

COUNCIL COMMITTEE OF THE WHOLE
May 16, 2011

The Council Committee of the Whole met on Monday, May 16, 2011 at 6:00 p.m. The meeting was called to order by Council President Dale Beckerman with the following members present: Al Herrera, Ruth Hopkins, Steve Noll, Michael Kelly, Andrew Wang, Laura Wassmer, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz. Mayor Shaffer arrived late. Staff Members present: Wes Jordan, Chief of Police; Captain Tim Schwartzkopf, Bruce McNabb, Director of Public Works; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Dennis Enslinger, Assistant City Administrator; Chris Engel, Assistant to the City Administrator; Lisa Santa Maria, Finance Director and Joyce Hagen Mundy, City Clerk.

2012 Budget Discussion

Council President Dale Beckerman announced that although budget discussion was listed first on the agenda, he felt the other items could be covered in a short period of time and would like to cover them prior to discussion of the 2012 budget.

COU2011-23 Consider Discontinuing the School Crossing Guard - 95th & Roe Avenue

Chief Wes Jordan stated the most recent survey on student use of the school crosswalk at 95th & Roe indicated that five students consistently cross at this location. Council Policy 345 requires a minimum of 15 student crossings to qualify for a crossing guard. Chief noted the current crossing guard is retiring at the end of this school year.

The Department has notified Trailwood Elementary and is in the process of informing parents of the children who utilize the crossing. The Department has offered training, equipment and supervision for parents or school-sponsored organizations that would be interested in volunteering to serve as a crossing guard at this location, but has not had any response. The Overland Park Police Department has been informed of the situation and responded that the number of student crossings does not meet their criteria for a crossing guard either.

Diana Ewy Sharp noted discussions of moving John Diemer students to Trailwood. Chief Jordan noted that if that happened, he did not anticipate any impact as the students would not be from areas that would use this crossing to get to school. Ruth Hopkins confirmed there was no longer a crossing guard at 87th & Juniper.

Charles Clark made the following motion, which was seconded by Laura Wassmer and passed unanimously:

**MOVED THE GOVERNING BODY APPROVE THE ELIMINATION
OF THE SCHOOL CROSSING GUARD POSITION AT 95TH & ROE
AFTER DISCUSSION WITH THE SCHOOL AND AFFECTED
STUDENTS/PARENTS**

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2011-24 Consider Approval of Council Policy CP033 entitled “Expense Reimbursement”

At the February 22nd and March 22nd meetings, Council directed staff to research travel and reimbursement policies. Staff presented their findings on May 2nd with common practices being discussed by the Council and direction given to draft a new policy based on that discussion.

Council CP033 addresses expenses that are eligible for reimbursement while performing city business either locally or when requiring an overnight stay. The key distinction between the two is the requirement of per diem for meals and incidentals when city business requires an overnight stay.

Chris Engel stated that under the proposed per diem for meals and incidentals, a per day or per meal rate is paid to the participant. The rate is based on the U.S. General Services Administration (G.S.A.) meals and incidentals (M&I) rate which varies based on destination. He noted that although the City has chosen to use the rates provided by GSA it is not under any obligation to follow other GSA recommendations. The daily amount could be paid either before or after the trip minus the amount of any sit down meals provided by the conference sponsor. No receipts will be required.

Chris Engel noted that if the City Council approved CP033 entitled “Expense Reimbursement”, then PP930 - “Expense Reimbursement” would no longer be applicable and would need to be repealed.

Diana Ewy Sharp made the following motion, which was seconded by Laura Wassmer and passed by a vote of 10 to 1 with David Morrison voting “nay”.

**MOVE THE GOVERNING BODY APPROVE CP033 ENTITLED
“EXPENSE REIMBURSEMENT” AND REPEAL EXISTING
POLICY PP930 ENTITLED “EXPENSE REIMBURSEMENT”.
COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2011-25 Consider acceptance of Grant and allocation of Contingency Funds for new emergency sirens

Chris Engel reported the City has six severe weather sirens located throughout the City. These sirens are activated by Johnson County Emergency Management; however, the City is responsible for maintenance and replacement. Four of the sirens are relatively new, but the sirens located at the Municipal Pool Complex and Corinth Shopping Center are each over 50 years old. The City contracts with Blue Valley Public Safety for maintenance and they have reported that replacement parts are getting very difficult to locate as the factory lifespan for these sirens is 20-25 years.

