Benefits Comparison
-

Prepared By:

Nicholas Sanders

Human Resources Specialist

Date: October 28, 2010



**City of Prairie Village
Medical Benefits Comparison
Effective January 1, 2011**

MEDICAL	BCBS OF KC QHDHP		BCBS OF KC BASE PPO		BCBS OF KC HMO		BCBS OF KC BUY-UP PPO	
Carrier Website	www.BLUEKC.COM		www.BLUEKC.COM		www.BLUEKC.COM		www.BLUEKC.COM	
Plan Type & Network	PREFERRED-CARE QHDHP W/H S A		PREFERRED-CARE BLUE PPO		BLUE CARE HMO		PREFERRED-CARE PPO	
	In Network	Out of Network	In Network	Out of Network	In Network		In Network	Out of Network
Annual Deductible (calendar year) ⁽¹⁾								
Individual	\$2,500		\$500		N / A		\$400 \$250	
Family	\$5,000		\$1,000		N / A		\$200- \$500	
Coinsurance								
Member Pays	0%	20%	20%	40%	30% 30%		0% 10%	30% 30%
Maximum Out-of-pocket (calendar year) ⁽²⁾								
Individual	\$2,500	\$5,000	\$2,500	\$5,000	\$2,000 \$4,000		\$400 \$750	\$1,500
Family	\$5,000	\$1,000	\$5,000	\$10,000	\$8,000 \$8,000		\$4200 \$1,500	\$3,000
Lifetime Maximum								
Per Individual	Unlimited		Unlimited		Unlimited		Unlimited	
Physician Services								
Preventive Care	0%	Ded. Then 20%	0%	Ded. Then 40%	0%		0%	Ded. Then 30% 30%
Office Visits	Deductible Only	Ded. Then 20%	\$30 / \$60	Ded. Then 40%	\$30 / \$60		\$20 \$40	Ded. Then 30% 30%
Diagnostic (Non-routine) Tests and Labs	Deductible Only	Ded. Then 20%	\$30 / \$60	Ded. Then 40%	\$30 / \$60		\$20 \$40	Ded. Then 30% 30%
Urgent Care	Deductible Only	Ded. Then 20%	\$60	Ded. Then 40%	\$60		\$20 \$40	Ded. Then 30% 30%
Hospital Services								
Inpatient Care	Deductible Only	Ded. Then 20%	Ded. Then 20%	Ded. Then 40%	30% 30%		Ded. Then 0% 10%	Ded. Then 30% 30%
Outpatient Surgery	Deductible Only	Ded. Then 20%	Ded. Then 20%	Ded. Then 40%	30% 30%		Ded. Then 0% 10%	Ded. Then 30% 30%
Emergency room	Deductible Only	Ded. Then 20%	\$200 Then Ded. Then 20%	\$200 Then Ded. Then 40%	\$400 \$200		\$200 Then Ded. Then 10%	\$200 Then Ded. Then 30%
Prescription Drugs								
Level 1	Deductible Only		\$12		\$12		\$12	
Level 2	Deductible Only	Ded. Then 50% after	\$35	Ded. Then 50% after	\$35		\$35	Ded. Then 50% after
Level 3	Deductible Only	\$12 / \$35 / \$60	\$60	\$12 / \$35 / \$60	\$60		\$60	\$12 / \$35 / \$60
Mail Order (90 Day Supply)	Deductible Only		2x		2x		2x	
MEDICAL RATES								
	Total	Employer	Employee w/HRA	Employee w/out HRA	Total	Employer	Employee w/HRA	Employee w/out HRA
Employee Only	\$346.46	\$398.87	(\$52.41)	(\$32.41)	\$398.87	\$398.87	\$0.00	\$20.00
Employee + One	\$838.42	\$801.30	\$37.12	\$57.12	\$965.41	\$801.30	\$164.11	\$184.11
Employee + Family	\$1,236.82	\$1,067.07	\$169.75	\$189.75	\$1,422.76	\$1,067.70	\$355.06	\$375.06
	Total	Employer	Employee w/HRA	Employee w/out HRA	Total	Employer	Employee w/HRA	Employee w/out HRA
	\$432.31	\$398.87	\$33.44	\$53.44	\$432.31	\$398.87	\$33.44	\$53.44
	\$1,046.35	\$801.30	\$245.05	\$265.05	\$1,046.35	\$801.30	\$245.05	\$265.05
	\$1,542.04	\$1,067.70	\$474.34	\$494.34	\$1,542.04	\$1,067.70	\$474.34	\$494.34
	\$530.87	\$398.87	\$132.00	\$152.00	\$530.87	\$398.87	\$132.00	\$152.00
	\$1,284.94	\$801.30	\$483.64	\$503.64	\$1,284.94	\$801.30	\$483.64	\$503.64
	\$1,893.62	\$1,067.70	\$825.92	\$845.92	\$1,893.62	\$1,067.70	\$825.92	\$845.92

Note: This is only a summary. Please refer to the booklet/certificate for specific details. If a conflict arises, the booklet/certificate will govern in all cases.

(1) Family deductible is embedded. An individual covered in a family will not pay more than the individual deductible.

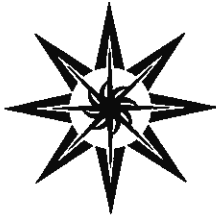
(2) PPO out-of-pocket amount includes coinsurance and deductible but excludes copay.

	2010 Blue Care HMO (Base)			2010 Preferred Care HDHP			2010 Preferred Care PPO		
	Total	City	EE	Total	City	EE	Total	City	EE
100%	363.90	363.90	-	283.98	363.90	(79.92)	464.05	363.90	100.15
83%	880.77	731.04	149.73	687.23	731.04	(43.81)	1,123.20	731.04	392.16
75%	1,298.01	973.51	324.50	1,013.79	973.51	40.28	1,655.26	973.51	681.75

New Base w/ 500/1000 Deductible

	2011 Blue Care HMO			2011 Preferred Care HDHP			2011 Preferred Care PPO			2011 Preferred Care Blue PPO (Base)		
	Total	City	EE	Total	City	EE	Total	City	EE	Total	City	EE
100%	432.31	398.88	33.43	346.46	398.88	(52.42)	530.87	398.88	131.99	398.88	398.88	-
83%	1,046.35	801.30	245.05	838.42	801.30	37.12	1,284.94	801.30	483.64	965.42	801.30	164.12
75%	1,542.04	1,067.07	474.97	1,236.82	1,067.07	169.75	1,893.62	1,067.07	826.55	1,422.76	1,067.07	355.69

	2011 Blue Care HMO			2011 Preferred Care HDHP			2011 Preferred Care PPO			2011 Preferred Care Blue PPO (Base)		
	Total	City	EE	Total	City	EE	Total	City	EE	Total	City	EE
100%	432.31	398.88	33.43	346.46	398.88	(52.42)	530.87	398.88	131.99	398.88	398.88	-
80%	1,046.35	772.34	274.01	838.42	772.34	66.08	1,284.94	772.34	512.60	965.42	772.34	193.08
70%	1,542.04	995.93	546.11	1,236.82	995.93	240.89	1,893.62	995.93	897.69	1,422.76	995.93	426.83



PLANNING COMMISSION

Council Meeting Date: November 15, 2010

Consider Request for Special Use Permit for the operation of a Country Club/Private Club at 9101 Nall Avenue

RECOMMENDATION

Recommend the City Council adopt an Ordinance renewing the Special Use Permit for the operation of a Country Club/Private Club at 9101 Nall Avenue subject to the conditions recommended by the Planning Commission.

