

**COUNCIL COMMITTEE
March 7, 2011
6:00 p.m.
Council Chambers**

AGENDA

CHARLES CLARK, COUNCIL PRESIDENT

AGENDA ITEMS FOR DISCUSSION

**Presentation of Recycling and Yard Waste Statistics 2007-2010
Paul Lampe, Intern**

**COU2011-08 Consider National League of Cities Service Line Warranty Program
Dennis Enslinger**

***COU2011-09 Consider Interlocal Agreement with Johnson County and the City of Mission for
Project 190893: Nall Avenue, 63rd Street to 67th Street
Bruce McNabb**

***COU2011-10 Consider Design Agreement for Street Project 190880: Nall Avenue, 75th Street
to
79th Street
Bruce McNabb**

COUNCIL COMMITTEE OF THE WHOLE
March 7, 2011

The Council Committee of the Whole met on Monday, March 7, 2011 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, Ruth Hopkins, Steve Noll, Michael Kelly, Dale Beckerman, Diana Ewy Sharp and David Belz. David Morrison and Andrew Wang arrived late. Staff Members present: Wes Jordan, Chief of Police; Bruce McNabb, Director of Public Works; Keith Bredehoeft, Manager of Engineering Services; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Dennis Enslinger, Assistant City Administrator; Chris Engel, Assistant to the City Administrator; Paul Lampe, Intern and Joyce Hagen Mundy, City Clerk.

Presentation on Recycling and Yard Waste Statistics 2007-2010

Paul Lampe, intern with the City, presented recycling and yard waste statistics for 2007 - 2010. The Johnson County Solid Waste Management Plan 2007 recommended that the county decrease the amount of solid waste going to the landfill, increase curbside recycling, eliminate disposal of yard waste in the landfill by 2011, and implement a “pay-as-you-throw” volume based rate structure.

As part of the effort to reduce waste, the City of Prairie Village implemented the recommended measures. Currently six months of the year are allocated for high levels of yard waste disposal (March, April, August, September, October, and November) and six months for low yard waste levels (January, February, May, June, July, and December). During the high level yard waste pick up months, citizens may dispose of 12 bags of yard waste and during low level yard waste pick up months citizens may dispose of 8 yard waste bags. Any additional disposal of yard waste must be paid for at \$1.25 per bag.

To determine if Prairie Village is reaching the goal of increased recycling and reduced yard waste staff has taken a look at historic and current recycling and solid waste data. The data shows that there was an increase in yard waste from 2007 to 2009 and a decrease in yard waste in 2010. The data shows a decrease in recycling from 2007 to 2009, with recycling rebounding in 2010.

Paul Lampe noted in 2010, the City began receiving a portion of the proceeds from recycling revenue. As such, the data from 2007-2009 is an estimate, while 2010 data is actual. Any revenue received, is deposited in the solid waste utility fund to offset future costs of providing the service to the residents. In 2010, \$11,334.23 was received from recycling proceeds.

Analysis on yard waste data including a monthly break down in pounds of yard waste across the city and a monthly break down of pounds in recycling were presented with the following summary of findings given:

Recycling:

- In 2007 4,500,616 lbs. were recycled
- Between 2007 and 2008 there was a 34.8% decrease in the amount of materials recycled (2,933,216 lbs. recycled in 2008)
- Between 2008 and 2009 there was a 25.7% decrease in the amount of materials recycled (2,180,580 lbs. recycled in 2009)
- Between 2009 and 2010 there was a 66.3% increase in materials recycled (3,626,317 lbs. recycled in 2010)
- Overall between 2007 and 2010 there has been a 19.4% decrease in materials recycled

Yard Waste:

- Between 2007 and 2010 there has been 34.42% increase in pounds of yard waste collected.
- In 2007 3,143,710 lbs. of yard waste were collected.
- In 2008 4,146,160 lbs. of yard waste were collected.
- In 2009 6,655,640 lbs. of yard waste were collected.
- In 2010 4,225,854 lbs. of yard waste were collected.

Charles Clark confirmed the data does not include collections from those homes associations that do not receive City solid waste services.

COU2011-08 National League of Cities Service Line Warranty Program

The National League of Cities has a number of Enterprise Programs which are designed to assist cities in providing both business and consumer solutions. The City of Prairie Village currently participates in the NLC Prescription Discount Card program. The National League of Cities recently announced a new program, Service Line Warranty Program, designed to assist property owners with the repair/replacement of private sanitary sewer and water lines. This program allows property owners to purchase insurance to cover repairs for broken water lines or sewer lines, which are not covered by homeowners insurance.

At the February 7, 2011 Council Committee meeting, Brian Davis, BDA Consulting Group, presented a summary of the program via conference call. The Council Committee directed staff to work with Utility Service Partners, Inc. in securing the necessary documents for further Council review.