In last August 2010, the City was notified the State of Kansas was offering a grant to replace aged weather sirens. The grant reimburses for 75% of the total cost up to \$15,000 per siren. Last month the City was notified that it was one of four organizations in Johnson

County to receive the award. The total cost of replacing both sirens is \$31,231. The grant would reimburse the City \$23,423 reducing the total city share to \$7,810.

Mr. Engel added that by January 1, 2013, the FCC has mandated that all radio communication operating within a specific spectrum must reduce their bandwidth or 'narrowband' to free up radio congestion. If the City accepts the sire grant the new sirens will be compliant; however, the remaining four sirens will need upgrades to be compliant. In addition to meeting the FCC requirements, the new radio receivers include the ability to self-check and send a notification if they do not sound when activated. Currently, during the monthly siren test we send a patrol officer to sit under each siren to check if the siren is actuated. The total cost of these upgrades will be \$15,375.

The total cost of all improvements will be \$46,650. After acceptance of the grant the city share will be \$23,200. As this project has not been budgeted, contingency funds are being requested.

David Belz confirmed the request is for the full amount and that when the funds are received from the grant they would be placed back in the general fund contingency.

Diana Ewy Sharp asked what timeframe was anticipated for the replacement. Mr. Engel responded six weeks.

Laura Wassmer made the following motion, which was seconded by David Belz and passed unanimously:

MOVE THE GOVERNING BODY APPROVE THE USE OF \$46,650 FROM THE GENERAL FUND CONTINGENCY FOR THE PURCHASE AND INSTALLATION OF WEATHER SIRENS AND REQUIRED NARROWBAND UPGRADES.

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2011-26 Consider Project 190890:2010 Bond Project - Construction Change Order #7
Bruce McNabb requested the Council approve a change order to Project 190890 to add the mill and overlay of Delmar Street from 83rd Street to Somerset Drive. He noted WaterOne recently installed a new water main along Delmar from 83rd to Somerset under the pavement. In discussions with WaterOne regarding the repair of the street it was agreed that they would pay for a mill and overlay of half of the street. This is felt to be a better solution than the placement of a 4' wide asphalt patch over the water main. O'Donnell and Sons Construction will do the work and when completed WaterOne will reimburse the City half of the cost.

Ruth Hopkins asked if the work was required because of the work done by WaterOne or if the street needed repair. Mr. McNabb noted the street was not in need of immediate repair but it would have needed work in the near future. Charles Clark added that WaterOne recently also replaced a large water line under 83rd Street to Somerset.

Ruth Hopkins made the following motion, which was seconded by Al Herrera and passed unanimously:

**MOVED THE GOVERNING BODY APPROVE CONSTRUCTION
CHANGE ORDER #7 TO PROJECT 190890: 2010 BOND PROJECT
FOR AN INCREASE OF \$39,642.35 WITH O'DONNELL AND SONS
FOR ADDING MILL AND OVERLAY OF DELMAR FROM 83RD
STREET TO SOMERSET DRIVE**

**COUNCIL ACTION TAKEN
05/16/2011**

2012 Budget Discussion

Quinn Bennion noted in preparation of the proposed 2012 budget city staff followed the following objectives:

- Maintain high quality services and programs
- Maintain quality streets, parks and infrastructure
- Continue strong financial condition
- Maintain AAA bond rating
- Reduce reliance on fund balance and reserves.

Mr. Bennion stated that during the presentation by departments heads there will be a number of decision points that need to be addressed by the Council for staff to prepare the final budget.

Chris Engel presented a brief overview noting the 2012 general fund budget will be balanced while maintaining the existing level of services and personnel. However, he noted the budgeted expenditures will exceed the projected revenues with the difference being offset by unspent 2010 savings. He stressed that unspent funds should be considered for one-time uses as they are not ongoing sources of revenue and explained the difference. One-time expenditures are paid for at once with minimal continuing costs and little fiscal on future budgets unlike ongoing expenditures which are items that have a reoccurring annual cost with costs accumulating and often escalating in future years.

One-Time Expenditures

Stage for Villagefest & Jazzfest - \$20k.