BACKGROUND

Meadowbrook Country Club (Club) changed ownership and in performing the due diligence review, it was discovered that the Special Use Permit for the Club had expired. The Special Use Permit was granted March 2, 1992 for a five year period to March 2, 1997. The Club did not submit an application to renew the Special Use Permit. The original Special Use Permit also was granted to a specific owner rather than running with the property. The policy of the City has changed and Special Use Permits like zoning run with the land rather than the owner and therefore it is not necessary to amend the Special Use Permit every time ownership changes. The requirements and conditions of the Special Use Permit are in force regardless of the ownership.

At this time the new Club ownership simply wants to renew the Special Use Permit for the Country Club and operate it as it was under the previous ownership. The new ownership has retained Landscapes Golf Group to professionally manage the Club's operation with the goal of growing the golf membership to 350-400 members and the social membership to 200.

The applicant has requested that the Special Use Permit Renewal run with the land and that it not have an expiration date.

The applicant held a meeting on October 15, 2010 in accordance with Planning Commission Citizen Participation Policy and four neighbors were in attendance. The applicant explained their plans for Meadowbrook Country Club and no issues were raised. No one was present at the public hearing to address the Commission on this application.

The Planning Commission reviewed the criteria for approval of the Special Use Permit and found favorably on the criteria recommending approval of a Special Use Permit for a Country Club/Private Club at 9101 Nall Avenue subject to the following conditions:

1. That the Special Use Permit be approved for a Country Club/Private Club which includes golf, swimming, tennis, other similar recreational facilities and full service dining activities including the sales of beer, wine and alcoholic beverages all of which will be available only to members and their guests.

2. That the Club shall comply with all statutes of the State of Kansas and all ordinances of the City of Prairie Village relating to alcoholic liquor and/or cereal malt beverage and the sale or dispensing thereof.
3. That the Special Use Permit shall run with the land unless the golf course use is terminated then the Special Use Permit will terminate.
4. That any significant change to the exterior of any existing buildings, the replacement of buildings, the expansion of buildings, the construction of new buildings or changes to the site such as entrances and parking and major grading changes shall be submitted to the Planning Commission for site plan review and approval.
5. That the Special Use Permit be approved for an indefinite period of time.
6. If the applicant is found to be in non-compliance with the conditions of the Special Use Permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected.

The Governing Body (which includes the Mayor and City Council) shall make its findings of fact based on the factors set out in the ordinance and either:

- A. Adopt the recommendation of the Planning Commission and approve an ordinance for the Special Use Permit which requires a majority of the Council (7 votes), or
- B. Override the recommendation of the Planning Commission by a 2/3 vote of the Governing Body (9 votes), and deny the Special Use Permit, or
- C. Return the recommendation to the Planning Commission by a simple majority vote of the quorum present with a statement specifying the basis for the City Council's failure to approve or disapprove the recommendation.
- D. Continue the item to a designated meeting by a simple majority of the quorum present.

ATTACHMENTS

Planning Commission minutes of November 2, 2010
Staff Report & Application for PC2010-06
Proposed Ordinance

PREPARED BY

Joyce Hagen Mundy
City Clerk

Date: November 3, 2010



BWR | Right in the Center

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Ron Williamson, BWR, Planning Consultant
SUBJECT: PC 2010-06: Request to Renew the Special Use Permit for Meadowbrook Country Club Located on the Southeast Corner of Nall Avenue and Somerset Drive.
DATE: November 2, 2010 BWR Project # 2010-0024.01

COMMENTS:

Meadowbrook Country Club (Club) changed ownership and in performing the due diligence review, it was discovered that the Special Use Permit for the Club had expired. The Special Use Permit was granted March 2, 1992 for a five year period to March 2, 1997. The Club did not submit an application to renew the Special Use Permit. The original Special Use Permit also was granted to a specific owner rather than running with the property. The policy of the City has changed and Special Use Permits like zoning run with the land rather than the owner and therefore it is not necessary to amend the Special Use Permit every time ownership changes. The requirements and conditions of the Special Use Permit are in force regardless of the ownership.

At this time the new Club ownership simply wants to renew the Special Use Permit for the Country Club and operate it as it was under the previous ownership. The new ownership has retained Landscapes Golf Group to professionally manage the Club's operation with the goal of growing the golf membership to 350-400 members and the social membership to 200.

The applicant has requested that the Special Use Permit Renewal run with the land and that it not have an expiration date.

The applicant held a meeting on October 15, 2010 in accordance with Planning Commission Citizen Participation Policy and four neighbors were in attendance. The applicant explained their plans for Meadowbrook Country Club and no issues were raised.

FACTORS FOR CONSIDERATION:

The Planning Commission shall make findings of fact to support its decision to approve, conditionally approve or disapprove a Special Use Permit. In making its decision,

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www.bwrcorp.com

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consideration should be given to any of the following factors that are relevant to the request:

1. **The proposed Special Use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations, and use limitations.**

The existing facilities comply with the intensity of use, yard and use limitations.

2. **The proposed Special Use at the specified location will not adversely affect the welfare or convenience of the public.**

The application is requesting to renew the Special Use Permit for the existing operation. The Club has been in operation at this location for more than fifty years and has not had an adverse affect on the welfare or convenience of the public.

3. **The proposed Special Use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.**

The use has been in place for over fifty years and this is simply a renewal of the existing operation. The Club provides a significant amount of open space and likely will protect or increase property values of the neighborhood rather than injure them.

4. **The location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site which respect to streets giving access to it, are such that this Special Use will not dominate the immediate neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the Special Use will so dominate the immediate neighborhood consideration shall be given to:**

- a. **Location, size and nature of the height of building structures, walls and fences on the site; and;**

- b. **The nature and extent of landscape and screening on the site.**

The Club contains approximately 138 acres and because of its size it dominates the neighborhood. However, it dominates in a positive sense in that it provides a large amount of open space, trees and landscape. It is a good use for the surrounding neighborhood.

