

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
August 1, 2011
7:30 p.m.**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC PARTICIPATION
- V. 2012 BUDGET HEARING - 7:30 P.M.
Adopt the 2012 Budget & Ordinance 2239
- VI. 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 - July 18, 2011
- 2. Approve a pay increase to \$12.42 per session for school crossing guards for the 2011-12 school year
- 3. Approve the following vendor contracts for the Prairie Village Jazz Festival on September 10, 2011 - No costs will be incurred with the approval of these agreements.
 - BRGR Kitchen + Bar
 - R.A. Sushi
 - New York Dawg Pound
 - Culver's of Kansas City
- 4. Approve a fee of \$200.74 per/year or \$16.73 per month/per for each household for the collection of solid waste, recyclable material, yard waste and bulky item pickup and an exemption fee of \$6.43 per year/per household for those subdivisions/homes associations which have applied for exemption from the Solid Waste Management Program
- 5. Consider approval of amendment to the Supplemental Pension Plan to comply with current regulations

VII. MAYOR'S REPORT

VIII. COMMITTEE REPORTS

Council Committee of the Whole

COU2011-38 Consider Construction Contract with Linaweaver Construction, Inc. for Projects 190894 - 2011 Cambridge Street Improvements and 190661 - Weltner Park

2011

Improvement Project - Dale Beckerman

COU2011-39 Consider Construction Administration Agreement for Project 190894 -

2011

Project Cambridge Street Improvements, Project 190661 - Weltner Park 2011 Improvement
and Project 190990 - Nall Avenue 75th to 79th (CARS) Project with Transystems - Dale
Beckerman

Finance Committee - David Belz

Environmental Committee - Ruth Hopkins

IX. STAFF REPORTS

X. OLD BUSINESS

Discussion & direction regarding Comprehensive Plan amendment process for Mission
Valley school site

XI. NEW BUSINESS

XII. ANNOUNCEMENTS

XIII. 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**

CITY OF PRAIRIE VILLAGE
August 1, 2011

The City Council of Prairie Village, Kansas, met in regular session on Monday, August 1, 2011, at 7:30 p.m. in the Council Chambers of the Municipal Building.

ROLL CALL

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

Also present were: Captain Wes Lovett; Bruce McNabb, Director of Public Works; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Lisa Santa Maria, Finance Director; Chris Engel, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

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

PUBLIC PARTICIPATION

John Joyce, 4201 Delmar, commented on the recent article in the PV Post quoting former Councilmember Wayne Vennard regarding the Parks Master Plan. Mr. Joyce stated he felt it was time for the City to revisit Village Vision. Mr. Joyce also requested a preliminary report on the design of 75th Street and a status report for the Mission Valley School site.

Gordon Growan, a Normandy Court resident, expressed concerns with the condition of the Windsor Park trails and their possibly creating a trip hazard for walkers. He noted the asphalt trail needs repair and pointed out the concrete trails in the City are

in good shape. Approximately 32% of the trails in the City are concrete with the remaining 78% asphalt. The asphalt trails need attention.

No one else was present to address the Council and public participation was closed at 7:40 p.m.

PUBLIC HEARING on 2012 BUDGET

Mayor Ron Shaffer opened the Public Hearing on the 2011 Budget for the City of Prairie Village. He stated staff would begin with a brief presentation on the budget and then he would open the hearing to public comment. After public comment the hearing would be closed and the Council would discuss the budget.

Chris Engel reviewed the goals and objectives upon which the 2012 budget has been prepared and the process followed for presentation of the budget to the City Council. The budget was prepared through a department driven process with each department presenting its budget requests for the Council. The 2012 budget is balanced although the budgeted expenditures are more than revenues due to the availability of unused funds from the 2010 budget. Staff expressed concern with this trend.

The proposed 2012 budget maintains the same service levels as found in the 2011 budget. Staff levels remain the same, except for the addition of a part-time administrative intern and two additional police officers. The budget contains funds for a one-time merit payment from a 2% pool. This is not an automatic payment, but will be based on employee performance and will not increase the employee's base pay. The proposed budget retains a fund balance of 25%.

General budget items impacting the budget included anticipated fuel costs of \$3.50 per gallon, anticipated health insurance increase of 12%, KPERS employer rate increase of 0.6%; police pension funding of \$450,000 and a 9% increase (approximately \$1 million) in the cost of street lights and traffic signals. Mr. Engel noted the impacts of the geothermal project are not included in this budget.