It was noted the existing stage is no longer usable. Villagefest is paying \$1200 to rent a stage for this year's celebration. Jazzfest will also need to rent a stage for their event in September. Questions were raised regarding the proposed cost. David Morrison felt there were less expensive alternatives. Questions were raised regarding the size of stage needed. More research was needed by the Council to approve this expenditure.

MPR Upgrade - \$30k

David Belz stated he had a difficult time supporting this under the current financial conditions. Laura Wassmer agreed; however, noted she felt she could support some technology upgrades for the room. Council members questioned the budgeted amount. Quinn Bennion replied the figure had been an estimate from a volunteer with design

background including furnishings, better electrical accessibility, cabinets. He noted it could be done for less. Dale Beckerman asked staff to breakdown the costs and provide Council with the costs for furnishings only.

Chris Engel noted that one-time expenditures from the Technology Fund and for Vehicle/Equipment Replacement would be presented to Council on June 13th.

Mr. Engel presented the following history of General Fund Transfers to the CIP:

- 2007 - \$4.90 million; Total Revenues - \$7.05 million
- 2008 - \$4.64 million; Total Revenues - \$6.16 million
- 2009 - \$2.17 million; Total Revenues - \$14.46 million
- 2010 (est.) - \$1.89 million; Total Revenues - \$3.78 million
- 2011 (budget) - \$817,000; Total Revenues - \$2.67 million

He noted in 2008 the Council added to the CIP to spend down reserve funds and in 2009 the bond issue was approved for additional CIP funding.

Diana Ewy Sharp asked when the bonds would be paid-off. Mr. Bennion responded the last large bond payment would be in 2014.

Charles Clark stated there is not sufficient funding in the proposed budget to maintain City infrastructure at an appropriate level. The CIP will be presented and discussed on May 23rd and he encouraged Council members seriously consider increasing CIP funding.

On-Going Expenditures

Elections During Even Years

Quinn Bennion noted that election costs have increased significantly over the past few years. When there are no County elections on the ballot, all the costs for the election are charged to the City. The proposed budget for 2012 contains \$60K for possible election costs. Mr. Bennion noted that some cities have moved their elections to coincide with County elections to reduce these costs and explained the process followed.

Charles Clark noted that if this was going to be done the Council would need to take action soon. Katie Logan stated the City would need to adopt a Charter Ordinance to change the election cycle and dates. Mayor Shaffer noted that Johnson County Mayor's have discussed this issue and have concerns with the local elections being overshadowed by State and Federal elections.

The Council was interested in pursuing this and Mr. Bennion stated it would be added to a Council Committee agenda in the near future.

Salaries

Quinn Bennion noted that salaries are a major concern with staff and they are recommending the city offer a 2% one-time merit based increase similar to that offered by the cities of Mission and Overland Park last year. This increase would not impact the employee base salary and therefore does not have a compounding impact on other areas of the budget and future budgets.

KPERS

The City has no control over this line item which is required by the State and has an anticipated 0.6% increase.

Health Insurance

Staff is budgeting for a 12% increase based on past history.

Executive Session

Charles Clark moved pursuant to KSA 75-4319 (b) (6) that the Governing Body, recess into Executive Session for a period not to exceed 15 minutes for the purpose of preliminary discussion relating to the possible acquisition of real property.

Present will be the Mayor, City Council, City Administrator, Assistant City Administrator and City Attorney. The council meeting will reconvene at 7:15 p.m. The motion was seconded by Laura Wassmer and passed unanimously.

Council President Dale Beckerman reconvened the meeting at 7:15 p.m.

Charles Clark moved pursuant to KSA 75-4319 (b) (6) that the Governing Body, recess into Executive Session for a period not to exceed 10 minutes for the purpose of preliminary discussion relating to the possible acquisition of real property.

Present will be the Mayor, City Council, City Administrator, Assistant City Administrator and City Attorney. The council meeting will reconvene at 7:25 p.m. The motion was seconded by Andrew Wang and passed unanimously.

Council President Dale Beckerman reconvened the meeting at 7:25 p.m. and announced that due to the pending City Council meeting at 7:30 the meeting would be in recess until the conclusion of the City Council meeting.