5. **Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and said areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious affect.**

The Zoning Ordinance does not have a standard for country clubs. However, it appears that off-street parking is adequate to meet the needs of the club. The parking lot has 190 spaces. The club has three dining areas, the Gallery seating 54, the Turn seating 30 and the Ballroom seating 300. ~~The Gallery and Turn are closed when the Ballroom is in use.~~ There is a parking standard for restaurants, however, which is one space for 2.5 seats based on maximum capacity. The maximum seating capacity is 300 which requires 120 parking spaces. There

- have been occasions where major events have been held at the Club and parking was a problem. These occasions have been infrequent and the Club needs to make provisions for surplus parking when events are perceived to exceed existing facilities.
6. **Adequate utility drainage and other necessary facilities have been or will be provided.**
Utilities and drainage are adequate to serve the needs of the Country Club. No changes in use are proposed so existing services are appropriate for the Club.
 7. **Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.**
Entrance and exit drives are provided on both Nall Avenue and Somerset Drive. The main entrance and exit is off Somerset Drive. The Nall Avenue entrance and exit has a steeper grade but is useable. No new entrances or exits have been proposed.
 8. **Adjoining properties and the general public shall be adequately protected from any hazardous or toxic materials, hazardous manufacturing process, obnoxious odors or unnecessary intrusive noises.**
This particular use does not appear to have any hazardous or toxic materials, hazardous processes or obnoxious odors related to its use. There may be some noise generated from equipment used to maintain the golf course but it is similar to the noise created by homeowners maintaining their yards. Chemicals used to maintain the grass and control weeds are used and stored in accordance with appropriate regulations.
 9. **Architectural style and exterior materials are compatible with such styles and materials used in the neighborhood in which the proposed building is to built or located.**
The applicant has not proposed to change any exteriors of the existing buildings, to enlarge existing buildings or build new buildings. Any significant change in the exterior of existing buildings, the replacement of buildings, expansion of buildings, the construction of new buildings or changes in entrance parking and grading should be submitted to the Planning Commission for site plan review and approval.

RECOMMENDATION:

After a review of the proposed application in relation to the nine factors previously outlined, the Planning Commission may either recommend approval of the special Use Permit renewal with or without conditions, recommend denial, or continue it to another meeting. In granting this Special Use Permit Renewal, however, the Planning Commission may impose such conditions, safeguards, and restrictions upon the premises benefited by approval of the Special Use Permit as may be necessary to reduce or minimize any potentially injurious affect on other property in the

neighborhood. It is the recommendation of Staff that the Planning Commission recommend approval of the Special Use Permit Renewal for the to the City Council subject to the following conditions:

1. That the Special Use Permit be approved for a Country Club/Private Club which includes golf, swimming, tennis, other similar recreational facilities and full service dining activities including the sales of beer, wine and alcoholic beverages all of which will be available only to members and their guests.
2. That the Club shall comply with all statutes of the State of Kansas and all ordinances of the City of Prairie Village relating to alcoholic liquor and/or cereal malt beverage and the sale or dispensing thereof.
3. That the Special Use Permit shall run with the land unless the golf course use is terminated then the Special Use Permit will terminate.
4. That any significant change to the exterior of any existing buildings, the replacement of buildings, the expansion of buildings, the construction of new buildings or changes to the site such as entrances and parking and major grading changes shall be submitted to the Planning Commission for site plan review and approval.
5. That the Special Use Permit be approved for an indefinite period of time.
6. If the applicant is found to be in non-compliance with the conditions of the Special Use Permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected.

SPECIAL USE PERMIT APPLICATION

CITY OF PRAIRIE VILLAGE, KANSAS

For Office Use Only

Case No.: PC 2010-06

Filing Fees: 400

Deposit: 500

Date Advertised: _____

Date Notices Sent: _____

Public Hearing Date: 11/2/10

APPLICANT: MB-18, LLC PHONE: 816-480-4444

ADDRESS: 460 Nichols Rd, Ste. 300, K.C., Missouri ZIP: 64112

OWNER: David M. Harrison PHONE: 816-480-4444

ADDRESS: 460 Nichols Rd, Ste. 300, K.C., Missouri ZIP: 64112

LOCATION OF PROPERTY: 9101 Nall Avenue, Prairie Village, KS 66207

LEGAL DESCRIPTION: See Attached.

ADJACENT LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>Residential</u>	<u>R-1a</u>
South	<u>Commercial</u>	<u>CP-1 & CP-0</u>
East	<u>Residential</u>	<u>R-1a</u>
West	<u>Residential</u>	<u>R-1 Single Family</u>

Present Use of Property: Golf and country club


Please complete both pages of the form and return to:
Planning Commission Secretary
City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208

Does the proposed special use meet the following standards? If yes, attach a separate Sheet explaining why.

- | | <u>Yes</u> | <u>No</u> |
|---|------------|-----------|
| 1. Is deemed necessary for the public convenience at that location. | _____ | <u>X</u> |
| 2. Is so designed, located and proposed to be operated that the public health, safety, and welfare will be protected. | <u>X</u> | _____ |
| 3. Is found to be generally compatible with the neighborhood in which it is proposed. | <u>X</u> | _____ |
| 4. Will comply with the height and area regulations of the district in which it is proposed. | <u>X</u> | _____ |
| 5. Off-street parking and loading areas will be provided in accordance with the standards set forth in the zoning regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential use from any injurious effect. | <u>X</u> | _____ |
| 6. Adequate utility, drainage, and other such necessary facilities have been or will be provided. | <u>X</u> | _____ |

Should this special use be valid only for a specific time period? Yes _____ No X

If Yes, what length of time? N/A

SIGNATURE: 

DATE: September 29, 2010

BY: David M. Harrison

TITLE: President

Attachments Required:

- Site plan showing existing and proposed structures on the property in questions, and adjacent property, off-street parking, driveways, and other information.
- Certified list of property owners

LEGAL DESCRIPTION

LOTS 1 THROUGH 12, INCLUSIVE, AND LOT A, EXCEPT THE SOUTH 10 FEET THEREOF, BLOCK B, MEADOWBROOK ACRES, A SUBDIVISION IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS;

AND ALL OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF SECTION THIRTY-THREE (33) TOWNSHIP TWELVE (12) RANGE TWENTY-FIVE (25) IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART PLATTED AS MEADOWBROOK ACRES;

AND EXCEPT THE SOUTH 40 FEET THEREOF IN 95TH STREET;

AND EXCEPT THE WEST 30 FEET THEREOF IN NALL AVENUE;

AND EXCEPT A TRACT DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 25 EAST, JOHNSON COUNTY, KANSAS; THENCE NORTH 0° 00' 00" EAST ALONG THE WEST LINE OF SAID SECTION 33, A DISTANCE OF 700.00 FEET TO A POINT; THENCE SOUTH 83° 50' 00" EAST A DISTANCE OF 1,030.00 FEET TO A POINT; THENCE SOUTH 65° 35' 00" EAST, A DISTANCE OF 375.00 FEET TO A POINT; THENCE SOUTH 0° 00' 00" WEST, A DISTANCE OF 429.24 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 33; THENCE SOUTH 89° 47' 09" WEST ALONG THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 1,365.51 FEET TO THE PLACE OF BEGINNING;

AND EXCEPT A TRACT DESCRIBED AS FOLLOWS: ALL THAT PART OF THE SOUTHWEST ¼ OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 25 EAST, NOW IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST ¼ OF SAID SECTION 33, THENCE SOUTH 89° 47' 09" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST ¼ OF SECTION 33, A DISTANCE OF 676.70 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT; THENCE CONTINUING SOUTH 89° 47' 09" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 33, A DISTANCE OF 605 FEET; THENCE NORTH 0° 00' 00" EAST, A DISTANCE OF 240 FEET; THENCE NORTH 89° 47' 09" EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 33, A DISTANCE OF 490 FEET; THENCE SOUTH 25° 38' 32" EAST, A DISTANCE OF 265.74 FEET TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT;

ALSO: A PART OF THE NORTHWEST ¼ OF SECTION 33, TOWNSHIP 12, RANGE 25, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE AND 88.86 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST ¼ OF SAID SECTION 33; THENCE NORTH 75° EAST, ALONG THE SOUTH LINE OF SOMERSET DRIVE, AS ESTABLISHED BY THE PLAT OF WEST RIDING, A SUBDIVISION OF LAND NOW IN

THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, A DISTANCE OF 454.01 FEET, TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, ALONG THE SOUTH LINE OF SAID SOMERSET DRIVE, SAID SOUTH LINE BEING ON A CURVE TO THE LEFT HAVING A RADIUS OF 640 FEET, A DISTANCE OF 176.13 FEET; THENCE SOUTH 11° 43' 23" EAST, A DISTANCE OF 183.42 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 33; THENCE SOUTH 89° 26' 38" WEST, ALONG THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 33, A DISTANCE OF 637.59 FEET, TO THE POINT OF BEGINNING.

