

CITY OF PRAIRIE VILLAGE

November 7, 2011
City Council Meeting
6:00 p.m.



**COUNCIL COMMITTEE
November 7, 2011
6:00 P.M.
Council Chambers**

AGENDA

DALE BECKERMAN, COUNCIL PRESIDENT

AGENDA ITEMS FOR DISCUSSION

*COU2011-52 Consider authorization to publish an amendment to the 2012 budget as required by State statutes
Lisa Santa Maria

COU2011-53 Consider discontinuation of maintenance of recreation fields at St. Ann Church
Bruce McNabb

COU2011-55 Review the list of services and commodities contracts that are expiring and ready for bid
Quinn Bennion

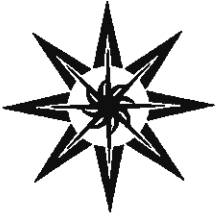
COU2011-54 Consider an Ordinance amending Chapter VII of the Prairie Village Municipal Code entitled "Fire" to amend the Permit Process Requirements for Public Fireworks Displays
Chief Wes Jordan

Presentation of 2010 Census numbers relating to Prairie Village
Emily Kotay

Presentation regarding DDACTS Crime Prevention Results
Captain Tim Schwartzkopf

Executive Session

*Council Action Requested the same night



ADMINISTRATION

Council Meeting Date: November 7, 2011
Council Committee Meeting Date: November 7, 2011

COU2011-52: Request Permission to Publish the Amendment to the 2012 Budget

SUGGESTED MOTION

Move to authorize staff to publish the amendment to the 2012 Budget as required by State statutes.

BACKGROUND

In October 2011, the City issued the Series 2011-A general obligation bonds to refund 2009 outstanding bonds, issue new debt for an energy project, as well as issue new bonds to accelerate projects in the CIP to take advantage of lower construction prices. The City is required to adopt its annual budget in August of the year proceeding the budget year. So, the City had adopted its 2012 budget in August 2011 prior to the bond issue. Because of the bond issue, the expenditures in the Bond & Interest Fund in 2012 are higher than what was budgeted. At the time of the bond issue, staff noted that the 2012 budget for the Bond & Interest Fund would have to be amended. The attached form is required by the State in order for the City to amend its budget.

Funding for the additional expenditure (\$68,736.68) in the Bond & Interest Fund comes from the existing tax that was levied and the budgeted transfer from the Stormwater Utility Fund. There will not be a change to the tax levy that was originally published for the 2012 budget.

State statutes require that the City hold a public hearing on the budget amendment at least ten days after publication. To comply with these statutory requirements, the public hearing has been scheduled for the City Council's regular meeting on Monday, November 21, 2011. The Notice of Budget Hearing page of the attached State budget forms will be published in The Legal Record on Tuesday, November 8, 2011. At the November 21st meeting, the Council will vote on the amendment after the public hearing.

PUBLIC NOTICE

The Notice of Budget Hearing will be published in The Legal Record on Tuesday, November 8, 2011.

ATTACHMENTS:

- Summary of changes
- Notice of Budget Hearing for Amending the 2012 State Budget Form

Prepared By:
Lisa Santa Maria
Finance Director
Date: 11/2/2011

Debt Service after Series 2011-A Bond Issue

	Remaining 2009 Debt Service (P&I)	2011 Debt Service (P&I)	Total Debt Service (P&I)
2012	1,897,401.67	141,810.01	2,039,211.68
2013	1,888,335.00	150,210.00	2,038,545.00
2014	1,888,177.50	149,827.50	2,038,005.00
2015	267,250.00	589,275.00	856,525.00
2016	262,470.00	590,075.00	852,545.00
2017	267,120.00	589,775.00	856,895.00
2018	265,907.50	588,087.50	853,995.00
2019	273,950.00	595,257.50	869,207.50
2020	41,540.00	831,100.00	872,640.00
2021	40,800.00	831,300.00	872,100.00
	<u>7,092,951.67</u>	<u>5,056,717.51</u>	<u>12,149,669.18</u>

4,555,000 Series 2011-A
-365,000 Refund 2009
-510,000 New Debt - Energy
<u>-3,680,000 New Debt - Streets</u>
0

Change in Debt Service after Series 2011-A Bond Issue

	Original 2009 Debt Service (P&I)	New Debt Service (P&I)	Difference (P&I)
2012	1,970,475	2,039,211.68	68,736.68
2013	1,968,875	2,038,545.00	69,670.00
2014	1,971,575	2,038,005.00	66,430.00
2015	228,475	856,525.00	628,050.00
2016	223,975	852,545.00	628,570.00
2017	228,975	856,895.00	627,920.00
2018	228,200	853,995.00	625,795.00
2019	231,750	869,207.50	637,457.50
2020		872,640.00	872,640.00
2021		872,100.00	872,100.00
	<u>7,052,300</u>	<u>12,149,669.18</u>	<u>5,097,369.18</u>

**Notice of Budget Hearing for Amending the
2012 Budget**

The governing body of
City of Prairie Village
will meet on the 21st day of November, 2011, at 7:30 p.m. at 7700 Mission Road for the purpose of
hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at the Prairie Village Municipal Offices at 7700 Mission Road
and will be available at this hearing.

Summary of Amendments

Fund	2012 Adopted Budget			2012 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
Bond & Interest Fund	4.724	1,331,203	1,970,475	2,039,212
0			0	0
0			0	0
0			0	0
0			0	0
0			0	0

Official Title:



PUBLIC WORKS DEPARTMENT

Parks and Recreation Committee Meeting Date: Oct. 19, 2011
Council Committee Meeting Date: Nov. 7, 2011
Council Meeting Date: Nov. 21, 2011

CONSIDER DISCONTINUATION OF MAINTENANCE OF RECREATION FIELDS AT ST. ANN CHURCH AS OF DECEMBER 31, 2011

RECOMMENDATION

Staff recommends the City Council approve discontinuation of maintenance of recreation fields at St. Ann Church (located behind 7231 Mission Rd. and adjacent to Windsor Park) as of December 31, 2011.

BACKGROUND

During the process of developing the 2012 City Budget we learned that the City has been maintaining recreation fields at St. Ann Church adjacent to Windsor Park since 1996. This service was established by an informal agreement set up at that time in exchange for the City's scheduled use of the fields for recreational purposes on a limited basis.

As the property owner, the Church first reserved the fields for its use and unreserved times were available for public use through the City. Based on our records the City has not received reservation requests for the fields at the Church for the past several years due to the limited times available.

The City has recently taken on additional parks maintenance responsibilities. The City has a responsibility to its taxpayers to focus its limited resources in the areas where it has defined responsibilities. Therefore, City staff is recommending that City maintenance of the fields at the Church should be discontinued at the end of 2011.

The City currently spends approximately \$4000 annually on this activity. If this service is discontinued, the current resources will be reassigned to other parks maintenance responsibilities.

At the October 19, 2011 Parks and Recreation Committee meeting, the consensus of the members present was agreement with this recommendation.

FUNDING SOURCE

The current maintenance services are funded through the City's General Fund.

NOTICE

A letter explaining this situation and recommendation was sent to the Church on September 14, 2011. Shortly thereafter a representative of the Church contacted the City to express appreciation for our previous service and understanding for the recommendation to discontinue the service.

ATTACHMENT

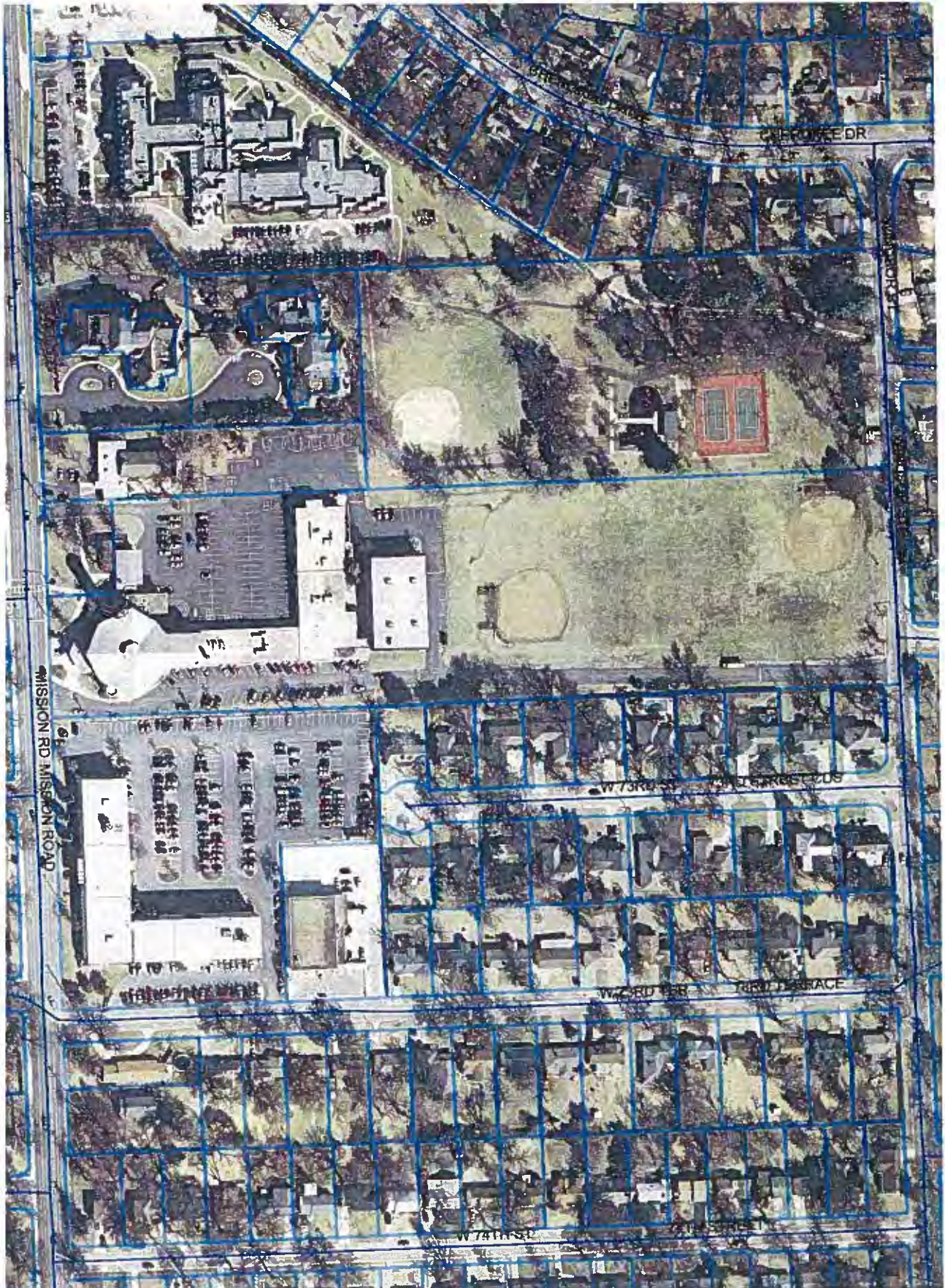
Aerial photo showing location of Church recreation fields and Windsor Park.

PREPARED BY

Bruce McNabb, Director of Public Works

Date: November 2, 2011

Windsor Park/St. Ann's





COUNCIL COMMITTEE

Council Committee Meeting Date: November 7, 2011

Agenda Item: Review the list of services and commodities contracts that are expiring and are ready for bid

SUGGESTED MOTION

No motion required if expiring services and commodities are to be bid per the city's purchasing policy.

If an incumbent provider is desired to be retained:

Move that Council remove from the bid list the contract for (service or commodity) and retain the incumbent provider with a contract renewal without a bid process subject to the incumbent provider accepting the existing contract terms.

STAFF RECOMMENDATION

Staff recommends following existing purchasing policy and selecting the lowest qualified bidder.

BACKGROUND

In late 2010, several services and commodity contracts expired and were taken out to bid. During the procurement process, two of the contracts were pulled from the Council consent agenda and awarded to the incumbent providers. The City is not required to select the lowest bidder. Staff recognized that the procurement process did not match the Council's desires and initiated a review of the procurement process and purchasing policy.

At the Finance Committee on November 2, 2011, the Committee recommended that the procurement process include an additional step to include a Council review prior to bidding. The pre-bid review process will typically take place in September or October on the Council consent agenda.

During the pre-bid review process, a Councilmember can remove the bid item from the consent agenda for discussion and Council vote. If pulled, the Council will discuss the merits of bidding the service or renewing with the incumbent provider without a bid. If the Council approves renewing the contract with the incumbent provider, the incumbent provider must be willing to accept the terms of the expiring contract including the established annual price increase. If the

incumbent provider is not willing to extend the terms of the existing contract, the service will be bid.