The proposed 2012 contains a mill rate of 19.477, which is comprised of the general Fund mill levy and the Bond & Interest Fund mill levy. This mill rate reflects a 0.6 mill increase of the 2011 mill rate for the purpose of adding two police officer positions. Mr. Engel explained a mill represents \$281,786 in revenue based on July 1, 2011 property valuations. This equates to an increase of \$24.69 annually for the average Prairie Village property.

Information was presented comparing property taxes on the average Prairie Village from 2009 - 2012 as well as a comparison of mill levy rates for other Johnson County cities for 2011. It was noted that several other Johnson County cities are increasing mill levy rates for 2012.

There will be no rate increase in 2012 for solid waste services with Deffenbaugh. The assessment for 2012 remains at \$200.74 per year. It was noted 2012 is the third year of the new contract with Deffenbaugh. The stormwater utility fee will increase from \$0.039 to \$0.04/sq. ft. of impervious area.

The proposed 2012 Capital Improvement Program for 2012 contains \$4,552,675 with SMAC funding of \$37,500 and CARS funding of \$506,000.

Mr. Engel noted changes to the published budget would require republication of the revised budget with a new public hearing at the August 15th meeting of the City Council. The budget must be adopted at that time for the mill levy rate to be certified for

the County Clerk on August 25th. If the existing budget is approved, the Governing Council also needs to adopt an ordinance attesting to an increase in property tax dollars levied in the General Fund in excess of the amount allowed by state formula.

Mayor Shaffer opened the hearing to comments from the public at 7:42 p.m.

John Joyce, 4201 Delmar, noted that his disappointment with the Council's failure to reduce expenditures in the 2012 budget. He noted that attempts to reduce spending were not even considered by the Council. He challenged the Council to go through the budget by line item and reduce spending. He opposes the proposed mill levy increase for additional police officers.

Lee Larson, 8879 Juniper, spoke in opposition to the proposed mill levy increase. He felt the improvements to Franklin Park were unnecessary as well as the recent resurfacing of the street in front of his home. He noted in addition to the increase in the mill levy last year that during the past three years his taxes have increased 10%, while as a retired social security recipient his social security payment has not increased during the past three years.

Vera Aurand, 4800 West 76th Street, noted that last years expenditures exceeded revenue by 8.7% and this year expenditures exceed revenue by 10%. This is not the right direction for the city to be moving. It is time to reduce expenditures. She questioned the \$4.5 million in the CIP budget noting that only the east portion of 75th Street needs work, not the entire street. She urged the Council to reduce expenditures now.

Randy Kronblad, 5402 West 80th Terrace, encouraged the Council to reinstate the \$400,000 transfer from the economic development fund to the Parks CIP to allow the City to continue park enhancements as identified by the Parks Master Plan. He noted

the Parks Master Plan was incorporated into Village Vision with strong support by the residents. He is fearful of the Parks Master Plan being placed on the shelf and forgotten. It needs to be implemented and funded.

Randy Knight, 9120 Fontana, stressed the importance of park amenities. He referenced a recent community survey which ranked top amenities sought by residents which ranked trails #2, sidewalks #3, parks #4 and playgrounds #5. He is concerned with the removal of park enhancements from the 2012 budget and urged the Council to fund 2012 enhancements with a transfer from economic development and to find a dedicated source of funding to continue the implementation of the parks master plan. Mr. Knight acknowledged the difficult economic conditions and noted the proposed transfer is a temporary fix. He stressed the importance of identifying an on-going dedicated source of funding to allow for the continued implementation of this significant investment for the City.

James Bernard, 9104 Delmar, stated the Parks Master Plan was adopted in 2009 by a unanimous vote of the Council. However, there is no funding proposed in the 2012 or later for its implementation. He urged the Council to return adequate funding for park enhancements to the 2012 budget.

With no one else to speak on the proposed budget. Mayor Shaffer closed the public hearing at 8:12 p.m.

Diana Ewy Sharp began her comments acknowledging the efforts of the Council, staff and residents to bring together a successful budget in a difficult economic environment. Mrs. Ewy Sharp reviewed the history of the Parks Master Plan and its adoption noting the significant input from Prairie Village residents into the plan that was

adopted unanimously by the City Council in 2009 to guide the development and funding of future parks and recreation enhancements for the City.

Mrs. Sharp expressed her frustration with the lack of a funding mechanism for the implementation of this plan and for the current lack of funding in the proposed city budget for future enhancements. She noted the support of the public and the positive response to the recent improvements at Franklin Park. She believes parks are a priority for Prairie Village residents.