AFFIDAVIT

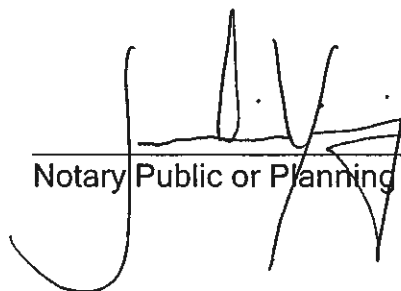
STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

David M. Harrison, being duly sworn upon his oath, disposes and states:

That he is the (owner) (attorney for) (agent of) the tract of land for which the application was filed. That in accordance with Section 19.28.025 of the Prairie Village Zoning Regulations, the applicant placed and maintained a sign, furnished by the City, on that tract of land. Said sign was a minimum of two feet above the ground line and within five feet of the street right-of-way line in a central position of the tract of land and had no visual obstruction thereto.


(Owner/Attorney for/Agent of)

Subscribed and sworn to before me this 19th day of October, 2010.


#07210348
Notary Public or Planning Commission Secretary



exp. date: 08-27-2011



September 29, 2010

Planning Commission
City of Prairie Village, Kansas
7700 Mission Road
Prairie Village, Kansas 66208

RE: Meadowbrook Country Club (the "Club")
Special Use Permit Renewal Application
Applicant: MB-18, LLC

Members of the Planning Commission:

Along with our special use permit renewal application, we are pleased to submit this supplemental letter, the intent of which is to outline the purpose of this application and our operational plans for the Club.

In short, we are not proposing any change of use for the property. Rather, we are seeking the renewal of an expired special use permit ("SUP") that authorizes the Club's new ownership, MB-18, LLC, (a wholly owned subsidiary of Caymus Real Estate, LLC), to continue to serve food and alcoholic, wine, and cereal malt beverages on its premises. As a part of this application, we are also requesting that this SUP run with the land without an expiration date.

As for the Club itself, it will remain a private golf and country club with golf, swimming, tennis and full service dining activities available to its members. The ownership has hired Landscapes Golf Group to professionally manage all aspects of the Club's operations, deliver on a mandate to elevate the club experience for existing members and to attract new members to the Club.

We are optimistic that under the Club's new ownership and professional management, that our goal of growing the membership to 350-400 golf and 200+ social members is within reach. To this end, the Club is now offering five different classes of membership, which are further detailed on the attached membership fee and billing schedule.

In closing, we appreciate your consideration of this SUP application and look forward to enhancing the tradition of the Meadowbrook Golf and Country Club in Prairie Village, Kansas.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard L. Müller", written in a cursive style with a long, sweeping underline.

Richard L. Müller
Director

Meadowbrook Golf & Country Club *2010 Membership Fees and Billings*

Full Family Monthly Golf Dues	\$495
Full Single Monthly Golf Dues	\$375
Junior Monthly Golf Dues	\$325 (Under 35)
Monthly Social Dues	\$200
Legacy Membership	<i>Selects classification above and begins paying dues/fees</i>
Quarterly F&B Min.	\$150 for all family memberships \$100 for all single memberships <i>**includes <u>all</u> charges for food & beverage</i>
Annual Facility Fee	\$500 <i>Includes: bag storage, locker(s), range, 3 guest passes, 15% off pro shop merchandise</i>
Optional GHIN handicap	\$28 per person

Golf & Cart Fees:

Unaccompanied Golf <i>(Mandatory cart fee included)</i>	\$49 for 18 holes (Monday-Thursday) \$59 for 18 holes (Friday-Sunday)
Accompanied Golf	\$30 for 18 holes
Immediate Family Golf**	\$25 for 18 holes
Junior Guest Fee <i>(Under 16)</i>	\$25 for 18 holes
Golf Cart	\$16 for 18 holes \$10 for 9 holes

**Rates for unaccompanied guests are based on weekday (Mon-Thurs) and weekend (Fri-Sun) pricing. Rates are based on availability and require the use of a golf cart.*

***Intended for next of kin family members*

DATE: 15 October 2010
PROJECT: Meadowbrook Golf & Country Club
SUBJECT: Special Use Permit Informational Meeting
Application PC 2010-06
PREPARED BY: Richard L. Muller
CC: David Harrison Caymus Real Estate
Ron Williamson City of Prairie Village Planning Department

ATTENDEES: See attached listing

The following are the notes of the public informational meeting conducted at Meadowbrook Country Club on 15 October 2010. The four neighbors in attendance began to filter in and out at about 5:55pm with the last neighbor leaving about 6:15pm.

The neighbor's arrivals were spaced out such that Richard Muller was able to engage each of the neighbors individually and began each discussion by expressing Caymus' excitement to be a part of the future of the Meadowbrook Golf and Country Club and briefly discussed its plans for stabilizing and growing the membership of the Club. He went on to explain that the Caymus is not proposing any change of use for the property. Rather, that it is seeking the renewal of an expired special use permit ("SUP") that authorizes the Club's new ownership, MB-18, LLC, (a wholly owned subsidiary of Caymus Real Estate II, LLC), to continue to serve food and alcoholic, wine, and cereal malt beverages on its premises.

Mr. Muller confirmed the ownership's intent to continue to operate as a country club with golf, swimming, tennis and full service dining activities available to its members. He added that the ownership has hired Landscapes Golf Group to professionally manage all aspects of the Club's operations, deliver on a mandate to elevate the club experience for existing members and to attract new members to the Club.

Mr. Muller concluded each discussion by stating that Caymus is optimistic that by stabilizing the Club's ownership and bringing in professional management, that it can achieve its goals of growing the membership to 350-400 golf and 200+ social members.

The following are a listing of the questions raised:

1. Where is everyone? *This question was asked by the second person to arrive. The first person to arrive had already left after understanding the nature of the rezoning request.*
2. How many members does the Club currently have? *Approximately 170 golf members and 100 social members.*

Following discussions with the last neighbor, the meeting was adjourned at about 6:15pm.

This is my interpretation of occurrences and conversations at the meeting. Please contact me if any items appear to be in error or if you have any questions or comments.