With this new practice, this year's bid list is on the committee agenda for review and explanation of the process. Future pre-bid reviews will be on the Council consent agenda. Due to the timing, the expiring 2011 contracts are currently published and out to bid and can be withdrawn if Council takes action.

ATTACHMENTS:

- List of expiring contracts which are ready for bid
- Finance Committee agenda item with supporting documents

Prepared By:
Quinn Bennion
City Administrator
Date: November 4, 2011

2012 Contract Renewals

	<u>Incumbent Name</u>	<u>Program - Service</u>	<u>Term Length</u>	<u>Expires</u>
1	Cargill	Highway Rock Salt	1 year	12/31/2011
2	Best Portable Toilets	Portable Toilets	3 years	12/31/2011
3	Icemasters	Ice Maker	3 years	12/31/2011
4	Johnson County Key Service	Locksmith	3 years	12/31/2011
5	Lawrence Pest Control	Pest Control	3 years	12/31/2011
6	O'Dell Service Company, Inc.	HVAC Services	3 years	12/31/2011
7		Fire Alarm Maintenance	3 years	
8		Building Sprinkler System Maintenance	3 years	

* #7, #8 - first time these services are going for bid. Currently, PW calls a vendor as needed.



ADMINISTRATION DEPARTMENT

Finance Committee Meeting Date: November 2, 2011

Discussion Item: Purchasing Policy

BACKGROUND

Staff manages over 50 contracts with a variety of vendors that provide both knowledge-based and commodities-based services. These services range from pension management to the provision of rock salt and are considered essential to normal city operations. Current practice is to request bids for a particular service when the need is initially identified. The only guidance for the selection is that the service be "obtained at the lowest cost possible consistent with the quality required to maintain efficient operations of city departments." As worded, after due diligence, staff is allowed the latitude to determine what vendor will provide the best value with cost being a primary factor but not paramount to the decision. Once selected, the majority of vendors are approved by City Council, usually on the consent agenda. This is a common and appropriate method of vendor selection and has served the city well over the years.

However, policy does not address the term of the various contracts or when a service should go back out for bid or be auto-renewed. Current total contracts are split approximately in half between those considered on-going and eligible for auto-renewal and the others that are usually multi-year agreements covering two or three years that go out for bid shortly before the contract term expires. Examples of ongoing contracts that are auto-renewed are Springbrook (financial software), New Directions (employee assistance program) and FP Mailing (postage meters). Examples of multi-year agreements that are subject to being rebid are Ace Painting, Lawrence Pest Control and O'Dell HVAC.

DISCUSSION ITEMS

- Initial selection - what are the essential selection criteria?
- Term length - is there an appropriate or beneficial contract length?
- Rebid vs. auto-renewal - what criteria dictates when a service goes back out to bid?
- Vendor preference - when, why and how should low bid not be accepted?
 - Examples: minority-owned, resident owned, local business, incumbent
 - What value/discount should be associated with vendor preference?
- Consent agenda vs. council item - what dictates the process of Council approval?
- Purchasing classes - should the treatment of similar contracts be standardized?

ATTACHMENTS

CP061 - Purchasing Policy, current city contract analysis & suggested classification

PREPARED BY

Chris Engel

Date: 9/26/2011



City Council Policy: CP061 - Purchasing

Effective Date: December 20, 1999

Amends:

Approved By: City Council

I. SCOPE

II. PURPOSE

- A. To establish a uniform policy for bid solicitation, purchase order system, and approval of change orders. This policy is intended to provide a method for the most prudent and effective expenditure of City funds and for maximum protection of the taxpayer.

III. RESPONSIBILITY

- A. City Administrator

IV. DEFINITIONS

V. POLICY

A. Purchasing

1. A commodity or service should be obtained at the lowest cost possible consistent with the quality required to maintain efficient operations of city departments.
2. Even though the Governing Body approves a level of expenditures for any given program, that in itself is not a permit nor a directive to expend funds unless the need exists at the time of purchase and the item to be purchased is within the budget limits. Purchases will not be made only because funds are available.

- B. Bids from a minimum of three (3) vendors will be taken for any singular item purchased for the following amounts and by the following method:

1. No bids will be required for any singular item costing less than \$2,000. All departments are encouraged to solicit three (3) bids if the costs saved by bidding outweigh the administrative costs of soliciting bids.
2. Phone bids will be required for any singular item costing \$2,000 or more, but less than \$10,000.
3. Informal written price quotes will be required for any singular item costing \$10,000 or more, but less than \$20,000.
4. For any singular item costing \$20,000 or more, bids must be solicited by a notice in the paper and sealed bids will be received and opened by the City Clerk.
5. For capital improvements projects in excess of \$10,000, a City Charter Ordinance requires bids be solicited by a notice in the paper and sealed bids be received and opened by the City Clerk. The bids received must be lower than the Engineer's or Architect's estimate by state law.

- C. Change orders can be approved by the Mayor without council approval, but subject to council ratification, in amounts which total no more than 5% of the original contract for each change order submitted. "Original Contract Amount" is defined as the base bid plus alternates added at the time the original contract was approved. Change orders for work unrelated to the original projects must have council approval.

1. All routine change orders will be included on the Consent Agenda.

- D. Purchase orders will be required for items of expenditure purchased by the City as outlined below:

1. Purchase orders are not required for expenditures less than \$2,000.
2. For any single item expenditure of \$2,000 or more, but less than \$10,000, a purchase order is required with the Department Head and City Administrator's approval.
3. For any single item expenditure of \$10,000 or more, but less than \$20,000, a purchase order is required with the Department Head and Mayor's approval.
4. For any single item expenditure of \$20,000 or more, the Council must approve the expenditure prior to the preparation of a purchase order.

- E. Expenditures Not Requiring a Purchase Order Are:

1. Expenditures of less than \$2,000.
2. Monthly or regular expenditures for contractual agreements such as, but not limited to, the following:
 - a.) Lease agreement payments
 - b.) Utility payments Debt service payments
 - c.) Payroll liability payments

CP061 - Purchasing

3. Blanket purchase orders may be used for those merchants from whom many repetitive purchases are made, as supplies are required. Blanket purchase orders may be used for items such as, but not limited to, the following: Office Supplies, Gasoline, Salt, Asphalt, Auto Parts, Tires, Tree Service, and Printing. If there is more than one accessible supplier, the bids will be taken and awarded to the best bidder. Bids may be taken on a yearly basis.
 4. Emergency Purchases - An emergency shall be defined as situations when the department's operations would be severely hampered if the purchase were not made immediately. In these instances, the purchase order policy may be bypassed and the purchasing department will furnish a requisition as soon as possible. In these instances the Mayor shall have the authority to approve purchases in excess of \$20,000. "EMERGENCY" should be boldly written across the purchase requisition. The purchase order process should only be bypassed in extreme emergencies with department head approval.
- F. All other expenditures which are \$2,000 or more, not a regular expenditure, not a contractual expenditure, not covered by a blanket purchase order, and are not considered an emergency must have an approved purchase order BEFORE ordering. No warrant for payment shall be issued by the City unless a purchase order has been properly issued for the expenditure item.
- G. Tax Exempt Status
1. The City is tax exempt as a political subdivision under Section 4221(b) of the IRS Code and K.S.A. 79-3606. Under Missouri Statute, the City's exempt status is valid only when items purchased from Missouri vendors are delivered within the State of Kansas.

VI. PROCEDURES

Suggested Purchasing Classes (examples are not all-inclusive)

1) Commodities

- a) Consumables purchased recurrently.
- b) Highway Rock Salt, Office Depot, SAMS Club
- c) One to three years. Rebid. Lowest bidder.

2) General Services

- a) Services that are routine, primarily maintenance related and necessary for normal operations.
- b) Johnson County Key, Lawrence Pest Control, O'Dell HVAC, Teague Electric, Arbor Masters, AOS, Sanitol, copy machine lease
- c) One to three years. Rebid. Lowest bidder unless compelling reason otherwise.

3) Ongoing Service Agreements

- a) Services associated with maintenance/support for specialized or proprietary systems.
- b) Springbrook, Code Red, Court Software, Intergraph, JoCo AIMS, Otis Elevator, Vision Internet.
- c) None. These agreements remain in effect as long as the system is used.

4) Professional Services

- a) Services within the scope of management, finance, banking, planning, legal or engineering.
- b) ADP, CBIZ, Columbia Capital, Gilmore & Bell, SilverStone, Larkin, annual audit
- c) Five Year. Rebid. Vendor continuity and experiential knowledge of city is a priority consideration.

OTHER CLASSES

5) Ongoing Agreements

- a) Licensing, leasing, services for other entities. Usually single source providers.
- b) ASCAP, MARC, Mission Hills PD, Mission Code Enforcement, JoCo 50+, Minor Home Repair, postage meters
- c) Vary. Auto renewal.

6) Appointed Services

- a) Services appointed by Mayor or Planning Commission
- b) Lathrop & Gage, Lochner
- c) No Term.

CITY CONTRACT ANALYSIS

	<u>Company Name</u>	<u>Program - Service</u>	<u>Suggested Class</u>	<u>No Term</u>	<u>Auto Renew</u>	<u>Term Length</u>	<u>Expires</u>	<u>Notes</u>
1	Cargill	Highway Rock Salt	1			1	12/31/2011	PW Bids annually
2	Office Depot	Participation Certificate	1		x			
3	SAMS Club	Membership	1		x			Invoiced
4	Ace House Painting, Inc.	Painting Services	2			3	12/1/2012	PW Bids 3 year period
5	Alexander Open Systems	Network Support	2			2		
6	Allied Exterminators	Rodent Control	2		x			
7	Animal Medical Center	Animal Care	2			1	12/31/2011	
8	Arbor Masters	Holiday Tree Lighting	2			3	12/31/2011	PW Bids
9	Arbor Masters Tree & Landscape	Tree Planting	2			3	12/31/2012	PW Bids 3 year period
10	Best Portable Toilets	Portable Toilets	2			3	12/31/2011	
11	Big Green, Inc.	Weed Abatement Services	2			1	5/15/2012	Codes
12	Blue Valley Public Safety	Civil Defense Sirens	2			1	12/31/2011	PD
13	Coffee Plus	Cofee Services	2			3	12/31/2013	
14	Datamax	PW Copier	2				10/5/2014	lease
15	Deffenbaugh Disposal	Refuse Containers	2			3	12/31/2013	
16	First Choice Publishing	City Newsletter	2			1	12/31/2011	has been bid
17	Icemasters	Ice Maker	2			3	12/31/2011	
18	ImageQuest	Administration Copiers	2				5/1/2013	lease
19	Johnson County Key Service	Locksmith	2			3	12/31/2011	PW Bids 3 year period
20	Lawrence Pest Control	Pest Control	2			3	12/31/2011	PW Bids 3 year period
21	Lexington Plumbing	Plumbing	2			3	12/31/2013	
22	MidWest Office Technology	PD Copier	2				12/12/2012	lease
23	O'Dell Service Company, Inc.	HVAC Services	2			3	12/31/2011	PW Bids 3 year period
24	Pitney Bowes	Postage Meter - PW	2				12/31/2012	lease
25	Sanitol	Custodial Services	2			3	12/31/2013	
26	Teague Electric	Electrical Services	2			3	12/31/2011	PW Bids 3 year period
27	VanBooven Landscape & Tree	Tree Care Services	2			3	12/31/2013	
28	Weather or Not	Weather Services	2			3	12/31/2013	
29	Active Network (The)	Rec Ware on-line support	3	x	x			
30	Advanced Public Safety	Public Safety Software License	3	x	x			
31	Blue Cross/Blue Shield	Employee Health Insurance	3	x	x			
32	Code Red	Network License	3	x	x			
33	Delta Dental	Dental Insurance	3	x	x			
34	EnServe Midwest, LLC	Disposal of medical waste	3	x	x			
35	Fed Surplus Purchase Agreement	Surplus Purchase	3	x	x			
36	Fuelmaster	Fuel Management	3	x	x			invoiced