She urged the council to continue with the next park project and not allow the Parks Master Plan to join Village Vision, the 75th Street Corridor Study and others on the proverbial shelf, but to identify a funding mechanism to implement this plan such as funding mechanisms have been found for storm water improvement projects and for other CIP programs. Mrs. Sharp reviewed the planned enhancements for Porter Park recommended by the Park & Recreation Committee and the reason for selecting Porter Park.

Diane Ewy Sharp moved for the allocation of \$360,000 from the Economic Development Fund for Porter Park renovation in 2012 with the park expansion to be considered at a later date. The motion was seconded by David Morrison

Charles Clark noted there are three distinct groups on Council regarding park funding. There is a group that voted for the Parks Master Plan with the understanding that there would need to be a source from which to fund it; another group that wants park improvements but does not want to raise taxes to fund them and a third group that doesn't want to do either. He believes the City has an obligation to the parks. However, he noted the initial estimate for implementation of the plan was between fifteen and twenty million dollars which was to be done over a period of years. This would require a

million dollars per year which equates to a 3.5 mill levy increase or ½ cent sales tax. This cannot be funded through the existing city budget. The 2012 proposed budget will barely cover existing operating costs.

Mr. Clark stated there is an effort to divert funds from another fund, the economic development fund. Due to economic conditions, there has not been any opportunity to use those funds over the past few years to support development in the City. However, it is expected that two of the largest commercial development opportunities in the city's history may come before the City in the near future. With the sale of both the Mission Valley Middle School property and the Meadowbrook Country Club property to developers, now is the worst possible time to be diverting funds from this fund. The City has the opportunity to have significant impact on securing the type of development that it desires on these properties. The city will need those funds for the planning and financial consultants, attorneys and other professional services that will be needed to ensure the best possible development for benefit of the City. These will be complicated multi-use proposals that will need to be analyzed, negotiated and reviewed. It can be expected that the developers will seek tax increment financing or other incentives to assist with the costs of development. No one can anticipate what these costs will be. This is not the time to remove funds from this fund for park improvements. He feels that next year's budget needs to include park funding and a source for that funding needs to be found.

Dale Beckerman agreed with Mr. Clark that the City Council cannot do the parks master plan unless there is a sustaining source of funding such as a property or sales tax increase. The proposed allocation is an ad hoc measure that takes money out for one year out of a fund that was never intended to fund park improvements. As much as

he would like to see money for park enhancements, the money is not available this year. City expenditures already exceed revenues and the situation will not turn around until the Council recognizes the need for additional revenue. He opposes the motion as another example of not facing the difficult financial decisions that must be made.

David Morrison stated he felt the City could provide funding for the park improvements without increasing taxes. He noted during budget discussions he suggested several possible reductions in expenditure that were not considered. He does not feel taking funds from the economic development fund is diverting funds as he believes the enhancement of city parks is an expenditure for economic development. At an earlier meeting, he presented research documenting the impact of parks on the economic development of an area.

Steve Noll stated he originally supported the proposed allocation; however, he noted although the economic development has been static in these difficult economic times, there will be in the near future projects that will need investment from those funds. He added the 2012 budget contains over \$800,000 for park maintenance and at the earlier committee meeting another \$85,000 was taken from contingency funds for Weltner Park improvements that came in over budget. This is not the time to be taking funds from the economic development fund simply because they are available and there is no current plan in place for the funds.

Michael Kelly stressed that the City cannot continue with expenditures exceeding revenues. He would love to have new and improved parks, but not at the expense of staff not having what they need and our street infrastructure crumbling. He noted the proposed transfer for the park enhancements could be done, but that would not address the underlying concerns raised by staff of the City spending more than it receives in

revenue. To move forward with this motion is not executing due diligence for the residents of the City. He supports park improvements; however, an on-going funding source, outside of the general operating budget, must be identified for funding these enhancements.

Al Herrera noted the Council has spent \$50,000 on the creation of the Parks Master Plan with the understanding that it would be implemented. He noted the economic development fund contains over \$2 million and that these funds have already been used for other projects. He supports the motion and the inclusion of funding in future budgets for parks. He suggested placing the question before a vote of the residents.

Ruth Hopkins stated she was surprised by the number of comments she received from residents telling her not to take funding from the economic development for this expenditure.