SPECIAL USE PERMIT INFORMATIONAL MEETING

APPLICATION: PC 2010-06

APPLICANT: MB-18, LLC

Friday, October 15, 2010

	NAME	HOUSE #	STREET	CITY	ZIP	PHONE	EMAIL
1	Ed Wolfson	4705	W. 95 TH ST.	O.P.	66207	(913) 384-3840	edwolfson@everest4c.net
2	John & Lou Ann Milward	4865	W. 90 TH	PVK	66207	(913) 383-9591	—
3						(913)	

SPECIAL USE PERMIT INFORMATIONAL MEETING

APPLICATION: PC 2010-06

APPLICANT: MB-18, LLC

Friday, October 15, 2010

	NAME	HOUSE #	STREET	CITY	ZIP	PHONE	EMAIL
1	Carol Fagan	8608 ^W 92 RD	W. 92 RD	O.P.	66207	(913) 648-4634	—
2	Ray Jentzen	9665R	ROSRWOOD	O.P.	66207	(913) 649-8658	
3						(913)	
4						(913)	
5						(913)	
6						(913)	
7						(913)	
8						(913)	
9						(913)	
10						(913)	
11						(913)	

PLANNING COMMISSION MINUTES
NOVEMBER 2, 2010

DRAFT

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, November 2, 2010, in the Council Chamber, 7700 Mission Road. Vice Chairman Bob Lindeblad called the meeting to order at 7:00 p.m. with the following members present: Dirk Schafer, Randy Kronblad, Marlene Nagel, Nancy Wallerstein and Nancy Vennard.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, Planning Consultant; Dennis Enslinger, Assistant City Administrator; Jim Brown, City Building Official; David Morrison, Council Liaison and Joyce Hagen Mundy, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Nancy Vennard moved for the approval of the minutes of October 4, 2010 with the typographical correction noted on page 4. The motion was seconded by Nancy Wallerstein and passed by a vote of 4 to 0 with Marlene Nagel and Randy Kronblad abstaining due to absence from the October meeting.

PUBLIC HEARINGS

**PC2010-06 Request for Renewal of Special Use Permit
For the operation of a Country Club
9101 Nall Avenue
Zoning: R-1a
Applicant: Rich Muller with Caymus**

Vice-Chairman Bob Lindeblad reviewed the procedures for the public hearing and confirmed the required publication of the notice of hearing and mailing of certified notices to surrounding property owners.

Rich Muller, 460 Nichols Road, Suite 300, Kansas City, Missouri, advised the Planning Commission that Caymus recently purchased the Meadowbrook Country Club. During the change of ownership, it was discovered that the Special Use Permit for the Club had expired. The Special Use Permit was granted March 2, 1992 for a five year period to March 2, 1997. The Club did not submit an application to renew the Special Use Permit.

At this time the new Club ownership simply wants to renew the Special Use Permit for the Country Club and operate it as it was under the previous ownership. The new ownership has retained Landscapes Golf Group to professionally manage the Club's operation with the goal of growing the golf membership to 350-400 members and the

social membership to 200. Rich Muller stated they are requesting the Special Use Permit Renewal to run with the land and not have an expiration date.

DRAFT

Mr. Muller stated he had reviewed the staff comments and wanted to make a clarification on the staff finding of facts regarding parking. He noted the statement: "The Gallery and Turn are closed when the Ballroom is in use" was inaccurately reported by them in an earlier communication. All these dining venues could be open at the same time, however, he is confident there is sufficient parking even with all facilities being used

Ron Williamson noted the last Special Use Permit was granted March 2, 1992 for a five year period to March 2, 1997. The original Special Use Permit also was granted to a specific owner rather than running with the property. The policy of the City has changed and Special Use Permits, like zoning, run with the land rather than the owner. Therefore it is not necessary to amend the Special Use Permit every time ownership changes. The requirements and conditions of the Special Use Permit are in force regardless of the ownership.

Mr. Williamson stated the applicant held a meeting on October 15, 2010 in accordance with Planning Commission Citizen Participation Policy and four neighbors were in attendance. The applicant explained their plans for Meadowbrook Country Club and no issues were raised.

Vice-Chairman Bob Lindeblad opened the public hearing for comments. No one wished to address the Commission on this application. The public hearing was closed at 7:06 p.m.

Marlene Nagel confirmed the requirement for continuation of the golf course for the Special Use Permit to remain valid does not apply to the other recreational uses currently in existence.

Vice-Chairman Lindeblad led the Planning Commission through the following review of the findings of fact required for the issuance of a Special Use Permit:

- 1. The proposed Special Use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations, and use limitations.**

The existing facilities comply with the intensity of use, yard and use limitations.

- 2. The proposed Special Use at the specified location will not adversely affect the welfare or convenience of the public.**

The application is requesting to renew the Special Use Permit for the existing operation. The Club has been in operation at this location for more than fifty years and has not had an adverse affect on the welfare or convenience of the public.

- 3. The proposed Special Use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.**

The use has been in place for over fifty years and this is simply a renewal of the existing operation. The Club provides a significant amount of open space and likely will protect or increase property values of the neighborhood rather than injure them.

DRAFT

4. **The location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site which respect to streets giving access to it, are such that this Special Use will not dominate the immediate neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the Special Use will so dominate the immediate neighborhood consideration shall be given to:**
 - a. **Location, size and nature of the height of building structures, walls and fences on the site; and;**
 - b. **The nature and extent of landscape and screening on the site.**

The Club contains approximately 138 acres and because of its size it dominates the neighborhood. However, it dominates in a positive sense in that it provides a large amount of open space, trees and landscape. It is a good use for the surrounding neighborhood.

5. **Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and said areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious affect.**

The Zoning Ordinance does not have a standard for country clubs. However, it appears that off-street parking is adequate to meet the needs of the club. The parking lot has 190 spaces. The club has three dining areas, the Gallery seating 54, the Turn seating 30 and the Ballroom seating 300. There is a parking standard for restaurants, however, which is one space for 2.5 seats based on maximum capacity. The maximum seating capacity is 384 which require 154 parking spaces. There have been occasions where major events have been held at the Club and parking was a problem. These occasions have been infrequent and the Club needs to make provisions for surplus parking when events are perceived to exceed existing facilities.

6. **Adequate utility drainage and other necessary facilities have been or will be provided.**

Utilities and drainage are adequate to serve the needs of the Country Club. No changes in use are proposed so existing services are appropriate for the Club.

7. **Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.**

Entrance and exit drives are provided on both Nall Avenue and Somerset Drive. The main entrance and exit is off Somerset Drive. The Nall Avenue entrance and exit has a steeper grade but is useable. No new entrances or exits have been proposed.

8. **Adjoining properties and the general public shall be adequately protected from any hazardous or toxic materials, hazardous manufacturing process, obnoxious odors or unnecessary intrusive noises.**

This particular use does not appear to have any hazardous or toxic materials, hazardous processes or obnoxious odors related to its use. There may be some noise generated from equipment used to maintain the golf course but it is similar to the noise created by homeowners maintaining their yards. Chemicals used to maintain the grass and control weeds are used and stored in accordance with appropriate regulations.

9. **Architectural style and exterior materials are compatible with such styles and materials used in the neighborhood in which the proposed building is to built or located.**

The applicant has not proposed to change any exteriors of the existing buildings, to enlarge existing buildings or build new buildings. It was noted that any significant change in the exterior of existing buildings, the replacement of buildings, expansion of buildings, the construction of new buildings or changes in entrance parking and grading should be submitted to the Planning Commission for site plan review and approval.