In addition, the Council asked for clarification on several items regarding the program. The first item was if blockage of the sewer line was covered under the program. Blockage of the system is covered under the warranty program. If tree roots are causing leakage, this would be covered under the program.

The second question was cost of the two programs. There is a \$4 a month fee for water service line warranty programs and a \$5.50 a month fee for the sewer service line warranty program. If a resident wants to warranty both lines, the fee would be \$9.50 per month. There would be several payment options.

Mr. Enslinger noted there is no cost to the City for this program. Residents would be charged a monthly fee for this service which will be collected by Utility Service Partners, Inc. The City has the option of receiving revenue sharing (10%) from the program or applying the revenue sharing to the residents cost of the program, thereby reducing the overall cost to the resident.

PROGRAM BENEFITS AND DRAWBACKS:

- Provides residents with a product which has been vetted by the National League of Cities
- Provides residents with a product at a reduced market rate cost. Market rate appears to be \$4.99 per month based on a recent mailing from Home Service another provider of a similar service. UPS program rate is \$4.00 per month per service line
- There are other companies which provide similar services which the City has not endorsed or assisted in marketing.
- There is a chance residents could believe that the City has some responsibility in servicing the warranty program because they received a solicitation letter with the City logo and city agent signature. The City actually has no responsibilities related to the warranty program other than assistance with the marketing of the program.
- The City may receive additional requests for endorsements of other providers of similar services or other services. Since this is a National League of Cities endorsed program, the City Council could indicate that it would only consider endorsing programs which have the NLC endorsement.
- The City has no control over the cost of the program.

Mr. Enslinger stated that should the Council decide to move forward with the endorsement of the program, the following steps would need to take place:

- Execution of the Marketing Agreement with the Utility Service Partners (UPS) Private Label, Inc (Service Line Warranties of America)
- UPS will generate a Press Release for City Approval
- UPS will generate a solicitation letter for City Approval

Dale Beckerman asked if the City had spoken with other cities participating in the program. Mr. Enslinger responded that he had not, but noted there are several large cities participating in the program as a revenue generator. Mr. Beckerman asked if there has been confusion on who is responsible for the program. Mr. Enslinger replied it is very important for the marketing information to be very clearly written to prevent confusion.

David Morrison stated he felt this was a very good program that has optional participation by the residents to provide a valuable service.

David Morrison made the following motion, which was seconded by Steve Noll and passed unanimously:

MOVE THE GOVERNING BODY AUTHORIZE THE MAYOR TO EXECUTE THE MARKETING AGREEMENT WITH UTILITY SERVICES PARTNERS PRIVATE LABEL, INC. d/b/a SERVICE LINE WARRANTIES OF AMERICA SUBJECT TO THE APPROVAL OF THE AGREEMENT BY THE CITY ATTORNEY WITH ANY REVENUE SHARING TO BE USED TO REDUCE THE RESIDENT COST OF THE SERVICE.

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2011-09 Consider Interlocal Agreement with Johnson County and the City of Mission for Project 190893: Nall Avenue, 63rd Street to 67th Street

Keith Bredehoeft stated Johnson County has approved \$800,000 in CARS funding for this project and has submitted an interlocal agreement for execution by the City of Mission and the City of Prairie Village. The City of Mission is administering this project and has recently awarded the project in the amount of \$3,444,820.55. The cost allocations between the City of Mission and the City of Prairie Village are described in the executed interlocal agreement between the cities for this project.

Ruth Hopkins asked if the City of Mission was satisfied with the contractor awarded the project. Mr. Bredehoeft responded that they were and added the contract was not awarded to the low bid after references revealed several problems with their performance in other cities. He added that he is also satisfied with the contractor.

Diana Ewy Sharp confirmed that the City had filed a lawsuit against them on an earlier project for the City. Mayor Shaffer stated a lawsuit was filed against their work on Mission Road, related primarily to the installation of the brick crosswalks. Mr. Bredehoeft responded that he had not had any issues with them in the City of Olathe and several other area cities have given positive references.

Ruth Hopkins asked what kind of walkway is being proposed. Mr. Bredehoeft replied there would not be any brick and the sidewalks will be constructed of standard concrete. He added the work has been designed to allow for future possible expansion of the roadway or construction of a path without damaging the new curb.

Diana Ewy Sharp asked what portion of the cost of the project would be paid by Prairie Village. Keith Bredehoeft noted there was not a 50/50 split on the project and that the city's costs were delineated in the agreement at about \$150,000 over a ten year period.