CITY CONTRACT ANALYSIS

	<u>Company Name</u>	<u>Program - Service</u>	<u>Suggested Class</u>	<u>No Term</u>	<u>Auto Renew</u>	<u>Term Length</u>	<u>Expires</u>	<u>Notes</u>
37	Intergraph, Inc.	Maintenance & Support PD system	3	x	x			
38	Interlocal Agreement PC/JOCO	Emergency Communications Cntr	3	x	x			
39	Interlocal Agreement PV/OP	PD computer systems	3	x	x			
40	JCCJIS Phone Subscriber Agreement	Hook-up with Jo Co WAN	3	x	x			
41	Johnson County AIMS Program	Data Access Agreement	3	x	x			
42	K & G Stripping	Pavement Marking	3			3	12/31/2012	
43	Kansas City STAR	Retail Advertising Contract	3	x	x			Arts Council
44	Keller Fire & Safety	Fire Extinguishers	3			3	12/31/2012	PW Bids 3 year period
45	Leadsonline, Inc.	Investigations Software	3	x	x			
46	Midwest Power Files		3	x	x			Invoiced
47	New Directions	Employee Assistance	3	x	x			
48	Otis Elevator	PS Elevator	3	x	x			
49	PropertyRoom.com, Inc.	Property Disposition Services	3	x	x			
50	R&D Computer Systems	Laserfiche Support	3	x	x			
51	Southwestern Bell	Cellular Service PS	3	x	x			
52	Springbrook	Financial & Licensing Software	3	x	x			
53	Tyler Technologies, Inc.	Municipal Court Software	3	x	x			
54	VHB, Inc	Infrastructure software support	3	x	x			
55	Vision Internet	website services	3	x	x			
56	Voice Products, Inc.	Voice Logger Maintenance	3	x	x			PD
57	ADP	Payroll & HR Services	4		x			
58	AETNA 401 Variable Annuity Contract	Deferred Compensation Plan	4	x				
59	CBIZ, formerly Robert O'Byrne	Benefits Consultant	4	x				
60	Columbia Capital Management	Financial Advisor Services	4	x				
61	Gilmore & Bell	Bond Counsel	4	x				
62	Lincoln Financial	Long Term Disability	4		x			
63	Lowenthal Singleton Webb & Wilson	Audit	4			1		
64	Marshall & Ilsley Trust Co.	Pension Trust Agreements	4		x			
65	Marshall & Ilsley Trust Co.	Sup Pension Agreements	4		x			
66	MHM Business Services (Wageworks)	125 Program Amendment	4		x			
67	SilverStone Group	Police Pension Actuarial Cnslt	4	x				
68	Standard Life Insurance	Employee Insurance/Group Life	4		x			
69	Unum Life Insurance	Long Term Care Insurance	4		x			
70	ASCAP Agreement	Music Fees	5		x			
71	AT&T Long Distance Service	T-1 Line, Phone ; Long-Distance	5		x			
72	Board of Police Commissioners	Alert Program	5		x			PD

CITY CONTRACT ANALYSIS

	<u>Company Name</u>	<u>Program - Service</u>	<u>Suggested Class</u>	<u>No Term</u>	<u>Auto Renew</u>	<u>Term Length</u>	<u>Expires</u>	<u>Notes</u>
73	Deffenbaugh Industries	Solid Waste Services	5			3	12/31/2013	
74	Fed Equitable Sharing Agreement	Seizure Funds	5		x			
75	FP Mailing Solutions	PD & Admin Postage Meters	5	x	x			lease
76	Johnson County	Driver Training Area Use	5	x				PW renews annually
77	Johnson County Human Services	Minor Home Repair Program	5	x				
78	Johnson County Human Services	Utility Assistance Program	5	x				
79	Kansas City Crime Stoppers	TIPS	5	x				
80	Kansas City Power & Light M-Power	M-POWER Agreement	5	x				
81	Mid America Council	Purchasing	5	x				
82	Mid America Regional Council	9-1-1 Agreement	5		x			
83	Mid America Regional Council	800 MHz Radio	5		x			
84	Municipal Investment Pool	MIP	5	x				
85	Shawnee Mission School Dist.	School Resource Officer	5			1	6/1/2012	PD negotiates annually
86	Lathrop & Gage	Legal Services	6	x	x			
87	Lochner/BWR	Planning Services	6	x	x			



POLICE DEPARTMENT

Council Committee Meeting Date: November 7, 2011
Council Meeting Date: November 21, 2011

COU2011-54: Consider an Ordinance amending Chapter VII of the Prairie Village Municipal Code entitled "Fire" to amend the Permit Process Requirements for Public Fireworks Displays.

RECOMMENDATION

Staff and the Fire Department recommend the City Council approve Ordinance 2246 amending Chapter VII of the Prairie Village Municipal Code entitled "Fire" by amending Article 3, Section 7-305 entitled "Permit for Public Fireworks Display Required"

COUNCIL ACTION REQUESTED ON: November 21, 2011

BACKGROUND

The Police Chief and Fire Chief determined the current Public Fireworks Permit Process needs to be amended in order to improve/strengthen liability insurance coverage, site plans, and authority to impose requirements or restrictions when public safety or the general welfare of the public is a matter of concern based on the venue, location, or expected volume of spectators. The City Attorney has approved suggested updates.

PREPARED BY

Wes Jordan
Chief of Police
Date: November 2, 2011

ORDINANCE 2246

AN ORDINANCE AMENDING CHAPTER VII OF THE PRAIRIE VILLAGE MUNICIPAL CODE ENTITLED "FIRE" BY AMENDING ARTICLE 3, SECTION 7-305 ENTITLED "PERMIT FOR PUBLIC FIREWORKS DISPLAY REQUIRED"

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

SECTION I

Section 7-305 of the Prairie Village Municipal Code entitled "Permit for Public Fireworks Display Required" is hereby amended by repealing Section 7-305 and enacting in lieu thereof a new Section 7-305 to read as follows:

7-305 PERMIT FOR PUBLIC FIREWORKS DISPLAY REQUIRED.

A. It shall be unlawful for any person to give or provide a fireworks display for the public or for organized groups without first obtaining a permit to do so by making application at least twenty (20) days in advance of the desired display. Approval of the permit shall be by the Governing Body. No permit shall be approved unless the applicant furnishes a certificate of public liability insurance for the display in a minimum amount of \$5,000,000, written by an insurance carrier licensed to do business in Kansas, conditioned as being non-cancellable except by giving 10 days advance written notice to the City Clerk. In the event of cancellation of the insurance prior to the display, the permit shall automatically be revoked and void. The insurance policy must name the City of Prairie Village, Kansas as well as Consolidated Fire District No. 2, their employees, officers, elected and appointed officials as additional insured's. The application for the permit shall clearly state:

- (1) The name of the applicant.
- (2) The group for which the display is planned.
- (3) The location of the display including a diagram or sketch of the grounds on which the exhibition is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, improvements and public streets or thoroughfares within two hundred (200) yards and the lines behind which the public will be restrained.
- (4) The date and time of the display as well as planned rain dates.
- (5) The nature or kind of fireworks to be used.
- (6) The name of the person, firm or corporation that will make the actual discharge of the fireworks and a copy of their Alcohol, Tobacco, Firearms and Explosives permit for possession of Division 1.3 G Fireworks as well as current copies of Public Display Operators licenses issued by the Kansas State Fire Marshal.
- (7) The number size and kinds of fireworks to be discharged, including their National Fire Protection Association (NFPA) division designation.

(8) The Fire Chief and/or Chief of Police may impose requirements or restrictions when public safety or the general welfare of the public is a matter of concern based on the venue, location, or expected volume of spectators.

B. No permit shall be issued if the location, nature of the fireworks or other relevant factor is such as to create an undue hazard or risk of harm or damage to persons or property.

The City of Prairie Village, the Prairie Village Police Department and/or Consolidated Fire District No. 2 of Northeast Johnson County reserves the right to cancel, postpone or delay the beginning of the event in the case of inclement weather, high winds, extreme dry conditions or other matters of public safety.

SECTION II

Effective Date. This ordinance shall become effective upon approval by the Governing Body of the City of Prairie Village and publication as provided by law.

Approved by the Governing Body of the City of Prairie Village this 21st day of November, 2011.

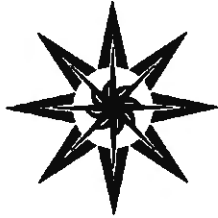
Mayor Ronald L. Shaffer

ATTEST:

APPROVED AS TO FORM:

Joyce Hagen Mundy, City Clerk

Catherine P. Logan, City Attorney



ADMINISTRATION

Council Committee Date: November 7, 2011

Comparing Prairie Village's Demographic Data in 2000 and 2010

BACKGROUND:

In 2010, every residence in Prairie Village received the Decennial Census, which was a 10-question survey. A smaller sample from Prairie Village's population received the annual American Community Survey, which includes more detailed questions regarding socioeconomic information.

SUMMARY OF FINDINGS:

Staff compared Census data from 2000 to 2010 (or respectively to the 2009 American Community Survey) regarding population, race/ethnicity, age, employment status, income, and housing occupancy. For the American Community Survey (ACS), the sample of residents surveyed is smaller than for the Decennial Census. So, the samples for the Employment Status and Income categories are slightly different in size between the ACS and the Decennial Census, but can still be compared.

Total Population of Prairie Village:

- 2000: 22,072
- 2010: 21,447

From 2000 to 2010 Prairie Village's total population decreased 2.8%.

Ward Population in 2010:

- Ward 1: 3,859 or 17.993% of the total population
- Ward 2: 3,338 or 15.564% of the total population
- Ward 3: 3,468 or 16.170% of the total population
- Ward 4: 3,383 or 15.774% of the total population
- Ward 5: 3,619 or 16.874% of the total population
- Ward 6: 3,780 or 17.625% of the total population

Each ward's population is within 10% of the other wards' populations. Based upon this fact, staff recommends the ward boundaries not be modified.

Race and Ethnicity:

- White residents decreased from 21,222 in 2000 to 20,435 in 2010. The percentage of white residents in 2000 was 96.1 percent and was 95.3 percent in 2010.
- African American residents increased from 172 in 2000 to 214 in 2010. The percentage of African American residents was 0.8 percent in 2000 and 1.0 percent in 2010.

- American Indian or Alaska Native residents increased from 36 in 2000 to 40 in 2010. The percentage of American Indian or Alaska Native residents was 0.16% in 2000 and 0.19% in 2010.
- Asian residents increased from 249 in 2000 to 305 in 2010. The percentage of Asian residents was 1.1 percent in 2000 and 1.4 percent in 2010.
- Native Hawaiian and Other Pacific Islander residents decreased from six in 2000 to two in 2010. The percentage of Native Hawaiian or Other Pacific Islander residents remained slightly above 0% in 2000 and 2010.
- Hispanic residents (of any race) increased from 502 in 2000 to 730 in 2010. The percentage of Hispanic residents was 2.3 percent in 2000 and 3.4 percent in 2010.

Age Distribution:

- The average age of residents in 2000 was between 35 to 44 years old. In 2010, the average age was between 25 to 34 years old. The second highest age range for both 2000 and 2010 was between 45 to 54 years old.

Employment Status:

- The total population in the workforce has increased from 11,704 in 2000 to 12,519 in 2009. The majority of those are employed; however, the unemployed population increased from 243 in 2000 to 412 in 2009.

Income:

- In both 2000 and 2009 the majority of households had an income (in 2010 inflation adjusted dollars) between \$75,000 - \$99,999. In 2000, the second highest income bracket was \$60,000 - \$74,999, and in 2009 the second highest income bracket was \$100,000 - \$124,000. Median income in 2000 was \$76,810, and in 2009 it was \$78,542.

Housing:

- The number of housing units increased from 10,126 in 2000 to 10,227 in 2010.
- In 2000, 8,242 housing units were owner occupied, and 1,591 were renter occupied, while 293 were vacant.
- In 2010, 7,958 housing units were owner occupied, and 1,813 were renter occupied, while 456 were vacant.