Randy Kronblad moved that the Planning Commission find favorably on the findings of fact and recommend the Governing Body approve the renewal of a Special Use Permit for the operation of a private club at 9101 Nall subject to the following conditions:

1. That the Special Use Permit be approved for a Country Club/Private Club which includes golf, swimming, tennis, other similar recreational facilities and full service dining activities including the sales of beer, wine and alcoholic beverages all of which will be available only to members and their guests.
2. That the Club shall comply with all statutes of the State of Kansas and all ordinances of the City of Prairie Village relating to alcoholic liquor and/or cereal malt beverage and the sale or dispensing thereof.
3. That the Special Use Permit shall run with the land unless the golf course use is terminated then the Special Use Permit will terminate.
4. That any significant change to the exterior of any existing buildings, the replacement of buildings, the expansion of buildings, the construction of new buildings or changes to the site such as entrances and parking and major grading changes shall be submitted to the Planning Commission for site plan review and approval.
5. That the Special Use Permit be approved for an indefinite period of time.
6. If the applicant is found to be in non-compliance with the conditions of the Special Use Permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected.

The motion was seconded by Marlene Nagel and passed unanimously.

ORDINANCE _____

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR THE OPERATION OF A COUNTRY CLUB/PRIVATE CLUB AT 9101 NALL AVENUE, PRAIRIE VILLAGE, KANSAS

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

Section I. Planning Commission Recommendation. At its regular meeting on November 2, 2010, the Prairie Village Planning Commission held a public hearing, found the findings of fact to be favorable and recommended that the City Council approve a Special Use Permit for the operation of a country club/private club at 9101 Nall Avenue subject to the following conditions:

1. That the Special Use Permit be approved for a Country Club/Private Club which includes golf, swimming, tennis, other similar recreational facilities and full service dining activities including the sales of beer, wine and alcoholic beverages all of which will be available only to members and their guests.
2. That the Club shall comply with all statutes of the State of Kansas and all ordinances of the City of Prairie Village relating to alcoholic liquor and/or cereal malt beverage and the sale or dispensing thereof.
3. That the Special Use Permit shall run with the land unless the golf course use is terminated then the Special Use Permit will terminate.
4. That any significant change to the exterior of any existing buildings, the replacement of buildings, the expansion of buildings, the construction of new buildings or changes to the site such as entrances and parking and major grading changes shall be submitted to the Planning Commission for site plan review and approval.
5. That the Special Use Permit be approved for an indefinite period of time.
6. If the applicant is found to be in non-compliance with the conditions of the Special Use Permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected.

Section II. Findings of the Governing Body. At its meeting on November 15, 2010, the Governing Body adopted by specific reference the findings as contained in the minutes of the Planning Commission meeting of November 2, 2010, and the recommendations of the Planning Commission and approved the Special Use Permit as docketed PC2010-06.

Section III. Granting of the Special Use Permit. Be it therefore ordained that the City of Prairie Village grant a Special Use Permit for the operation of a

Country Club/Private Club at 9101 Nall Avenue, Prairie Village, Kansas subject to the six specific conditions listed above.

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

PASSED AND ADOPTED THIS 15th DAY OF November, 2010.

CITY OF PRAIRIE VILLAGE, KANSAS

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

ATTEST:

APPROVED AS TO FORM:

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

/s/ Catherine P. Logan
Catherine P. Logan, City Attorney

MAYOR'S ANNOUNCEMENTS

November 15, 2010

Committee meetings scheduled for the next two weeks include:

Arts Council	11/17/2010	7:00 p.m.
Council Committee of the Whole	12/06/2010	6:00 p.m.
City Council	12/06/2010	7:30 p.m.

The Prairie Village Arts Council is pleased to announce a photography exhibit by Bess Wallerstein and Chris Huff in the R. G. Endres Gallery for the month of November.

The City Offices will be closed on Thursday, November 25th and Friday, November 26th in observance of the Thanksgiving holiday. Deffenbaugh only observes the holiday on Thursday, November 25th.

The Municipal Foundation will be hosting the annual Mayor's Holiday Tree Lighting on Thursday, December 2nd at Corinth Square at 6:00 p.m.

The Johnson & Wyandotte Counties Annual Holiday Social will be December 8, 2010 at 5:30 p.m.

The Mayor's Holiday Gala for Volunteers is December 10th at 6:30 p.m. at Homestead Country Club.

The Municipal Foundation will be hosting a Gingerbread House Decorating Party on Sunday, December 12th. There will be sessions at 1:00 p.m., 2:30 p.m. and 4:00 p.m. An additional Gingerbread House Decorating Party will be held at Brighton Gardens on Sunday, December 19th at 2:00 p.m.

The City Clerk's office has a new style of ceramic coffee mug for sale. They are \$5.00 each.

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

INFORMATIONAL ITEMS
November 15, 2010

1. Planning Commission Minutes - October 5, 2010
2. Sister City Committee Minutes - October 11, 2010
3. Mark Your Calendars
4. Committee Agenda

**PLANNING COMMISSION MINUTES
OCTOBER 5, 2010**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, October 5, 2010, in the Council Chamber, 7700 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Dirk Schafer, Bob Lindeblad, Nancy Wallerstein and Nancy Vennard.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, Planning Consultant; Dennis Enslinger, Assistant City Administrator; Jim Brown, City Building Official; David Morrison, Council Liaison and Joyce Hagen Mundy, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Nancy Wallerstein moved for the approval of the minutes of September 7, 2010 as written. The motion was seconded by Dirk Schafer and passed by a vote of 3 to 0 with Ken Vaughn and Bob Lindeblad abstaining due to absence.

PUBLIC HEARINGS

Chairman Ken Vaughn announced there were no public hearings on the agenda.

NON-PUBLIC HEARINGS

**PC2010-109 Request for Sign Approval
at 3515 West 75th Street**

Paul Staats, 3515 West 75th Street with Nearing, Staats, Prelogar & Jones Architects, presented the application on behalf of the Bank of Prairie Village. Currently the bank has both signs on the north retaining wall with their logo on the east and west ends and their name on the north side. Their concern is that the sign face is parallel to 75th Street and cannot be easily seen by traffic on 75th Street. Therefore, they have proposed to bump out the wall on each end an additional 1'6" in depth by 7'4" in width. The bank name would be placed on the east and west ends and the bank name and logo would be on the north face. The proposed bump out would also be approximately 2' taller than the existing wall and would increase the retaining wall height to 6'6" for the bump outs.

Mr. Staats noted the material for the sign/wall and lettering will match the existing material and style. Landscaping will be added similar to that which currently exists.

Ron Williamson noted the Planning Commission originally approved signage on the retaining wall adjacent to 75th Street in January 2003, subject to the applicant preparing sign standards because it is a multi-tenant building. The Planning Commission approved sign standards in May of 2003 and allowed two signs on the north retaining

wall. The sign standards also permitted two wall signs in the north façade of the building. In August of 2007, the Planning Commission approved three minor revisions to the sign standards. He pointed out that since the sign standards were originally approved, the sign regulations were amended and may now allow a monument sign for each street frontage.

