

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
October 3, 2011
7:30 p.m.**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC PARTICIPATION

County Commissioner Ed Peterson

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 - September 19, 2011
- 2. Ratify the Mayor's appointment of Clara Martin and Taylor Hawes to the Prairie Village Arts Council as student representatives with terms expiring in April, 2012

By Committee:

- 3. Consider Final Plat for Corinth Square North (Planning Commission)

VI. MAYOR'S REPORT

VII. COMMITTEE REPORTS

COU2011-48 Consider Project 190890: 2010 Bond Project - Construction Change Order #8 adding the Mill and Overlay of Village Drive from 71st Street to 75th Street and Windsor Street from Cherokee Drive to 75th Street as part of the 2011 Paving Program - Dale Beckerman

COU2011-49 Consider Project 190894: Cambridge Street Improvements and Project 190661: Weltner Park Improvements - Change Order #1 adding Project 190662: Trail Project from Porter Park to 71st Street - Dale Beckerman

VIII. STAFF REPORTS

IX. OLD BUSINESS

X. NEW BUSINESS

Consider Items to Finalize Issuance of Series 2011-A Bonds

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

CITY OF PRAIRIE VILLAGE
October 3, 2011

The City Council of Prairie Village, Kansas, met in regular session on Monday, October 3, 2011, at 7:30 p.m. in the Council Chambers of the Municipal Building.

ROLL CALL

Council President Dale Beckerman called the meeting to order in Mayor Shaffer's absence and roll call was taken with the following Council members present: Al Herrera, Dale Warman, Ruth Hopkins, Steve Noll, Michael Kelly, Andrew Wang, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz.

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

Council President Dale Beckerman led all those present in the Pledge of Allegiance.

PUBLIC PARTICIPATION

Dale Beckerman announced that Johnson County Commissioner Ed Peterson had not yet arrived and that his scheduled report will be given upon his arrival.

Susan Winters, 7146 Booth, addressed the Council with concerns regarding the upkeep of the property immediately to the south of hers. The property has several code violations, including tall grass/weeds. She has talked several times with the City's code enforcement officer Marcia Gradinger. She feels she has been very patient in seeking

resolution to the long-standing property violations which negatively affect her property value and ability to enjoy her property. Mrs. Winter sought the Council's assistance in bringing resolution to the on-going property violations on her neighbor's property.

No one else was present to address the Council and public participation was closed at 7:35 p.m.

CONSENT AGENDA

Charles Clark moved the approval of the Consent Agenda for Monday, October 3, 2011:

1. Approve Regular Council Meeting Minutes - September 19, 2011.
2. Ratify the Mayor's appointment of Clara Martin and Taylor Hawes to the Prairie Village Arts Council as student representatives with terms expiring in April, 2012.
3. Authorize the Mayor to execute the Final Plat for Corinth Square North to accept easements and rights-of-way subject to the conditions set by the Planning Commission at their September 6, 2011 meeting.

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

Report from Johnson County Commissioner

Ed Peterson, the City's representative on the Johnson County Commission, presented his annual update on the 2012 Johnson County budget and activities of the Commission. The 2012 budget of \$810,736,849.00 reflects an increase with the expenditure of reserves for capital improvement projects. Commissioner Peterson noted the operating budget had been reduced by \$6 million. He was pleased to announce that there has not been an increase to the mill levy for the county and with declining property values, many residents will actually have a decrease in their taxes.

Commissioner Peterson reviewed the large number of programs supported by the County while being mandated by the State. He noted approximately one-eighth of the budget is spent maintaining these programs.

Johnson County has maintained the highest "AAA" bond rating. The rating organization stated a major reason for this high rating is the high level of fund reserve maintained by the County especially in the current volatile economic climate.

Commissioner Peterson advised the Council of an upcoming change in the billing for Johnson County Wastewater which will have the dwelling unit charge which is current placed as an assessment of the tax rolls, billed to the property owner beginning January 1, 2013. He reported that transit ridership is up for the last quarter overall by 13 percent. Also, beginning in January, 2012 yard waste will no longer be accepted at the County landfill.