ATTACHMENTS:

Graphs and 2000 Census/2010 Census data & 2009 American Community Survey data

PREPARED BY:

Emily Kotay

Administrative Intern

Date: November 7, 2011

Population Statistics: Prairie Village

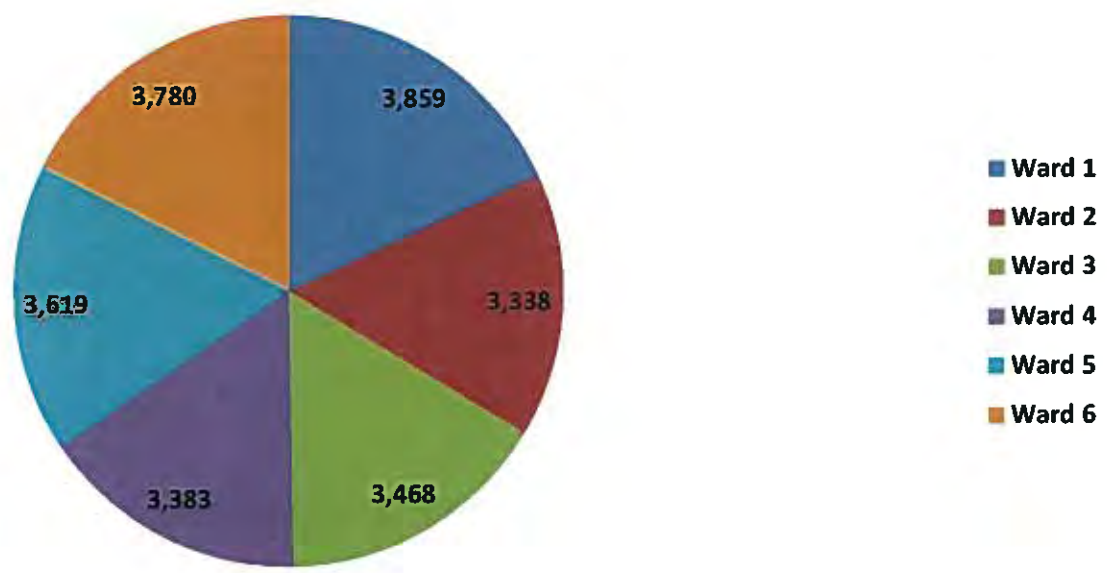
Comparing 2000 to 2010

Resources: 2000 Census & 2010 Census

Population of Prairie Village	2000	2010
	Number	Number
Total Population	22,072	21,447

Population of City Wards	2010	Percent
	Number	%
Ward 1	3,859	17.993
Ward 2	3,338	15.564
Ward 3	3,468	16.170
Ward 4	3,383	15.774
Ward 5	3,619	16.874
Ward 6	3,780	17.625
Total Population	21,447	100.000

Ward Population



Race/Ethnicity Statistics: Prairie Village

Comparing 2000 to 2010

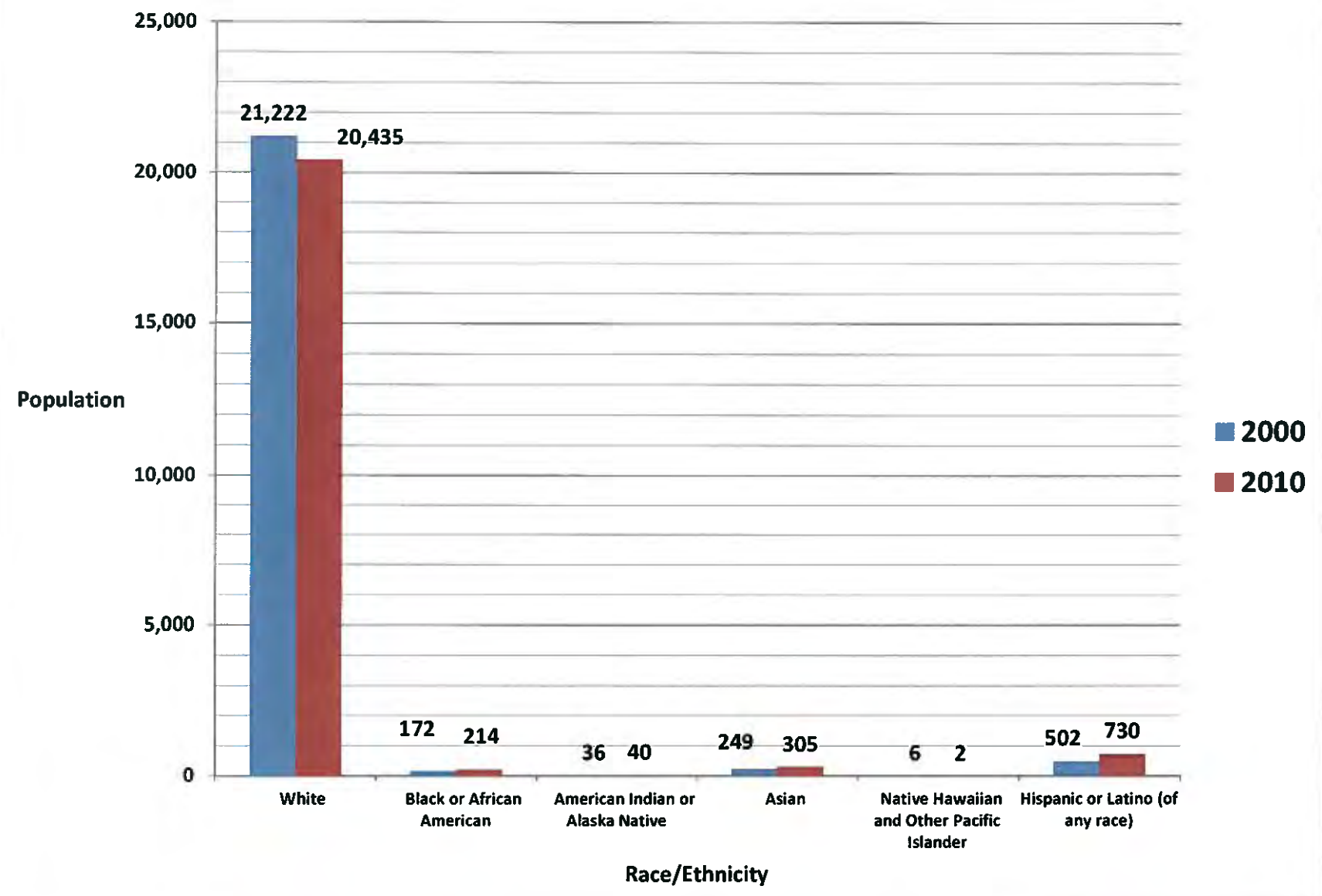
Resources: 2000 Census & 2010 Census

Race	2000	2010
	Number	Number
Total population	22,072	21,447
One race	21,827	21,113
White	21,222	20,435
Black or African American	172	214
American Indian or Alaska Native	36	40
Asian	249	305
Asian Indian	40	49
Chinese	101	125
Filipino	30	35
Japanese	25	19
Korean	22	34
Vietnamese	17	14
Other Asian	14	29
Native Hawaiian and Other Pacific Islander	6	2
Native Hawaiian	2	1
Guamanian or Chamorro	0	0
Samoan	1	1
Other Pacific Islander	3	0
Some other race	142	117
Two or more races	245	334

Hispanic or Latino (of any race)	2000	2010
	Number	Number
Total population	22,072	21,447
Hispanic or Latino (of any race)	502	730

The highlighted variables are displayed in the graph on the next page.

Change in Race/Ethnicity from 2000 to 2010



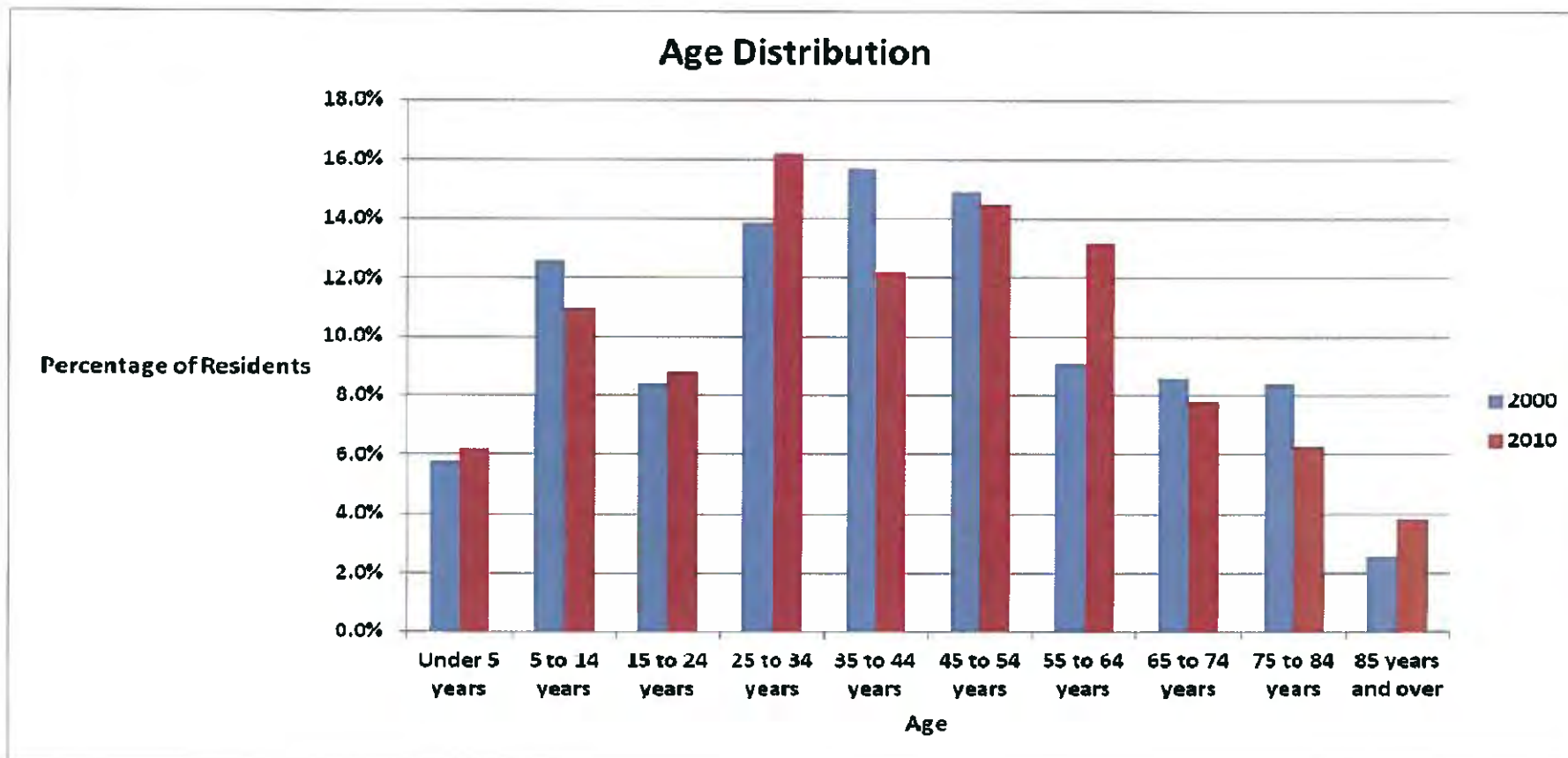
Age Distribution of Residents: Prairie Village

Comparing 2000 to 2010

Resources: 2000 Census & 2010 Census

Age Distribution	2000		2010	
	Number	Percent	Number	Percent
Total Population	22,072	100.0	21,447	100.0
Under 5 years	1,279	5.8	1,320	6.2
5 to 9 years	1,318	6.0	1,178	5.5
10 to 14 years	1,466	6.6	1,188	5.5
15 to 17 years	835	3.8	814	3.8
18 to 24 years	1,022	4.6	1,074	5.0
25 to 34 years	3,074	13.9	3,481	16.2
35 to 44 years	3,457	15.7	2,615	12.2
45 to 54 years	3,287	14.9	3,105	14.5
55 to 64 years	2,016	9.1	2,836	13.2
65 and 74 years	1,891	8.6	1,671	7.8
75 to 84 years	1,850	8.4	1,352	6.3
85 years and over	577	2.6	813	3.8

The following page contains a graph illustrating the age distribution.