When the Planning Commission approved the sign standards, the north retaining wall was considered to be the monument sign for the building and therefore specifically approved the design as required for monument signs. Since this is a revision to the monument sign, it requires Planning Commission approval. There are two issues to be explained that are different from the original approval.

First, the signage will be on four locations on the wall. Two locations on the north wall and one each on the east and west ends. The logo that is currently on the east and west ends will be moved to the north wall with the bank name and the bank name will replace the logo on the east and west ends. The signs on the north wall will be 16 sq. ft. and the signs on the end walls will be 10 sq. ft. Since two monument signs are allowed for this site and each sign is permitted 20 sq. ft. per sign face, the area of the signs is less than the maximum allowed by the ordinance. The signs are well designed and fitting with the character of this property.

The second issue that needs to be addressed is the wall height. The wall is proposed to be 6'6" in height, but monument signs are only permitted to be 5' in height. However, this is a unique situation in that the wall is actually a retaining wall and not a stand-alone monument sign. Mr. Williamson noted the applicant had considered building separate monument signs parallel to 75th Street, but felt that the proposed revision to the signage, keeping it on the wall, was a better aesthetic solution. The top of the sign will be approximately 4'9" in height which is below the 5 foot maximum height required for monument signs. The wall also will setback 12' from the back of curb of 75th Street.

Nancy Vennard moved the Planning Commission approve application PC2010-109 proposed signage for the Bank of Prairie Village at 3515 West 75th Street subject to the applicant revising the monument sign section of the sign standards to reflect this change. The motion was seconded by Bob Lindeblad and passed unanimously.

**PC2010-110 Request for Building Height Modification
5219 West 68th Street**

Art Kennedy, 5219 West 68th Street, stated his surveyor and engineer advised him to raise the elevation of their home to prevent water from running into their basement and to allow for higher basement ceilings. With the distance the house sets back from the street, the small increase in elevation will not be obvious. He stated both the neighbors to the east and west have reviewed their building plans and do not have any objection to the increased elevation. Mr. Kennedy thanked Dennis Enslinger and Jim Brown for their assistance on this application.

Ron Williamson stated the applicant is requesting a first floor elevation change of approximately 1.0 foot and has submitted a site plan that shows how the change would be accommodated. The applicant has torn down the existing dwelling which was built in 1937, removed the old foundation and is proposing to build a new dwelling. The lot is very large at 127 feet by 306 feet and has many mature trees. The lot slopes from north to south with an elevation of 1,020 in the northwest corner to 1,006 in the southwest corner, which is a drop of 14 feet. This lot is higher than the adjacent lots to the east and west so the original dwelling was at a higher elevation than either of them. The finished first floor elevation of the existing dwelling was 1,019.6 feet compared to 1,017.4 feet for the dwelling to the east and 1,018.6 feet for the dwelling to the west. The applicant is proposing to set the finished final floor elevation at 1,020.6 feet which would set it 3.2 feet above the house to the east and 1.8 feet above the house to the west.

The applicant is requesting the increased elevation so that the driveway drains to the north from the garage. If the first floor elevation is 1020.6 feet, the garage floor elevation will be approximately 0.6 foot lower because the house plans show only one step from the garage in to the residence. The garage floor will be at an elevation of 1,020.0. The topographical survey was done after the existing house was removed so the spot elevations on the site plan do not reflect the previous developed site. A drainage plan has not been submitted, but the applicant wants the house to be high enough so that stormwater does not enter the garage.

Ron Williamson noted the revision to the zoning ordinance related to building elevations was added to address the concern that significant increases in the height of the first floor elevation could change the character of development on a street. He pointed out that if the applicant moved the proposed dwelling one foot to the east so that the side yard setback was 10 feet, they would only need to apply for a six inch elevation increase.

A neighborhood meeting was held on September 20, 2010 and 14 people attended the meeting. The applicants reviewed their plans, answered questions and it did not appear that the neighbors had any significant objections.

Ken Vaughn asked if a finished grading plan was submitted. Mr. Williamson noted it had and stated on the finished plan the proposed house would be at 1020.6 with the house to the west at 1018.8 and to the east at 1017.6

Nancy Vennard confirmed the roof height will be within the City's height regulations.

The Planning Commission reviewed the following criteria for approval of elevation changes:

- 1. That there are special circumstances or conditions affecting the property.**
The lot drops off significantly from 68th Street to the south property line, approximately 14 feet. The applicant needs to raise the garage high enough so that water drains north away from the garage entrance. This house sets higher than the

homes adjacent to the east and west but 68th Street is higher than the elevation of the ground at the front of the house.

2. That the elevation change is necessary for reasonable and acceptable development of the property in question.

The applicant has not submitted a final drainage plan but their surveyor has indicated that the elevation needs to be raised in order to prevent water from running into the garage. The lots in this area are very large and the homes setback approximately 75' from the front property line so an increase of one foot of elevation will not be very noticeable after the house is built and landscaping is installed.

3. That the granting of the building elevation change will not be detrimental to the public welfare or injurious to or adversely affect adjacent property or other property in the vicinity in which the particular property is situated.

The proposed building elevation will be higher than both adjacent properties, but there is approximately 57 feet between the west dwelling and 56 feet between the east dwelling and the proposed dwelling. This is a neighborhood that is experiencing redevelopment and several major expansions and teardown/rebuilds have already occurred in the immediate area. The Commission has previously approved an elevation change at 4820 West 68th St. The redevelopment of this lot should not adversely affect the neighbors or the public.

The Commission felt a 1.0 foot change in elevation is reasonable considering the size of the lots and setbacks and noted it would prevent stormwater from entering to garage.

Dirk Schafer moved the Planning Commission approve application PC2010-110 granting the requested one foot change in elevation for the property at 5219 West 68th Street subject to the applicant submitting a final drainage plan. The motion was seconded by Nancy Vennard and passed unanimously.

OTHER BUSINESS

Dennis Enslinger announced the City Council approved two Community Improvement Districts - one for Corinth Square Shopping Center and one for the Prairie Village Shopping Center.

Mr. Enslinger stated the Shawnee Mission East High School wants to add on to the storage facility they have near the track. This was originally approved by the Commission under a Special Use Permit. He noted the addition is not large and is proposed for the north or west side of the building. If the Planning Commission is agreeable, the staff will handle this application administratively instead of having it return to the Planning Commission and City Council as an amendment to the special use permit.

Ken Vaughn asked the size of the existing building. Mr. Enslinger responded in is 12' x 16'.

Nancy Vennard asked if they could place landscaping around the facility to buffer it. Ken Vaughn noted historically landscaping on school properties have not been well maintained.

Nancy Wallerstein stated she would prefer to have the addition on the south side of the building and not visible from 75th Street. Mr. Vaughn agreed.

The Commission authorized staff to handle administratively the request for an expansion to the storage facility at Shawnee Mission East High School, 7500 Mission Road, with the preference that the addition be placed on the south side of the building.

Next Meeting

The current agenda for the November 2nd meeting of the Planning Commission includes a public hearing for renewal of the Special Use Permit for the Meadowbrook Country Club for the operation of a private club. An application for a new monument sign for the shopping center at 76th & State Line Road, at 7231 Mission Road for St. Ann's School/Church and a façade sign and sign standards for the office building at 8340 Mission Road.