David Morrison asked if the Commission was looking to increase its size. Commissioner Peterson stated the Commission does not feel its size needs to be increased although that was one of the recommendations of the Johnson County Charter Commission.

David Belz asked for the current county reserve fund level. Commissioner Peterson responded the county currently has \$128,600,196 in its reserve fund; however, he noted some of those reserves will be used in 2012 to fund capital improvement projects leaving a projected balance at the end of 2012 at \$125,000,000.

Dale Beckerman asked the value of the county's current reserve level. Commissioner Peterson responded at the end of this anticipated reserves will be \$140,000. However, they will be using some reserves for capital projects in 2012, so the anticipated reserves at the end of 2012 are \$125,000.

MAYOR'S REPORT

There was no Mayor's Report in Mayor Shaffer's absence. Council President Dale Beckerman noted that Mayor Shaffer was present at the public forum on the recommendations of the Johnson County Charter Commission held on Tuesday, September 27th as well as Council members Charles Clark & Ruth Hopkins and asked for their comments on the forum.

Charles Clark the Charter Commission had recommended several bad changes be made to the Johnson County Charter. The forum was very well attended with 38 or the 40 people speaking on the recommendation speaking in opposition to the recommendations. Mr. Clark noted he was particularly concerned with some of the recommended financial changes that would severely disrupt the City's financial ability. In February, the Commission will place their final recommendations on the ballot for consideration by the public.

Ruth Hopkins urged the Council members and the public to become involved and informed and to speak out on proposed changes. She noted the proposed changes to the County Library System would end Johnson County libraries as they currently exist.

COMMITTEE REPORTS

Council Committee of the Whole

COU2011-48 Consider Project 190890: 2010 Bond Project - Construction Change Order #8

On behalf of the Council Committee of the Whole, Charles Clark moved the Governing Body approve Construction Change Order #8 for Project 190890: 2010 Bond Project with O'Donnell and Sons Construction for an increase of \$156,310.00 bringing

the contract amount to \$8,679,315.21. The motion was seconded by Laura Wassmer and passed unanimously.

Council Committee of the Whole

COU2011-49 Consider Project 190894: Cambridge Street Improvements & Project 190661: Weltner Park Improvements - Construction Change Order #1

On behalf of the Council Committee of the Whole, Charles Clark moved the Governing Body approve Construction Change Order #1 for Project 190894: Cambridge Street Improvements and Project 190661: Weltner Park Improvements with Linaweaver Construction, Inc. in the amount of \$118,432.60 bringing the contract amount to \$938,643.60. The motion was seconded by Laura Wassmer.

Ruth Hopkins stated she would be voting against the motion as she feels the City should be focusing on maintaining existing park facilities before adding new enhancements to parks speaking on behalf of the residents who addressed the Council earlier in the year regarding necessary repairs to the Windsor Park Trail.

The motion was voted on and passed by a vote of 10 to 2 with Hopkins and Morrison voting “nay”.

STAFF REPORTS

Public Safety

- Chief Jordan reported the press may pick up on an arrest made on 79th Street for prostitution.
- The City was not awarded a COPS Grant, it was noted there were over 2700 grant applications submitted.

Public Works

- Bruce McNabb reported Cambridge Street is open for traffic, but noted it is not fully completed.
- Weltner Park will now be the primary focus of the contractor, it is behind schedule and they anticipate a delay in receiving the shelter.
- Nall 75th to 79th is closed during the day while contractors work on that project.

Administration

- The Environmental Committee Community Forum will be held October 6th with dinner at 6 p.m. and the program beginning at 7 p.m.