David Belz agreed with Mr. Noll and could not support removing funds from the economic development fund at this time. He noted he would be very disappointed if a development opportunity came before the City that the City was unable to address due to lack of available economic development funds. He stated he fully supports the parks, but not with dollars from the economic development fund. There needs to be an on-going funding mechanism for the implementation of the Parks Master Plan and hopes that the people speaking on behalf of the plan this evening will be back when this issue comes back as a mill levy or sales tax increase.

Diana Ewy Sharp asked Mr. Bennion for an estimate of economic development costs for the Mission Valley School site. Mr. Bennion responded that if funding was needed only for legal costs and planning services it would be difficult to spend \$2

million. However, if the City is looking at a joint development project or the issuance of development incentives, the cost could easily exceed \$2 million.

Mayor Shaffer called for a vote on the motion. The motion was defeated by a vote of 3 to 6.

Dale Beckerman moved the adoption of the 2012 budget as certified in the amount of \$26,119,213 with ad valorem tax in the amount of \$5,488,312 as presented. The motion was seconded by Steve Noll.

Diana Ewy Sharp express her support of the two additional police officers requested by Chief Jordan, but stated she could not vote for budget containing a mill levy increase.

Michael Kelly stated he is against the refinancing of debt as he feels it simply passes the debt down the road. Action needs to be taken to place the City on good financial terms.

David Morrison stated he promised his constituents that he would not increase taxes and would be voting in opposition to the proposed 2012 budget which contains a mill levy increase. The Council needs to make the difficult decisions to cut spending and get a truly balanced budget.

Mayor Shaffer called for a vote on the motion to adopt the 2012 budget as presented. The motion passed by a vote of 6 to 3. David Morrison asked for a roll call vote to be taken.

A roll call vote was taken with the following votes cast: "aye" Herrera, Hopkins, Noll, Beckerman, Clark, Belz; and "nay" Kelly, Morrison, Ewy Sharp.

Diana Ewy Sharp requested the council committee of the whole immediately consider alternate funding mechanisms for park improvements. She noted she was looking to the finance committee for a place on a future agenda.

Dale Beckerman moved the Governing Body adopt Ordinance 2239 attesting to an increase in the property tax dollars levied in the General Fund in excess of the amount allowed by the state formula. The motion was seconded by David Belz.

A roll call vote was taken with the following votes cast: “aye” Herrera, Hopkins, Noll, Beckerman, Clark, and Belz; “nay” Kelly Morrison Ewy Sharp. Mayor Shaffer declared the ordinance adopted.

CONSENT AGENDA

Dale Beckerman moved the approval of the Consent Agenda for Monday, August 1, 2011:

1. Approve Regular Council Meeting Minutes - July 18, 2011.
2. Approve a pay increase to \$12.42 per session for school crossing guards for the 2011-2012 school year.
3. Approve the following vendor contracts for the Prairie Village Jazz Festival on Saturday September 20, 2011 - no costs will be incurred with the approval of these agreements
 - BRGR Kitchen+Bar
 - R/A/ Sushi
 - New York Dawg Pound
 - Culver’s of Kansas City
4. Approve a fee of \$200.74 per/year or \$16.73 per month/per each household for the collection of solid waste, recycle material, yard waste and bulky item pickup for an exemption fee of #6.43 per year/per household per month for those subdivisions/Homes associations which have applied for exemption from the Solid Waste Management Program.
5. Consider approval of amendment to the Supplemental Pension Plan to comply with current regulations.

A roll call vote was taken with the following members voting “aye”: Herrera, Hopkins, Noll, Kelly, Beckerman, Clark, Morrison, Ewy Sharp and Belz.

MAYOR'S REPORT

Mayor Shaffer noted his report was presented at the earlier Council Committee meeting.

COMMITTEE REPORTS

Council Committee of the Whole

COU2011-28 Consider Construction Contract with Linaweaver Construction, for Projects 190894: 2011 Cambridge Street Improvements and 190661: Weltner Park 2011 Improvement Project.

On behalf of the Council Committee of the Whole, Dale Beckerman moved the Governing Body authorize the Mayor to sign the construction contract with Linaweaver Construction, Inc. in the amount of \$827,311.00 and authorize the transfer of \$85,000 to Project 190661: Weltner Park 2011 Improvement Project from City Contingency. The motion was seconded by David Belz and passed unanimously.