ADJOURNMENT

With no further business to come before the Planning Commission, Chairman Ken Vaughn adjourned the meeting at 7:30 p.m.

Ken Vaughn
Chairman

SISTER CITY COMMITTEE
11 October 2010
MINUTES

Call to Order

Chair Jim Hohensee called the meeting to order. Present: Vice Chair Carole Mosher, Vera Glywa, Cleo Simmonds, Rod Atteberry, Dick Bills and Phil Monnig. Also present: Bob Glywa and Ivan Novikov. Staff: Chris Engel.

Cleo introduced Ivan Novikov, a student at SM East originally from Ukraine. Cleo asked Ivan to attend and potentially fill one of the committees' student vacancies.

Minutes

Minutes from September 13 and September 19 were approved with corrections.

SME Student Reception (November 15)

Carole reported there were four students this year - one from Belgium, one from Denmark and two from Sweden. The plan is to have the reception at 7.00 and introduce them to the City Council during public participation at 7.30. Phil moved to allow Carole up to \$200 to purchase food and gifts for the evening. Rod seconded and the motion carried.

Carole reported she is still trying to get an exchange student from Ukraine.

Village Voice

Chris reported the deadline to get an article considered is the preceding 1st of all even numbered months - the earlier the better. Carole will be working on the article for the January issue.

Website

Jim reported the new city site is coming online soon and recommended committee members write individual stories to populate the new site.

Facebook

Phil mentioned it is possible to target advertize the committee page to individuals with PV zip codes. It was also recommended after the new city website is active to link to the Dolyna site.

Banner

Rod is looking into different banner sizes/styles to display at committee events. Jim will be contacting FastSigns to get a price on a 4' x 7' banner similar to the State of the Arts banners.

Street Signs

Jim is putting a proposal together to submit to the city to erect Sister City markers at city entrances. He has the sign ordinance and will be working through Public Works and Codes.

"Friends" Update

Bob Glywa reported the initial meeting will be on October 15. There will be a few members unable to attend and one individual has dropped out but the meeting will still occur.

Budget

The committee discussed having key chains made with 'Dolyna' on one side and 'Prairie Village' on the other.

New Business

Nancy Wallerstein has requested the committee donate one of Yuri's photos to the NEJC Chamber Annual Silent Auction. Dick moved the committee donate a photo, excluding the 'Sunflower' picture to the event. Rod seconded and the motion carried.

Adjournment

The next regularly scheduled meeting is scheduled for Monday, November 8.

Jim Hohensee
Chair

**Council Members
Mark Your Calendars
November 15, 2010**

November 2010 Bess Wallerstein and Chris Huff exhibit in the R. G. Endres Gallery
November 25 City offices closed in observance of the Thanksgiving holiday
November 26 City offices closed in observance of the Thanksgiving holiday

December 2010 Pat Jessee pastel exhibit in the R. G. Endres Gallery
December 2 Mayor's Holiday Tree Lighting 6:00
December 3 Artist reception in the R. G. Endres Gallery 6:30 - 7:30
December 6 City Council Meeting
December 8 Johnson & Wyandotte Counties Annual Holiday Social 5:30
December 10 Mayor's Holiday Gala
December 20 City Council Meeting
December 24 City offices closed in observance of the Christmas holiday
December 31 City offices closed in observance of the New Years Day holiday

January 2011 Carol Miller ink exhibit in the R. G. Endres Gallery
January 3 City Council Meeting
January 15 Artist reception in the R. G. Endres Gallery 6:30 - 7:30
January 17 City offices closed in observance of Martin Luther King Day
January 18(Tues.) City Council Meeting

February 2011
February 7 City Council Meeting
February 21 City offices closed in observance of Presidents' Day
February 22(Tues.) City Council Meeting

March 2011 Ted Denton 3-D exhibit in the R. G. Endres Gallery
March 7 City Council Meeting
March 11 Artist reception in the R. G. Endres Gallery 6:30 - 7:30
March 21 City Council Meeting

April 2011
April 4 City Council Meeting
April 18 City Council Meeting

May 2011
May 2 City Council Meeting
May 16 City Council Meeting
May 30 City offices closed in observance of Memorial Day

June 2011
June 6 City Council Meeting
June 20 City Council Meeting

July 2011 Senior Arts Council exhibit in the R. G. Endres Gallery
July 4 VillageFest
July 4 City offices closed in observance of Independence Day
July 5(Tues.) City Council Meeting
July 8 Artist reception in the R. G. Endres Gallery 6:30 - 7:30
July 18 City Council Meeting

August 2011 Cortney Christensen photography & watercolors exhibit in the R. G. Endres Gallery
August 1 City Council Meeting
August 12 Artist reception in the R. G. Endres Gallery 6:30 - 7:30
August 15 City Council Meeting

September 2011

September 5 City offices closed in observance of Labor Day
September 6(Tues.) City Council Meeting
September 10 JazzFest
September 19 City Council Meeting

October 2011

State of the Arts Exhibit in the R. G. Endres Gallery
October 3 City Council Meeting
October 14 Artist reception in the R. G. Endres Gallery 6:00 - 8:00
October 17 City Council Meeting

November 2011

November 7 City Council Meeting
November 21 City Council Meeting
November 24 City offices closed in observance of Thanksgiving
November 25 City offices closed in observance of Thanksgiving

December 2011

Richard Joslin watercolor exhibit in the R. G. Endres Gallery
December 5 City Council Meeting
December 9 Artist reception in the R. G. Endres Gallery
December 19 City Council Meeting
December 26 City offices closed in observance of Christmas

ANIMAL CONTROL COMMITTEE

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

COUNCIL COMMITTEE

COU2007-02 Consider Reducing size of Council & term limits for elected officials (assigned 1/8/2007)
COU2007-35 Consider reactivation of Project 190709: 83rd 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)
COU2008-67 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)
COU2009-14 Consider Project 190870: 2010 Street Resurfacing Program (assigned 1/13/2009)
COU2009-16 Consider Project 190876: 2010 CARS, 83rd Street Resurfacing from Nall Avenue to Roe Avenue (assigned 1/13/2009)
COU2009-26 Consider Project 190722: 2010 Storm Drainage Repair Program (assigned 2/6/2009)
COU2009-63 Consider Project 190866 - 75th Street Paving (assigned 6/10/2009)
COU2009-100 Consider Project 190728: Prairie Lane Drainage Project (assigned 10/14/2009)
COU2010-56 Consider adoption of the 2010 Standard Traffic Ordinance for Kansas Cities and the Uniform Public Offense Code for Kansas Cities (assigned 10/28/2010)
COU2010-57 Consider Joint City/County Legislative Platform (assigned 10/28/2010)
COU2010-58 Consider Project 190890: 2010 Bond Project - Construction Change Order #4 adding Project 190883, 2010 CARS Project on Somerset Drive from Roe Avenue to Reinhardt Lane (assigned 11/10/2010)
COU2010-59 Consider Project 191024: 2010 Concrete Repair Program Construction Change Order #2 (Final) (assigned 11/10/2010)

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)
PC2008-02 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 1st Quarter of 2001)