Employment Statistics: Prairie Village

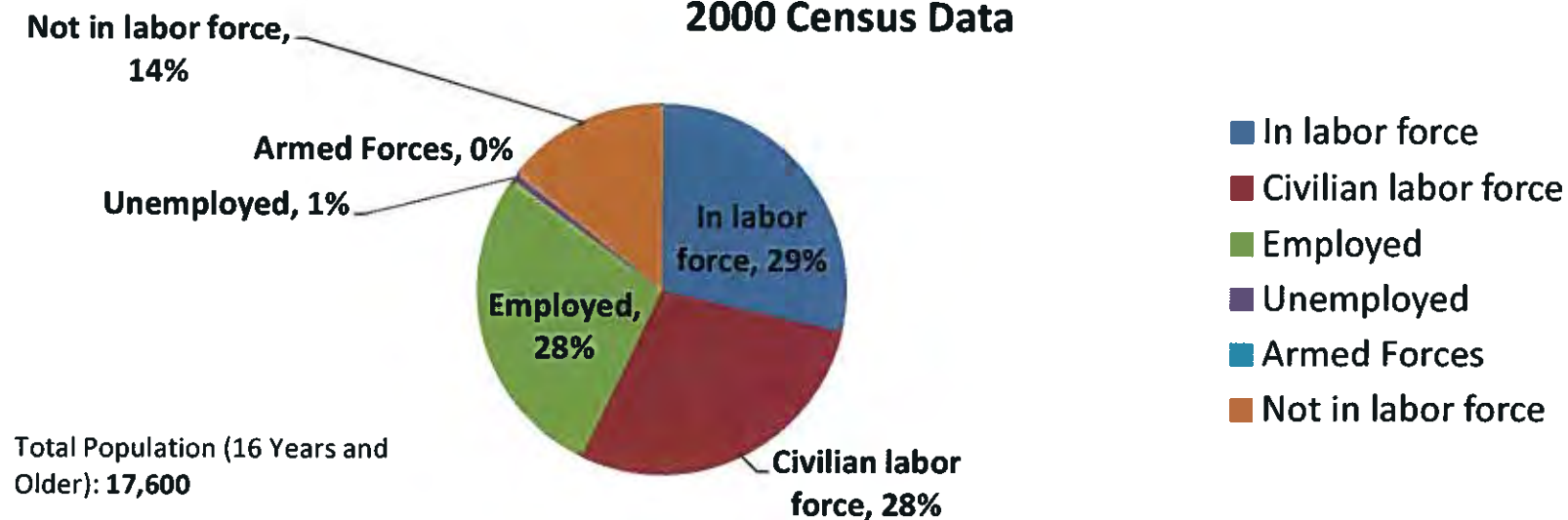
Comparing 2000 to 2009

Resources: 2000 Census & 2009 American Community Survey

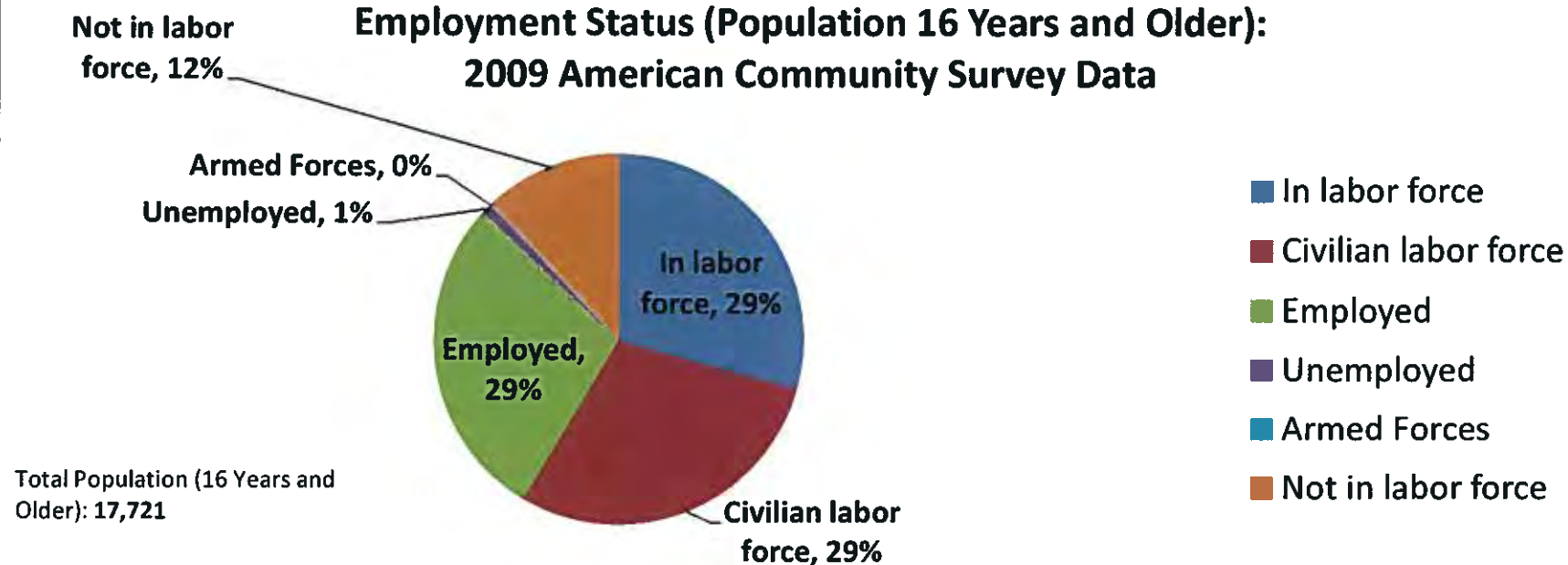
Employment Status	2000 Census	2009 ACS
	Number	Number
Population 16 years and over	17,600	17,721
In labor force	11,704	12,519
Civilian labor force	11,699	12,519
Employed	11,456	12,107
Unemployed	243	412
Armed Forces	5	0
Not in labor force	5,896	5,202

Pie charts comparing 2000 Census data to 2009 ACS data are on the following page for easier comparison.

Employment Status (Population 16 Years and Older): 2000 Census Data



Employment Status (Population 16 Years and Older): 2009 American Community Survey Data



Income Statistics: Prairie Village

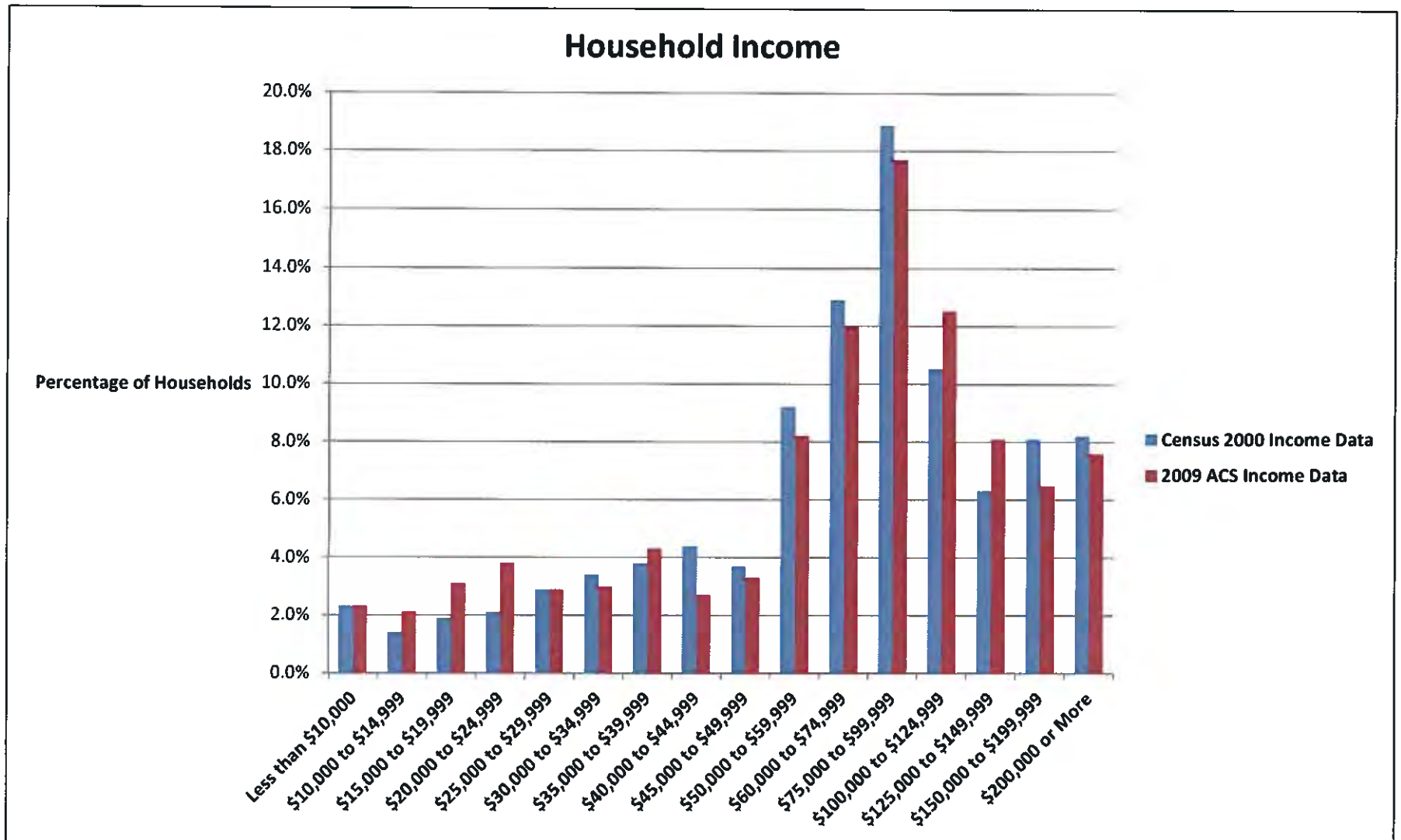
Comparing 2000 to 2009

Resources: 2000 Census & 2009 American Community Survey

Household Income (In 2010 Inflation Adjusted Dollars)	2000 Census	2009 ACS
	Number	Number
Households:	9,783	9,954
Less than \$10,000	225	233
\$10,000 to \$14,999	140	210
\$15,000 to \$19,999	182	304
\$20,000 to \$24,999	206	381
\$25,000 to \$29,999	284	288
\$30,000 to \$34,999	330	301
\$35,000 to \$39,999	373	426
\$40,000 to \$44,999	434	272
\$45,000 to \$49,999	363	327
\$50,000 to \$59,999	902	812
\$60,000 to \$74,999	1,259	1,192
\$75,000 to \$99,999	1,851	1,765
\$100,000 to \$124,999	1,026	1,239
\$125,000 to \$149,999	618	809
\$150,000 to \$199,999	791	642
\$200,000 or more	798	752
Median Household Income	\$76,810	\$78,542

The highlighted income range is the most common income reported by Prairie Village Residents on the 2000 Census and the 2005-2009 American Community Survey. Median income has increased, however, within that range.

The graph illustrating this trend is on the following page.

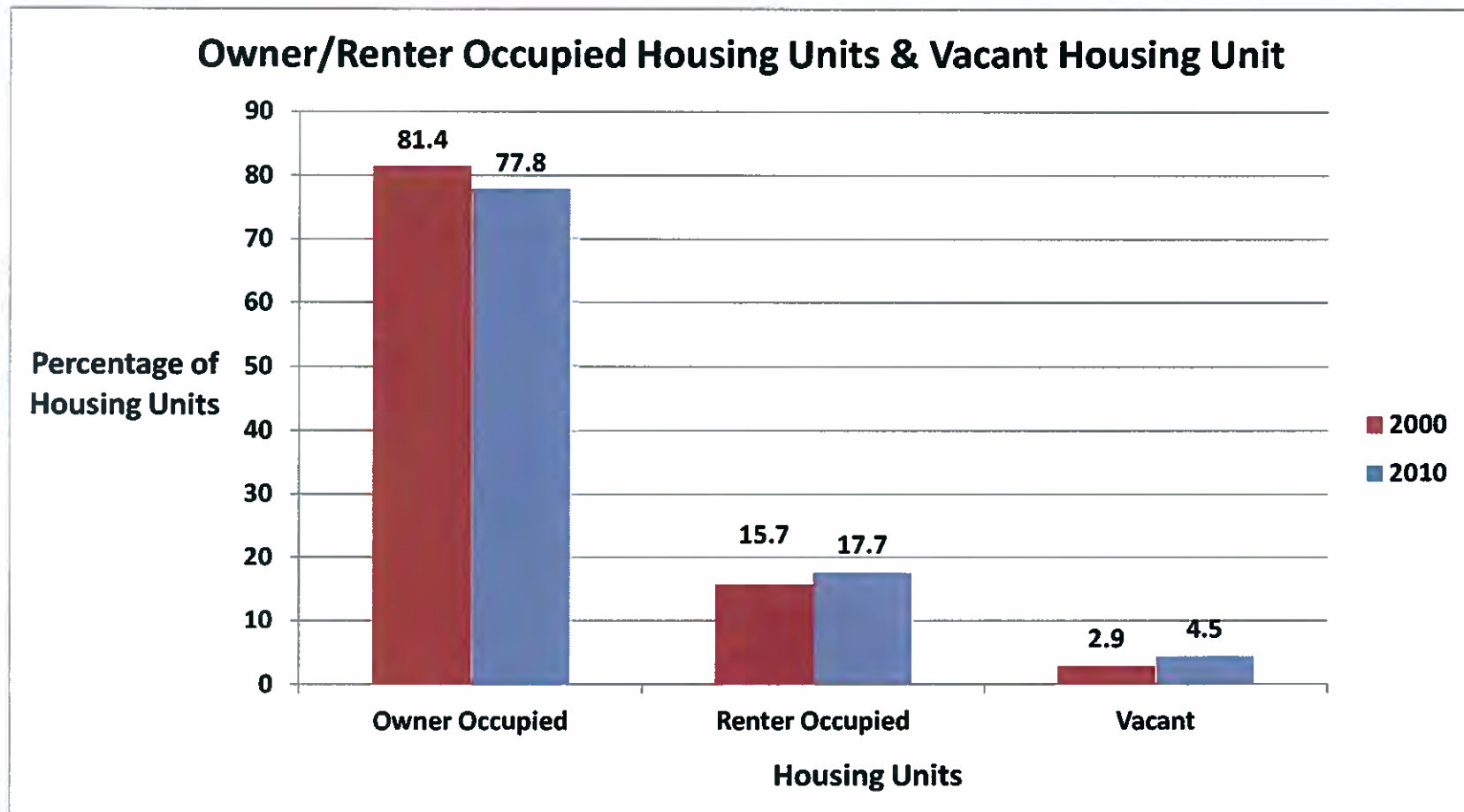


Housing Statistics: Prairie Village

Comparing 2000 to 2010

Resources: 2000 Census & 2010 Census

Housing Occupancy	2000	2010
	Number	Number
Total housing units	10,126	10,227
Owner Occupied housing units	8,242	7,958
Renter Occupied housing units	1,591	1,813
Vacant housing units	293	456



**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
November 7, 2011
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 - October 17, 2011
2. Approve Claims Ordinance 2889
3. Approve the Interlocal Agreement between the City of Prairie Village and Johnson County Park & Recreation District for the use of City facilities for 50+ programming.
4. Approve the recommendations of the UCS Grant Review Committee contained in the 2012 Human Service Fund Recommendation Report and a contribution to UCS of \$6,825
5. Approve the purchase of two 2012 Harley Davidson Road King motorcycles for \$4,500 each. The current motorcycles are being traded in, and this reflects the cost for the two new motorcycles
6. Approve the agreement with Lowenthal, Webb & Odermann, P.A. to audit the City's 2011 financial statements

VI. MAYOR'S REPORT

VII. COMMITTEE REPORTS

Council Committee of the Whole

COU2011-52 Request Permission to Publish the Amendment to the 2012 Budget - Dale Beckerman

Consider moratorium on Planning Commission applications for rezoning or special use permits for the area of the comprehensive plan amendment - Dale Beckerman

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 7, 2011

CITY OF PRAIRIE VILLAGE
October 17, 2011

The City Council of Prairie Village, Kansas, met in regular session on Monday, October 17, 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, Dale Warman, Ruth Hopkins, Steve Noll, Michael Kelly, Andrew Wang, 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; Nicholas Sanders, Human Resources Specialist; 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.