- The State of the Arts reception will be Friday, October 14th from 6 p.m. to 8 p.m. The awards presentation will take place at 7:30 p.m.
- Dennis Enslinger reported free wireless internet is now available in city hall for use by the public and committees.
- Information on the NLC Service Line Warranty program has been mailed to residents. Staff have received calls regarding the program.
- Bettina Jamerson was recently awarded the Kansas Outstanding Court Clerk Award.
- Chris Engel presented a Geothermal Project update. The expected completion of the installation is October 25th. He announced that the project was recognized as a sustainable success story by MARC. Ruth Hopkins noted other promotions of the project she heard over the radio. Mr. Engel noted that both Dennis Enslinger and David McAuliffe have been interviewed regarding the project.
- Quinn Bennion reported on a partnership between Habitat for Humanity and the Municipal Foundation for home repair projects in Prairie Village with funding from the Mayor's Holiday Tree Fund.
- The City of Mission has invited city representative to attend the Nall Avenue opening celebration will be held on Friday, October 7th at 4:30 p.m.
- Quinn Bennion presented a new communications program endorsed by the Communications Committee "myPVapp" the program will launch by the end of the year.
- This week is the City's annual Peanut Butter Drive for Harvesters.

OLD BUSINESS

Laura Wassmer encouraged those present to attend the Arts Council's premier juried art exhibit and State of the Arts reception on Friday, October 14th. There will be three awards presented at 7:30 p.m.

NEW BUSINESS

Consider issuance of Series 2011-A Bonds

Quinn Bennion reported the City had a very successful sale of general obligation bonds earlier in the day with eleven bidders and a final low bid of 1.67% submitted by UMB. He introduced Kelsey Powell with Columbia Capital and Gary Anderson with Gilmore and Bell to answer any questions from the Council.

Council member Laura Wassmer left.

Kelsi Powell explained the bond process and market noting the very strong interest in the city's bonds. No one at their organization remembers a bond sale with as strong interest by bidders. The 1.67% for the 2011 Series A Bonds is lower than the City's earlier 2009 bond issue. Ms. Powell stressed the large demand for "AAA" rated bonds and bank qualified bonds. These are among the most secure investments available. The final bond issue amount is \$4,555,000.00

Gary Anderson stated the bond proceeds will be used to fund street projects, the geothermal project and the refunding of earlier bonds.

Charles Clark moved the Governing Body accept the best bid of UMB Bank and authorize and direct the Mayor and City Clerk to execute the bid form selling the bonds to the best bidder on the basis of said bid and the terms specified in the Notice of Bond Sale. The motion was seconded by Ruth Hopkins.

Diana Ewy Sharp stated she would not be supporting the sale of bonds. Michael Kelly reiterated his earlier disapproval of the city increasing its debt load. David Morrison stated he would not be supporting the sale noting that the city has already increased taxes and spending while taking on more debt.

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

Charles Clark moved the Governing Body adopt Ordinance No. 2243 authorizing and providing for the issuance of \$4,575,000 principal amount of General Obligation Refunding and Improvement Bonds, Series 2011-A of the City of Prairie Village, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other

documents and actions in connection therewith; and making certain covenants with respect thereto. The motion was seconded by Ruth Hopkins.

Staff noted the final sale amount was \$4,555,000.

Ruth Hopkins moved to amend the motion with the corrected amount of \$4,555,000. David Belz seconded the motion which was voted on and passed.

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

Charles Clark moved the Governing Body adopt Resolution 2011-16 prescribing the form and details of and authorizing and directing the sale and delivery of \$4,555,000 principal amount of General Obligation Refunding and Improvement Bonds, Series 2011-A, of the City of Prairie Village, Kansas, previously authorized by Ordinance 2243 of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith. The motion was seconded by Ruth Hopkins.

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

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Planning Commission	10/04/2011	7:00 p.m.
Sister City Committee	10/10/2011	7:00 p.m.
Communications Committee	10/11/2011	5:30 p.m.
JazzFest Committee	10/13/2011	7:00 p.m.
Council Committee of the Whole	10/17/2011	6:00 p.m.
City Council	10/17/2011	7:30 p.m.

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The Prairie Village Arts Council is pleased to announce the State of the Arts exhibit in the R. G. Endres Gallery for the month of October. The artist reception will be held on October 14th from 6:00 to 8:00 p.m. with the awards being announced at 7:30 p.m.

Prairie Village Peanut Butter Week is October 3rd - 7th.

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 8:35 p.m.

Joyce Hagen Mundy
City Clerk