The Council Committee of the Whole meeting was reconvened by Council President Dale Beckerman at 8:20 p.m.

Discussion of 2012 Budget

Sidewalk Snow Removal

Bruce McNabb presented research on the costs to offer a program that would address the issue experienced last winter with residents not clearing their sidewalks after snowfalls thus creating potential safety issues for pedestrians, especially school children. Mr. McNabb presented noted the snow removal could be done by the adjacent property owners (as required by code), by volunteers, by City Public Works staff or contractors. He noted it would be difficult to coordinate volunteers for a large city effort. Based on their

other responsibilities related to snow removal, PW crews would not be able to complete the work within the timeframe required by ordinance.

As a new program a new revenue source would be required. Fines would not raise sufficient funds to cover the projected costs as shown in the chart below:

**Estimated Contractor Costs
to Clear City Sidewalks of Snow and Ice**

<u>Streets</u>	<u>Miles</u>	<u>Annual Costs</u>	<u>Mill Levy Equivalent</u>
City On-Street Trail	1	\$ 5300	0.2
All Major Streets	51	\$ 270,000	1.0
Streets within 1.0 miles of Public Schools	84	\$ 447,000	1.6
All City Streets	94	\$ 500,000	1.8

Assumptions

1. Average annual snowfall (6.4 events > 1"; none > 4")
2. On- Street Trail includes only Somerset Dr. (Additional trails are planned for the future.)
3. Lengths of sidewalks are rough estimates.
4. Costs are based on contractor preliminary estimate per linear foot.
5. Mill levy equivalent rate assumes 1 mill raises \$ 280,000.

Council members appreciated staff researching this issue but determined the cost was prohibitive and directed staff not to include the program in the 2012 budget.

Bruce McNabb asked for Council direction on the clearing of trails which is not clearly addressed in the current code. The interpretation staff has used in responding to inquiries is that trails would be considered the same as sidewalks with the adjacent property owner being required to clear a pathway for walking. They would not be required to clear the entire width of the sidewalk.

Police Department Staffing

Chief Jordan stated that several months ago he was asked to present his recommendation for additional patrol staff with the related costs. Staff looked at each service provided and whether it could be provided by civilian staff. He noted there are parts that could be provided by civilians and they use the CSO to perform many of these services now. Chief Jordan stated that although there is no "magic formula" for police staffing, a loose rule of thumb is that there should be two officers for every 1,000 citizens. The Prairie Village department serves both Prairie Village and Mission Hills with a joint population of around 25,000.

Chief Jordan reviewed the three year crime report showing ongoing increases in mental health calls, burglary, theft and criminal damage. He stressed that once approved the additional officers need to be retained in order to sustain the level of policing.

Captain Tim Schwartzkopf reviewed the costs estimates for hiring two officers including salary/benefits, training, uniform costs, equipment cost and the cost of an additional vehicle. The total cost for the first year would be approximately \$200,000. The officers would be assigned to a directed patrol unit assigned to address specific crime problems with the ability to work a flexible power shift type schedule.

Captain Schwartzkopf noted there is a COPS grant that would pay 100% of salary for three years that the City would apply for if the additional officers were approved.

Ruth Hopkins noted that all departments cut staff in 2010 and expressed concern with the impact on other departments and asked Chief Jordan to respond to comments that the department was administratively top heavy questioning why existing personnel be shuffled to provide more patrol. Chief Jordan responded that they have one administrative support staff for the four persons and noted the decrease from three division commanders to two.

Al Herrera felt it was important to act now to address this before it becomes a major problem.

Chief Jordan stated he could go through all the services provided by the department adding that they provide services that are not routinely provided by other cities. He stated they operate short staff 75% of the time, noting that patrol officers have been moved to other positions.

David Morrison asked if officer retention was an issue. Chief Jordan stated that staffing levels are the best they have been in a long time. Retention is not currently an issue.

David Belz if you want public safety to be your #1 priority, you need officers; however, in adding officers you are adding year after year to the biggest ongoing costs in the City budget.

Chief Jordan responded that he had been asked to provide this information to Council and noted during his presentations to homes associations he was consistently asked what the City was doing to address crime. He feels the residents expect the City to not only be responsive, but to be proactive in addressing crime.