POLICE DEPARTMENT PRESENTATION

Chief Wes Jordan introduced Jeff Johnson, Division Chief with MedAct, noting the active role he played in getting AED units, with the first unit in Prairie Village and then in all public safety agencies in Johnson County. Chief Johnson called upon Officers Rick Bohan and Joel Colletti. These officers were presented a Lifesaving Award in recognition of quick response, proper CPR techniques and utilization of the AED on a medical call that occurred on August 31, 2011. As first responders their actions in this medical emergency directly contributed to saving a citizen's life. The

woman could not be present but asked Chief Johnson to express her deepest thanks to the officers. The officers' names will be placed on a plaque that hangs in the police department and were given individual plaques recognizing this honor.

Chief Wes Jordan called upon Officers Brian Dennis and Dan Sachen to receive the Department's Supervisory Award for their efforts on a call to Brighton Gardens where a gentleman had barricaded himself in his room and was threatening suicide. The officers were in negotiation with the individual for more than 30 minutes before convincing him to let them in to help him. Chief Jordan thanked all of the family members present for their support of these officers.

PUBLIC PARTICIPATION

Ann Doyle, 4211 West 73rd Street, addressed the Council regarding the proposed extension of health benefits to domestic partners of City employees. She feels this is a controversial issue that should not be taken quickly and should have public input. She felt more research was needed and the criteria to participate should be finalized and in place prior to the Council taking any action. She questioned if the criteria would lead to similar requests from employees in non-sexual relationships such as friends or sisters living together. This request originated when one of the involved individuals was employed while the other remained home to care for children. This is generally no longer the situation. Mrs. Doyle asked Council to not move forward until the issues related to the program were resolved.

Michael Doyle, 4211 West 73rd Street, stated he had three objections to the proposed health care coverage being offered to domestic partners. He noted there was no guarantee that at a later time the insurance provider will not charge an additional fee

for this coverage; offering this coverage opens the City to similar requests from others and foremost, it goes against the very fabric of our society. He felt that supporting benefits for domestic partners represents irresponsible actions by the City and it is an inappropriate use of tax dollars to support employees that are cohabitating outside of the recognized fabric of our society. Our civilization has been built on family values and the City should be focusing on ways to strengthen the family. Mr. Doyle presented situations and examples he felt supported his concerns such as the growing number of immigrants, specifically noting Muslims, and the reduction of number of children raised in the traditional family model.

Mayor Shaffer acknowledged the presence of three students from Johnson County Community College attending the meeting for a school project. No one else was present to address the Council and public participation was closed at 7:55 p.m.

CONSENT AGENDA

Dale Beckerman moved the approval of the Consent Agenda for Monday, October 17, 2011:

1. Approve Regular Council Meeting Minutes - October 3, 2011.
2. Approve Claims Ordinance #2888

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

MAYOR'S REPORT

Mayor Shaffer noted he presented his report at the earlier Council Committee of the Whole meeting.

COMMITTEE REPORTS

Council Committee of the Whole

COU2011-50 Approve the award of 2011 Tree Trimming Program Contract

On behalf of the Council Committee of the Whole, Dale Beckerman moved the Governing Body approve the award of the 2011 Tree Trimming Contract to Kansas City Tree Care, LLC. for the trimming of trees in City rights-of-way in the amount of \$48,187.95. The motion was seconded by Al Herrera and passed unanimously.

COU2011-51 Approve renewal of contracts for health, dental and vision insurance for City employees

On behalf of the Council Committee of the Whole, Dale Beckerman moved the Governing Body approve Blue Cross Blue Shield of Kansas City as the City's health insurance provider for the 2012 plan year with a 0% increase in premiums; approve Delta Dental of Kansas City as the City's dental insurance provider for the 2012 plan year, with a 0% increase in premiums; approve Superior Vision as the City's vision insurance provider for the 2012 plan year, with a 0% increase in premiums and approve the addition of a non-tobacco user discount and coverage of domestic partners. The motion was seconded by David Morrison and passed by a vote of 10 to 1 with Michael Kelly voting in opposition.

Planning Commission

Dennis Enslinger stated Hunt Midwest Real Estate Development, Inc. is acquiring the Somerset School site from Shawnee Mission School District and is proposing to construct Benton House, which is a senior living community. Benton House will be developed by Hunt Midwest and Principal Senior Living Group, who will manage and operate the facility after it is constructed. He introduced Brenner Holland with Hunt

Midwest Real Estate Development who presented the project to the Council. Also present with Mr. Holland were Kyle Diekmann, Principal Senior Living Group; Ora Reynolds, HMRED, Brett Carlgren, BHC Rhodes, Civil Engineer on the project and Jim Tilden, attorney.

Benton House will initially consist of an assisted living facility with 59 units and 80 beds. They plan to construct an additional 12 units/20 beds at some point in the future. The 71 units and 100 beds will be in one building and the operation will be similar to Brighton Gardens. Long-range, it is proposed to construct 16 family villas that will parallel the west and north property lines. The Special Use request at this time is for only the 71 units in the main building. The applicant will reapply for the villas when their plans are more defined and the market is more predictable.

The existing Somerset School building will be demolished and the playground equipment and the paved parking areas will be removed. Currently, there are six driveways entering the site from adjacent streets: one on 79th Street; two on Somerset Drive; and three on Belinder Avenue. The six driveways will be reduced to two: one on Belinder Avenue; and one on Somerset Drive.

The applicant held a neighborhood meeting on September 14th in accordance with the Planning Commission's Citizen Participation Policy. Seven residents attended the meeting. The applicant outlined the proposed plan in detail including the approval process. The questions from the public were more about the facility operation rather than about the proposed facility itself. There were no significant issues expressed that were unanswered by the applicant. The questions on stormwater runoff and fencing along the west property line were the only ones that affected the proposed plan. When total redevelopment of a site occurs, the City requires the site to comply with current

stormwater regulations and prepare a storm water management plan for approval by the City.

Mr. Enslinger stated the Planning Commission found the findings of fact to be favorable for the reasons set forth in the minutes of their October 4, 2011 meeting and recommends that the Governing Body approve a Special Use Permit for an adult senior dwelling for an assisted living facility called Benton House at 2700 Somerset subject to the following conditions:

1. That Benton House be approved for a maximum of 71 units and 100 beds.
2. That the applicant construct a five foot wide sidewalk adjacent to 79th street or provide an agreement to install the sidewalk upon request of the City.
3. That the applicant plat the property in accordance with the subdivision regulations prior to obtaining a building permit.
4. That the applicant meet all the conditions and requirements of the Planning Commission for approval of the site plan. The Planning Commission approved the Site Plan on October 4, 2011.
5. That the Special Use Permit not have a termination or expiration time established for it, however, if construction has not begun within 12 months from the approval of the Special Use Permit by the City Council, the permit shall expire unless the applicant shall reappear to the Planning Commission and receive an extension of time.

Mr. Enslinger noted Council approval would be granted by the adoption of an ordinance.

Charles Clark asked why a Special Use Permit was issued instead of rezoning. Mr. Enslinger responded the zoning regulations identify adult senior dwellings as an allowed Special Use. Both Claridge Court and Brighton Gardens were approved and are operating under a Special Use Permit. Mr. Clark noted there was no time limit on the permit. Mr. Enslinger responded the Commission has not placed term limits on uses such as adult senior facilities that are long term investments in the community. Mr. Clark asked what would happen if the property was sold. Mr. Enslinger replied the permit stays with the land.

Diana Ewy Sharp thanked the applicant for their efforts to create a project that is single story and fits with the existing residential neighborhood. Michael Kelly echoed Mrs. Ewy Sharp's comments and confirmed that the developer is not seeking any funding from the city for the development of the property.

Diana Ewy Sharp moved the Governing Body adopt Ordinance 2244 approving a Special Use Permit for the operation of an adult senior dwelling for an assisted living facility at 2700 Somerset, Prairie Village, Kansas. The motion was seconded by Dale Beckerman.

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

Communications Committee

Andrew Wang stated the City requested proposals for the design, printing and mailing of the Village Voice. Staff sent RFP's to 24 vendors and received 9 responses. The committee interviewed ProMail Services, Valley Offset Printing and Spangler Graphics. The low bid was submitted by ProMail Services and the committee was impressed with the quality of their work. The contract will begin with the February/March 2012 issue and expire after the December 2012/January 2013 issue whereby it will be up for renewal.

Andrew Wang moved the Governing Body approve an agreement with ProMail Services for design, printing and mailing of the Village Voice for 2012. The motion was seconded by David Morrison.

Ruth Hopkins asked the status of the PV Magazine. Mr. Wang responded because of the potential cost the committee is not interested in moving forward. The committee feels the Voice is more content dense and stands on its own. Mrs. Hopkins noted there was no

production cost as it was paid by advertisements and the publication could be added as an insert to the Voice.

Diana Ewy Sharp felt a PV Magazine would be an excellent way to promote businesses and could be funded with economic development funds. Andrew Wang responded he cannot support the use of economic development funds to fund a new on-going program.

Michael Kelly stated that the Village Voice stands alone free from advertising as an easy to read functional newsletter to communicate city information to residents. He felt businesses could use the city's website for advertising.

Dale Warman noted a number of cities are producing a city magazine including Shawnee, Mission and Fairway.

Dale Beckerman felt the Village Voice was a great product. The magazines he has seen have not impressed him. He noted that when this was presented it was not a cost neutral production and it was proposed to raise business license fees to cover the cost.

Quinn Bennion stated the Village Voice has a \$50,000 annual budget. The options presented earlier were to replace the Voice with the magazine or to continue with the Voice and add 2 magazines annually which would have a cost. Dennis Enslinger stated the City would have to cover the mailing costs for the magazine.

Ruth Hopkins stated if it were mailed with the Voice it would be revenue neutral and she supports doing so. Mr. Enslinger noted if it were added as an insert to the Voice, it would result in increased mailing costs.

STAFF REPORTS

Mayor Shaffer announced that Staff Reports were given at the earlier committee meeting.

OLD BUSINESS

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

NEW BUSINESS

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

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Arts Council	10/19/2011	7:00 p.m.
Park and Recreation Committee	10/19/2011	7:00 p.m.
Environmental Committee	10/26/2011	7:00 p.m.
Planning Commission	11/01/2011	7:00 p.m.
Council Committee of the Whole	11/07/2011	6:00 p.m.
City Council	11/07/2011	7:30 p.m.

The Prairie Village Arts Council is pleased to announce the annual State of the Arts exhibit in the R. G. Endres Gallery for the month of October.

Mayor Shaffer urged council members to attend the UMB ribbon cutting on Wednesday, October 19th at 5 p.m.

The Northeast Johnson County annual dinner will be November 19th at the Doubletree, 10100 College Blvd. VIP Reception at 5:00 p.m. and dinner at 6:00 p.m. RSVP to Jeanne Koontz by November 4th.