Dale Beckerman made the following motion which was seconded by Al Herrera:

MOVE THE GOVERNING BODY APPROVE AN INTERLOCAL AGREEMENT WITH JOHNSON COUNTY AND THE CITY OF MISSION FOR PROJECT 190893: NALL AVENUE, 63RD STREET TO 67TH STREET IMPROVEMENTS

**COUNCIL ACTION TAKEN
03/07/2011**

COU2011-10 Consider Design Agreement for Project 190880: Nall Avenue, 75th Street to 79th Street

Keith Bredehoeft stated Affinis Corporation was selected as the 2010 and 2011 Design consultant for the City. Nall Avenue Improvements from 75th Street to 79th Street is the City's 2011 CARS project. The project will consist of replacing the concrete curb, replacing or repairing sidewalk, adjusting drainage inlets and placing a new asphalt pavement surface. The project will also evaluate the typical section and will consider moving the east curb line out two feet to allow for modifying this section of Nall Avenue to a three lane roadway in the future. Funds are available in the 2011 Capital Improvement Program for this project.

Ruth Hopkins questioned when and why future expansion to three lanes was planned. Keith Bredehoeft responded earlier discussion with the City of Overland Park revealed that in the future they may be open to expanding southbound Nall to three lanes south of 75th Street. There are no immediate plans for expansion.

Quinn Bennion added the agreement is for Affinis to do the design, it is not approval of the design at this time.

Ruth Hopkins expressed concern with having varying lane widths along Nall.

Charles Clark explained the design is such that if in the future it was decided to add an additional lane it could be done without reconstruction. The only requirement would be for the roadway to be restriped for three lanes. Mr. Bredehoeft stated the roadway will be wide enough for three lanes but will be striped as two lanes.

Dale Beckerman made the following motion which was seconded by David Belz and passed by a majority vote with Ruth Hopkins and David Morrison voting in opposition:

MOVE THE GOVERNING BODY APPROVE THE DESIGN AGREEMENT WITH AFFINIS CORPORATION FOR THE DESIGN OF THE NALL AVENUE IMPROVEMENTS FROM 75TH STREET TO 79TH STREET IN THE AMOUNT OF \$61,300.00

**COUNCIL ACTION TAKEN
03/07/2011**

**Staff Reports
Public Safety**

- Chief Jordan updated the Council on the media attention about police staffing levels as a result of the staffing discussion at the last meeting.
- Chief Jordan reviewed the anticipated busing (12 buses) and traffic needs for Indian Hills Middle School next fall. The current entry will be restricted to buses only. Drop-off traffic will come into the school from Delmar. A map of the site was reviewed and changes in signage restricting turning were discussed. It is

anticipated that there will be more juvenile traffic at the Prairie Village Shopping Center

- Lane4 announced this week that they will no longer be hiring off-duty officers for patrol at the shopping center on Friday and Saturday.
- Crime data from surrounding communities was presented and discussed.
- Chief followed-up on his earlier e-mail to Council regarding the increase in mental health calls experienced by the department this year.

Public Works

- Bruce McNabb reported that 25% of the annual overtime budget was spent in January and February due to snow events.
- Prairie Village has again been designated a Tree City USA for the 14th year.
- Franklin Park is nearing completion with the contractor working on punch list items. Construction should be completed by the end of March.
- 25 residents attended the informational meeting on the Somerset Drive Improvements with most residents pleased with the plans. A few residents were unhappy with the proposed construction of sidewalk on their properties. Construction is scheduled to begin next Monday.

Administration

- Chris Engel announced the Legislative Breakfast on Saturday, March 12th with Senator Huntington scheduled to speak.
- Quinn Bennion reported the Travel Policy will be on the March 21st agenda.
- An update on the Finance Director Search was presented
- Quinn Bennion and Dennis Enslinger will both be out next week attending the National League of Cities Conference and vacation.

Mayor's Report

Mayor Shaffer reported that during the past two weeks he has attended/participated in the following events:

- MARC Board of Directors meeting
- HeadStart opening
- Shawnee Mission Medical Center ribbon cutting
- Brighton Gardens soup cook-off
- Wyandotte/Johnson County Mayors' meeting
- Mayor's Prayer Breakfast
- TLC fund-raiser in Olathe
- Ribbon cutting at KU Pediatrics

Committee Reports

Park & Recreation

Diana Ewy Sharp reported that at the scheduled Park meeting on Wednesday the committee will be considering a community garden with the Environmental Committee. She announced the rededication of Franklin Park has been set for Saturday, May 21st.

VillageFest

Plans are underway and things are going well under the direction of the new chair Marianne Noll. The committee will be incorporating the celebration of the City's 60th anniversary into the events of the day.

Adjournment

Council President Charles Clark adjourned the meeting at 7:10 pm.

Charles Clark
Council President