David Belz asked what the impact would be on the budget. Quinn Bennion replied the addition of any new service or personnel would have to be covered by a new ongoing revenue source or the elimination or reduction of another service.

Dale Beckerman asked if the Council wanted to keep this in the budget and address the additional revenue needed later.

Diana Ewy Sharp stated she has had more people ask her what the City is doing to address crime than anything else during her entire time on the Council. She believes people expect it to be addressed and would be willing to pay more.

Dale Beckerman asked if this was included in the budget now, when the City would have the additional officers. Chief Jordan responded unless certified officers were hired it would be September of 2012 before the officer was on the street.

Andrew Wang asked what will be the annual cost and the recurring costs. Captain Schwartzkopf responded \$197,000 with \$150,000+ in recurring costs. He asked what the impact would be on the headcount in public safety. Chief Jordan stated the department is fully staffed and the officers would augment resources.

Ruth Hopkins stated the City needs to look at programs before adding staff, noting that for the past several years there has been discussion on cutting the DARE and Crime Prevention Programs. She noted the department is not looking at cutting any services, just adding more officers to existing programs. She is not convinced there is a need for more officers.

Michael Kelly asked how the cost could be covered without raising sales tax or property tax. Quinn Bennion stated it would probably be taken from the CIP like past shortfalls have been balanced. Permits and fees would not be able to raise the amount needed. Mr. Kelly asked what could be cut to allow for additional police officers. Quinn Bennion stated he would need direction from the Council as far as what programs are important. He is not prepared to cut other department programs to allow for more officers without direction from the Council.

Diana Ewy Sharp stated she is supportive of keeping the additional officers in the budget. Quinn Bennion noted the budget has to be balanced and asked where the funding would come from. Charles Clark suggested staff defaulted to using a mill levy increase in the proposed budget with the Council determining the actual funding during budget discussions.

David Morrison asked the Council to keep all funding options on the table. Quinn Bennion asked what funding research does staff need to do before the presentation of the budget on June 13th.

Codes/Inspections

Dennis Enslinger stated with the addition of several new commercial projects and well as an increase in tear-downs, staff cannot conduct inspections and issue permits within the established time. Commercial reviews and inspections take significantly more time than residential inspections and are far more detailed. It is also preferred to have them done by the same individual throughout the project. He noted his department of four includes three persons who should be in the field 90% of their time or more. This leaves one person in the office. He is including a part-time administrative intern at a projected cost of \$15,000 with that individual providing Codes Department assistance and assistance in communications and community outreach activities through the website. He noted that potentially some of that cost could be defrayed by the KS Work Study Program. This would not change the budget for personnel as the individual would be hired on a contractual basis.

Diana Ewy Sharp questioned why a staff person was cut from this department in 2010. Mr. Enslinger responded that staff was directed not to raise the mill requiring an administrative

position to be eliminated. At that time, the current demand for inspections was not occurring or anticipated; however, it appears that this load will continue into 2012 with UMB, Corinth Square, improvements made to several of the schools, possible redevelopment of the vacated school properties and/or Meadowbrook. Mr. Enslinger stated the department could close over the lunch period as some other cities do, but many of the residents doing home remodels come in during that time.

Dale Beckerman asked if they have considered changes to the fee structure. Mr. Enslinger explained the existing fee structure and added that some changes could be made.

Level of Reserves

Finance Director Lisa Santa Maria stated the current reserve level is 25% of budgeted revenues. The 2012 projected reserve level is \$3.76M and a 2010 end of year balance of \$4.26M.

She noted that staff is not recommending to refinance debt in 2012.

Economic Development Fund

The Economic Development Fund established by Ordinance 2153 is for the disbursement and expenditure of funds for Economic Development Projects, to foster and promote economic development and land acquisition. The projected balance on December 31, 2011 is \$2.4M. Ms Santa Maria reviewed past expenditures from the fund.

Next

- May 23, 2011 CIP Budget presentation (Special Meeting)
- June 13, 2011 Operating Budget Presentation (Special Meeting)
- July 18, 2011 Permission to publish the budget
- August 1, 2011 Public Hearing and adoption of budget.

Adjournment

With no further business to come before the Council Committee of the Whole, Council President Dale Beckerman adjourned the meeting at 9:50 p.m.

Dale Beckerman
Council President