The 2011 Holiday Social hosted by the Johnson and Wyandotte Counties Council of Mayors will be December 7th at the Overland Park Convention Center. RSVP by November 18th to dj.curtis@opkansas.org or 913-895-6103

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

CITY TREASURER'S WARRANT REGISTER

DATE WARRANTS ISSUED:

Warrant Register Page No. 1

November 7, 2011

Copy of Ordinance
2889

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			
919-1013	10/14/2011	1,006,136.16	
1014-1026	10/21/2011	134,660.69	
1027	10/24/2011	25,289.23	
1028-1121	10/28/2011	479,710.22	
 Payroll Expenditures			
10/7/2011		249,721.11	
10/21/2011		255,961.51	
 Electronic Payments			
Electronic Pmnts	10/7/2011	13,278.93	
Electronic Pmnts	10/12/2011	2,434.44	
Electronic Pmnts	10/25/2011	549.64	
Electronic Pmnts	10/24/2011	6,994.17	
Electronic Pmnts	10/28/2011	3,996.08	
TOTAL EXPENDITURES:			\$ 2,178,732.18
 Voided Checks			
Plumber's Friend	#991	(150.00)	
TOTAL VOIDED CHECKS:			(150.00)
GRAND TOTAL CLAIMS ORDINANCE			2,178,582.18

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

Passed this 7th day of November 2011.

Signed or Approved this 7th day of November 2011.

(SEAL)

ATTEST: _____
City Treasurer
Mayor



CITY CLERK DEPARTMENT

Council Meeting Date: November 7, 2011
CONSENT AGENDA

Consider Approval of 50 Plus Facility Use Agreement

RECOMMENDATION

Recommend the Governing Body approve the Interlocal Agreement between the City of Prairie Village and Johnson County Park & Recreation District for the use of City facilities for 50+ programming.

BACKGROUND

For the past several years Johnson County Park & Recreation District and the City of Prairie Village have entered into an interlocal agreement making it possible for the District to provide 50+ programming in city facilities. The terms of the agreement, which renews annually, have not changed.

RELATION TO VILLAGE VISION

LG2A Build on intermunicipal cooperative activities, agreements and planning initiatives

ATTACHMENTS

1. Interlocal Agreement.

PREPARED BY

Joyce Hagen Mundy
City Clerk

Date: October 26, 2011

2012 CITY OF PRAIRIE VILLAGE 50 PLUS FACILITY USE AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of _____, 2011 by and between the City of Prairie Village, Kansas, hereinafter referred to as the "City", and the Johnson County Park and Recreation District, hereinafter referred to as the "JCPRD", each party having been organized and now existing under the laws of the State of Kansas.

WHEREAS, K.S.A. 19-2862 authorizes the JCPRD to enter into contracts; and the City is authorized to enter into contracts by virtue of Article 12, Section 5, of the Kansas Constitution and K.S.A. 12-101; and

WHEREAS, the JCPRD has established and conducts a program to provide for the recreational, cultural, educational, and social needs of senior citizens; and

WHEREAS, the City has facilities available for such programs; and

WHEREAS, a coordinated approach to the provision of recreational and cultural services to the population is most effective and efficient; and

WHEREAS, the Governing Body of the City did approve and authorize its Mayor to execute this agreement by official vote of said body on the ____ day of _____, 2011; and

WHEREAS, the Governing Body of the JCPRD did authorize its chairperson to execute this agreement by official vote of said body on the ____ day of _____, 2011.

NOW, THEREFORE, in consideration of the above recitals, the mutual covenants and agreements herein contained, and for other good and valuable consideration, the parties agree as follows:

1. The JCPRD shall have access to and the use of city facilities for the term, times and use as hereinafter mutually agreed upon.
2. Duration of Agreement and Termination - This agreement shall be in effect from **January 1, 2012** through the period ending **December 31, 2012** provided that this agreement may be terminated by either party, giving at least 30 days' prior written notice to the other party of its intention to terminate this agreement; further provided that if the City or JCPRD shall fail or refuse to comply with any of the obligations or provisions herein agreed, the affected party shall have the right to notify the other party in writing of such default; and if the party so notified shall remain in default for 30 days thereafter, the affected party may elect to cancel this agreement immediately thereafter.

3. No Legal Entity Created - There will be no separate legal entity created under this agreement.
4. Purpose of the Agreement - The purpose of this agreement is to facilitate cooperation in the establishment and operation of recreational and cultural programs and to define responsibilities for the operation, finances, publicity, facility maintenance, and other matters pertaining to the programs.
5. Financing - Except as may be otherwise provided herein, the JCPRD shall provide all funding and personnel necessary to manage the 50 Plus programming.
6. Acquisition Holding, and Disposal of Property - The city facilities shall remain the property of the City. The JCPRD may not install any fixtures or make any physical changes to the premises and facilities of the City. Any equipment used in the city facilities will either be owned by the City or the JCPRD as listed in Appendix A. No equipment is to be jointly owned. In the event that this agreement is terminated, all property shall be returned to the owner agency. The maintenance, repair, replacement, and general upkeep of equipment shall be the responsibility of the owner except as otherwise provided in this agreement. The JCPRD will be responsible for the set up of the facility.
7. Administration of Agreement - The 50 Plus program at the Prairie Village City facilities shall be administered by the JCPRD.
8. Responsibilities

The JCPRD

- a. Shall provide all support supplies needed to maintain the programs to include office supplies, printing, etc., the cost to be the responsibility of the JCPRD.
- b. Shall provide all necessary personnel to establish and maintain quality programs.
- c. Shall permit only persons qualified to conduct programs, to instruct, lead or supervise the classes. It is the responsibility of the JCPRD to ensure that the instructors are qualified.
- d. Shall provide an annual report to the City Administrator which will include the number of programs, the number of people served, residency of persons served, an inventory of equipment, the class fee structure.
- e. Shall be responsible for moving tables and chairs to accommodate the programs conducted by the Johnson County Parks and Recreation District. The JCPRD shall also be responsible for replacing the tables and chairs in

the positions required, if such placement does not occur a \$25 maintenance fee will be charged.

The City:

- a. Shall provide access to the Community Center and Municipal Building facilities during days and times agreed upon by the City and the JCPRD for programs. The City may choose to provide access at other dates and times provided that such approval is in writing and agreeable to both parties.
 - b. Shall furnish tables and chairs.
 - c. May provide access to kitchen facilities as required for special events, said access to be during non-lunch hours.
9. Indemnification - In case any action in court is brought against the City or City's representative, or any officer or agent, for the failure, omission, or neglect of the JCPRD or its officers, agents or employees to perform any of the covenants, acts, matters, or things by this Agreement undertaken, or for injury or damage caused, in whole or in part, by the alleged negligence or other actionable fault of the JCPRD, its officers, agents and employees, the JCPRD shall indemnify and save harmless the City and City's representative and its officers and agents, from all losses, damages, costs, expenses, judgments, or decrees, or portions thereof, arising out of such action and which arise from and are proximately caused by the negligent or other actionable fault of the JCPRD, its officers, agents or employees, provided, however, that the JCPRD shall have no liability greater than that provided under the Kansas Tort Claims Act, K.S.A. 75-6101, et seq. and amendments thereto, nothing in this Agreement shall constitute a waiver by JCPRD of any defense JCPRD may have against a third party under the Kansas Tort Claims Act, K.S.A. 7506101, et seq. and amendments thereto.
10. Disclaimer of Liability - The City shall not be liable or obligated to the JCPRD or any participants in the program for any injuries or damages sustained while participating in any of the programs or for any damage incurred to the JCPRD or participants in its programs upon the premises by fire, theft, casualty, acts of God, civil disaster, and other occurrences and events beyond the control of the City.
11. Insurance - The JCPRD shall secure and maintain, or have maintained throughout the duration of this contract, insurance of such types and in such amounts as may be necessary to protect the JCPRD and the City against all hazards or risks generated by the JCPRD and the City against all hazards or risks generated by the JCPRD or any of its agents. The JCPRD shall offer to the City other evidence of such insurance coverage, and any and all renewals thereof, in the form of a Certificate of Insurance. This certificate of insurance shall list the City of Prairie Village as an additional insured. The Certificate shall list the following insurances:

General Aggregate	\$2,000,000
Products and Completed Operations	\$2,000,000
Personal/Advertisement Injury	\$ 500,000
Fire Damage	\$ 300,000
Each Occurrence	\$ 500,000

Workers Compensation and Employers Liability as determined by Kansas Statutes.

12. Miscellaneous Provisions By the terms of this agreement, the 50 Plus program is a program of the JCPRD; provided, however, since the City is providing the facilities for the programs, every effort shall be made by both agencies to inform the participants and the public that the programs are made possible through the joint efforts of the JCPRD and the City.
13. Verbal Statements Not Binding - It is understood and agreed that the written terms and provisions of this agreement shall supersede all prior verbal statements of any and every official and/or other representative of the City and JCPRD, and such statements shall not be effective or be construed as entering into, forming a part of, or altering in any way whatsoever the written agreement.
14. Inspection of Premises by City - The City shall have the right to inspect the premises and facilities occupied by the JCPRD at all reasonable times.
15. Provisions Separable - It is the intent of the parties hereto in the preparation and execution of the agreement to avoid a conflict with the applicable laws or regulations of the State of Kansas; and if any provision herein is found to be in conflict with the regulation, it is the intent of the parties hereto that such provision shall have no force and effect, and the remainder of the agreement shall be valid as though such conflicting provision had not been written or made a part hereof.
16. Nonassignability of Agreement - This agreement shall not be assigned, transferred, or sold, nor the premises and facilities corporation, in whole or part, except with the express written consent of the City.
17. Placing Agreement in Force - The City shall cause three copies of this agreement to be executed and each party hereto shall receive a duly executed copy of this agreement for its official records.

IN WITNESS WHEREOF, four copies of the above and foregoing agreement have been executed by each of the parties on the day and year first above written.

DATE: _____

CITY OF PRAIRIE VILLAGE, KANSAS

Ronald L. Shaffer, Mayor

ATTEST:

Joyce Hagen Mundy, City Clerk

Catherine P. Logan, City Attorney

DATE: _____

**JOHNSON COUNTY PARK AND
RECREATION DISTRICT**

George J. Schlagel, Chairman
BOARD OF COMMISSIONERS

ATTEST:

Steven L. Baru, Secretary

APPROVED AS TO FORM:

District Legal Counsel

APPENDIX

This appendix lists the equipment referenced on page 2 paragraph 6 of the Facility Use Agreement between the City of Prairie Village and Johnson County, Kansas for the use of the Prairie Village Community Center:

The following equipment is solely the property of the City of Prairie Village

Description

Garbage Disposal - in-sink Erator (Pro-Series)
Tile Wall Mural
Television/VCR Unit – installed on ceiling
RCAVG4240 (donated to the City)
Piano (donated to City by Unitarian-Universalist Fellowship)
Dover Grey Folding Tables
5 - 30 x 96
Blue Padded Chairs - 45



ADMINISTRATION DEPARTMENT

**Council Meeting Date: November 7, 2011
Consent Agenda**

Consider 2012 contribution allocation recommended by United Community Services for Human Service Fund grants in 2012

RECOMMENDATION

Staff recommends the City Council approve the recommendations of the UCS Grant Review Committee contained in the 2012 Human Service Fund Recommendation Report and a contribution to UCS of \$6,825

BACKGROUND

For the past several years, the City has contributed to the United Community Services (UCS) Human Service Fund. This fund helps support local non-profit agencies. The 2012 budget has designated \$6,825 for this contribution. The UCS grant review committee and the UCS Board of Directors reviewed grant applications from a variety of agencies. Information about the agencies they interviewed and the UCS funding recommendation is attached.

If approved, the City's contribution to UCS will be pooled with funds from other cities in Johnson County and distributed to the agencies listed in the 2012 Human Service Fund Recommendation Report.

FUNDING SOURCE

\$6,825 is budgeted for 2012
01-06-41-6034-025

RELATION TO VILLAGE VISION

LG2A Build on intermunicipal cooperative activities, agreements and planning initiatives.

ATTACHMENTS

2012 Human Service Fund Recommendation Report

PREPARED BY

Joyce Hagen Mundy
City Clerk

October 20, 2011



Catalyst for Positive
Community Change

United Community Services of Johnson County

Board Members

Carol Gonzales, President
Wes Ashton
Doug Davidson
Carol Lehman
Kate Logan
Patty Mach
Hon. Laura L. McConwell
Brent A. McCune
Tim McKee
Penny Postoak Ferguson
Jill Quigley
Henry Sewing
Brad Stratton
Loretta Summers
Rebecca Tilden
Karlyn B. Wilkins
Eugene R. Wilson
Marc S. Wilson

Council of Advisors

Gary Anderson
Mary Birch
Dick Bond
Dr. Terry Calaway
Dr. Robert Clark
Ben Craig
Hon. Peggy Dunn
Hon. Ed Eilert
Jeffrey O. Ellis
SuEllen Fried
Hon. Terrie Huntington
Betty Keim
Audrey Langworthy
Rabbi Mark Levin
Laura McKnight
Dr. Janis McMillen
Dr. Robert Meneilly
Carol Sader
Charlie Sunderland
Dr. Elaine Tatham
Stephen Tatum
Dr. Tom Trigg
David Warm
Dr. Ron Wimmer
David Wysong
Hannes Zacharias

Executive Director

Karen Wulfsuhle

2012 HUMAN SERVICE FUND RECOMMENDATION REPORT

United Community Services commends the leadership of the participating jurisdictions for recognizing the important role of government in supporting human service programs. Human service programs are a vital component of quality of life. Thank you for your support of the **Human Service Fund** in 2012.