COU2011-39 Consider Construction Administration Agreement for Project 190894: 2011 Cambridge Street Improvements; Project 109661: Weltner Park 2011 Improvement Project and Project 190990: Nall Avenue 75th to 79th (CARS) Project

On behalf of the Council Committee of the whole, Dale Beckerman moved the Governing Body approve the Construction Administration Agreement with TranSystems for Project 190894: 2011 Cambridge Street Improvements; Project 190661: Weltner Park 2011 Improvements and Project 190990: Nall Avenue 75th to 79th (CARS) Project. The motion was seconded by David Belz and passed unanimously.

Environment/Recycle Committee

Ruth Hopkins moved the City authorize Mayor Shaffer to accept MARC's glass recycling challenge during the month of November. The motion was seconded by Dale

Beckerman and passed unanimously. Mrs. Hopkins reminded the Council that the City currently holds the title for the most glass recycling.

STAFF REPORTS

Mayor Shaffer noted staff reports were presented during the earlier Council Committee meeting.

OLD BUSINESS

Discussion & Update on Mission Valley Middle School Site

Quinn Bennion reported that staff, Mayor Shaffer and Dale Beckerman have met twice in the past week with representatives from RED to look at the process for redevelopment of the Mission Valley school site. He feels the City has established a good working relationship with RED and have had positive discussions regarding public engagement in the comprehensive plan amendment for this site.

A two step process is being proposed which includes public participation portion and then the comprehensive plan amendment. The public engagement portion would be coordinated by RED and the consultant/facilitator selected by RED. The City has been asked to participate and pay for a portion of the public engagement portion with the meetings to be held in September and October. The City will prepare a funding agreement with RED for phase 1 with the majority of the costs being covered by RED. Katie Logan stated this agreement would need to be approved by the Governing Body.

Dale Beckerman stated the public engagement process would need to be completed prior to the preparation of an amendment to the comprehensive plan and supports partnering with RED for that process. Ruth Hopkins agreed such partnering was a win/win proposition.

The second step would be the creation of the amendment to the comprehensive plan based on the findings from the public engagement portion . The City would need a planning consultant to this work and would be responsible for the related costs.

Quinn Bennion asked for Council direction on whether to do a Request for Proposals for this process or to use the City's Planning Consultant for the preparation of the amendment to the Comprehensive Plan.

Mayor Shaffer asked what timeline has been established for this process. Mr. Bennion responded at the next Council meeting a funding agreement would be presented for Council approval. Focus groups for public input would be held in September. The tentative schedule includes the development plan to come before the Council in October with the amendment to the Comprehensive Plan beginning in November.

Al Herrera stated that based on the proposed timeline, he felt the City should use its current city planning consultant, Lochner, to prepare the amendment. Dale Beckerman agreed noting that is the reason the City has hired a planning consultant.

Michael Kelly questioned the rush and felt it would be beneficial to go out for proposals and see what is available.

Steve Noll confirmed this amendment would address only the Mission Valley site. Quinn Bennion responded the area could be expanded to include adjacent properties such as Corinth South and adjacent apartments. Mayor Shaffer noted that Lane4 is aware that the Corinth South area may be added to the plan amendment.

Council President Dale Beckerman confirmed the consensus of the City Council was to use the city's existing planning consultant Lochner/BWR as peer review consultant and to prepare the comprehensive plan amendment.

NEW BUSINESS

Diana Ewy Sharp noted the Babicks were in attendance during both the committee and Council meetings. Mayor Shaffer advised them the agenda does not include discussion on holiday displays and stated they would be notified when that discussion was once again on the agenda.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Planning Commission	08/02/2011	7:00 p.m.
Tree Board	08/03/2011	6:00 p.m.
JazzFest Committee	08/04/2011	7:00 p.m.
Sister City Committee	08/08/2011	7:00 p.m.
Council Committee of the Whole	08/15/2011	6:00 p.m.
City Council	08/15/2011	7:30 p.m.

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The Prairie Village Arts Council is pleased to announce a photography and watercolors exhibit by Cortney Christensen the R. G. Endres Gallery for the month of August. The artist reception will be held on August 12th from 6:30 to 7:30 p.m.

October 14th State of the Arts Reception

The final moonlight swim is August 5th, the pool will remain open until 10:00 p.m.

The pool goes to reduced hours beginning August 15th. They will open at 4:30 p.m. on weekdays.

The pool closes for the season at 6:00 p.m. September 5th.

JazzFest is September 10th at Harmon Park. Mayor Shaffer noted on Saturday, September 11th, the Dolya Jazz Band would be performing at Asbury Methodist Church from 3 p.m. to 5 p.m.

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 9:10 p.m.

Joyce Hagen Mundy
City Clerk