The **Human Service Fund** offers local governments a cost-efficient, accountable mechanism to support an array of services that help residents of every city and township who are facing difficult circumstances. Funding is awarded to nonprofit agencies to support programs that build economic self-reliance and protect personal and community safety. Through these programs, thousands of individuals and their families benefit.

But, these programs benefit more than just the individual and their family; the entire community, including local government, benefits. Without a strong human service infrastructure to address issues such as unemployment, lack of child care, homelessness, child abuse and neglect, domestic violence, and untreated medical conditions our community will experience higher crime rates and lower tax revenue, a decline in the standard of living and weakened economic health of our entire community.

Your contribution will make a positive difference for the 13 programs recommended for the **Human Service Fund** in 2012. Johnson County Government and 15 cities committed \$278,105 for program allocations. (See appendix A.) Funding recommendations are submitted to cities and County Government for review and action by January 31, 2012.



Recommended for Funding 2012 Human Service Fund

Applicant	2009 Grant	2010 Grant	2011 Grant	2012 Recommendation	Program Description
CASA of Johnson & Wyandotte Counties	\$15,000	\$13,500	\$15,000	\$18,000	Court-ordered intervention by trained volunteers for children determined by judge to be "Child in Need of Care" due to abuse or neglect. Volunteers focus on the child and submit reports to judge.
Catholic Charities of NE Kansas*	\$67,500	\$64,800	\$67,500	\$67,500	Emergency assistance and case management to meet basic needs of low-income families, including food, financial assistance with rent/mortgage and utilities, and childcare assistance allowing parents to interview for jobs or maintain employment.
El Centro	\$20,000	\$16,500	\$16,500	\$17,500	Provides safety net services for low-income uninsured families, including financial assistance with utilities and medical assistance.
The Family Conservancy	\$12,000	\$10,000	\$10,000	\$8,500	Individual Development Accounts (IDAs) (incentive-based savings) and financial education program that assist low-income residents in acquiring long-term appreciable assets.
Head Start of Shawnee Mission	\$7,500	\$7,000	\$7,500	\$8,500	Human Service Fund scholarships for child care fees for Head Start families during financial hardship, which allows low-income parents to maintain either full-time education or employment.
Health Partnership Clinic	\$32,000	\$30,000	\$35,000	\$38,000	Health and dental care, through a medical home model, for uninsured low-income Johnson County residents.
Johnson County Interfaith Hospitality Network (IHN)	\$7,500	\$7,000	\$7,125	\$9,000	Case management for homeless single females and homeless families with children who are receiving shelter, meals, and transportation assistance from IHN.
Kansas Children's Service League	\$5,000	\$5,000	\$6,000	\$7,000	Home-based education and family support for new parents whose children are at-risk for child abuse and neglect.
Marillac	No request	No request	No request	\$5,500	Psychiatric hospital treatment for uninsured or underinsured children in crisis.
SAFEHOME	\$11,000	\$10,000	\$11,000	\$14,000	Economic Empowerment Program promotes economic self-reliance for victims of domestic violence who are living in shelter and for women in agency's outreach programs.
Salvation Army Family Lodge (Olathe)	\$15,000	\$13,500	\$15,000	\$15,000	Emergency and transitional housing for homeless and near homeless families in Johnson County, including related services and case management.
Sunflower House	\$34,000	\$31,500	\$31,500	\$32,500	Personal safety and prevention programs for children aged 4-7 years old, middle school students, and parents. Mandated reporter training is also provided.
KidsTLC (formerly TLC for Children & Families)**	\$17,500	\$16,000	\$17,500	\$15,500	Recruits and trains resource families and places foster children in licensed resource homes. Homeless children and children in police protective custody are also sheltered in resource homes.
Total	\$244,000	\$224,800	\$239,625	\$256,500	The 2011 federal poverty level for a family of three is \$18,530.

* For 2011, UCS asked Catholic Charities to combine two previously funded programs into one request.

**In 2012, TLC requested funding for Resource Family Program instead of Family Case Management

**2012 HUMAN SERVICE FUND
PROGRAM SUMMARY AND RECOMMENDATION**

CASA of Johnson & Wyandotte Counties

Recommendation: \$18,000

Funding is recommended for the Children in Need of Care (CINC) program, a court-ordered program that serves children the judge has determined to be a "Child in Need of Care." CASA is court-ordered to a CINC case because of conflicting case information, extreme neglect or abuse, or concerns about implementation of services. A trained CASA volunteer advocate focuses on the child's situation and gathers information from the child, family, social worker, attorney, and teacher, then with the CASA supervisor, identifies needed assessments or treatment for the child. CASA's report is submitted to the judge who uses it to make more informed decisions regarding the child's future. Program outcomes include children who do not experience additional abuse or neglect, have a stable adult presence in their lives, and remain in safe and permanent homes. CASA anticipates serving 310 Johnson County children during 2012.

Catholic Charities of Northeast Kansas

Recommendation: \$67,500

Funding is recommended for the Emergency Assistance and Housing Program which operates out of two centers in Johnson County and provides assistance and case management, without regard to religious affiliation, to families living at or below 150% of federal poverty guidelines. Included in the program is temporary child care assistance for parents with incomes between 185%-200% of federal poverty guidelines who are working, attending school full time or searching for employment. Emergency Assistance protects and promotes the well-being of families and children by meeting basic needs such as food, shelter and clothing, as well as prescription medication, utility payments, and gasoline for emergencies or job transportation. Long-term case management helps families identify the strengths they possess and set achievable goals with an action plan toward economic self-sufficiency. Childcare support can be used by families as a bridge when an SRS childcare application is in process. During 2012 the agency anticipates serving 20,000 Johnson County residents.

El Centro

Recommendation: \$17,500

Funding is recommended for El Centro's Family Service Center – Comprehensive Safety Net Services - which serves low-income, under-/ uninsured Johnson County families. Services include crisis intervention (utility and rental assistance, domestic violence counseling), asset building (tax assistance, financial literacy counseling, and home buyer education), and family support (health care case management and patient navigation, housing, employment, translation and interpretation). Program outcomes include that clients' basic needs are met and healthcare access is improved. The agency expects to serve 800 Johnson County residents during 2012.

The Family Conservancy

Recommendation: \$8,500

Funding is recommended for Family Asset Building which provides Individual Development Accounts (IDAs) to assist low-income residents in acquiring long-term appreciable assets, such as first homes, small businesses and post-secondary education. IDAs are matched savings accounts. In order to access IDAs, participants must attend economic education classes which teach financial skills including how to improve credit. IDAs and the assets they help to produce increase family stability, have a positive effect on educational outcomes for children, and decrease the use of fringe financial institutions. The agency expects to serve 45 Johnson County residents during 2012.

Head Start of Shawnee Mission**Recommendation: \$8,500**

Funding is recommended for Head Start of Shawnee Mission's Wrap Around Care and Full Day/Part Year preschool program which serves children of low-income families who are either working or in school. Wrap Around Care (WAC) provides extended day care (before and after hour care) for families in Head Start's preschool program for three- to five-year olds. Human Service Fund scholarships pay WAC fees for enrolled families having financial difficulties. Funding allows children to maintain enrollment in the program while parents continue to work or go to school, which results in stability and continuity of care for the child when the family faces financial hardship. Head Start projects serving 160 Johnson County children during 2012 with the Wrap Around Care and Full Day/Part Year program.

Health Partnership Clinic of Johnson County**Recommendation: \$38,000**

Funding is recommended for healthcare and dental services at offices in Olathe and Overland Park for residents with incomes at or below 200% of federal poverty guidelines who are uninsured and do not qualify for Medicaid, Medicare or Healthwave. Approximately 114 volunteer doctors, dentists, specialists, nurses and clerical staff work with 21 paid staff. Health Partnership Clinic utilizes a medical home model which emphasizes prevention and health maintenance while providing a broad scope of services including care for patients with chronic diseases. Anticipated 2012 program outcomes include increased access to a medical and dental home for low income uninsured residents, patients achieve better health outcomes, and patients recognize the Health Partnership Clinic as a continual source of care (i.e. a medical home). During 2012 Health Partnership Clinic anticipates serving 5,100 Johnson County residents through 16,000 face-to-face visits.

Johnson Co. Interfaith Hospitality Network (JoCo IHN)**Recommendation: \$9,000**

JoCoIHN provides shelter, meals, transportation and case management for homeless families and single unaccompanied females. Area congregations provide shelter and/or support on a rotating schedule while JoCoIHN staff help families regain self-sufficiency and independence. Human Service Funds are used to provide strengths-based case management which includes assistance with transportation, referrals to other community resources, assistance with budgeting and money management, and assistance with job and housing searches. JoCoIHN partners with more than 2,100 volunteers and 34 faith congregations. The agency expects to serve 50 Johnson County residents during 2012.

**Kansas Children's Service League
(Healthy Families Johnson County)****Recommendation: \$7,000**

Funding is recommended for Healthy Families Johnson County, a child abuse prevention program which provides intensive home based education and family support services to parents who are experiencing extreme stress and are "at-risk" for child abuse and neglect. Participants receive routine at-home visits, case management, referrals to community resources and services, child development and parent education, and linkage to health care services. Outcomes include families who do not have any substantiated child abuse and neglect, children who have health insurance and a developmental screen in the last six months (or are already receiving services for developmental delays), and are current on immunizations. The program expects to serve 230 individuals during 2012.

Marillac Center, Inc.**Recommendation: \$5,500**

Marillac Center provides a range of mental health services for children up to age 17 who have special emotional and behavioral needs. Funding is recommended for Charity Care which covers the cost of psychiatric hospital treatment for children who are uninsured or underinsured (either public or private) and whose families would otherwise not be able to afford their care. The Charity Care program is primarily used to fund emergency in-patient psychiatric hospital care for the child of a family experiencing financial crisis. Patient outcomes include reduced suicidal and self-harming behavior at discharge, reduced physical aggression at discharge, achievement of clinical discharge criteria, and progress while in treatment. Marillac anticipates serving 20 Johnson County children with Charity Care support during 2012.

SAFEHOME**Recommendation: \$14,000**

SAFEHOME provides shelter and other assistance for victims of domestic violence. Funding is recommended to support the Economic Empowerment Program. The goal of this program is to help women leave abusive situations by becoming economically independent. Based upon a career assessment, an Economic Advocate meets with women in shelter and determines the appropriate track for the client – Job Search track, Training/Education Track, or Budgeting Track. Most women are placed in the Economic/Budgeting Track in addition to one of the other tracks. In 2011 this program was expanded to serve women in SAFEHOME's outreach programs, in addition to those living in shelter. Victims living in the community have access to Financial Literacy classes. Program participant outcomes include securing employment, enrolling in job training or education programs, and achieving budgeting/credit goals. The agency projects this program will serve 146 Johnson County residents during 2012.

The Salvation Army (Johnson County Family Lodge)**Recommendation: \$15,000**

Funding is recommended to assist homeless families in Johnson County with temporary food and shelter at the County's only homeless shelter. Families are given a private room for the duration of their stay which averages 90 days. Residents meet weekly with a case manager who utilizes the Strengths Based Case Management model, keep a budget, and work on debt recovery and completing a GED, if needed. In addition to providing safe shelter, outcomes include that families identify stabilization barriers and then address those barriers by implementing new essential life skills, and/or completing debt reduction plans prior to leaving the Lodge. The Family Lodge anticipates serving 140 Johnson County residents during 2012.

Sunflower House**Recommendation: \$32,500**

Funding is recommended to support the Personal Safety Education Program, a child abuse prevention education program. The program includes: 1) *P.S. Happy Bear*, an interactive play for children ages four through seven enrolled in public and private early childhood centers and elementary schools; 2) Keeping Kids Safe Online for Parents, an educational program about online dangers for children; 3) Keeping Kids Safe Online – Middle School, for adolescents; and, 4) Mandated Reporter training for early childhood professionals, home visitors, court-appointed advocates and others. Program outcomes include that children are knowledgeable of strategies to recognize, resist and report abuse, youth increase their knowledge of online safety, caregivers more closely monitor internet activities of children, and mandated reporters report any suspicion of abuse to authorities. The agency anticipates reaching 13,000 Johnson County residents during 2012.

KidsTLC (formerly TLC for Children & Families)

Recommendation: \$15,500

Funding is recommended for the Resource Family Program which recruits and trains resource families, and primarily places foster children in licensed resource family homes. Foster children enter state custody when a court determines removing them from their home is required to ensure safety. Often these children have experienced abuse or neglect. KidsTLC recently closed its Emergency Shelter which provided a safe place for children in police protective custody, as well as temporary shelter for homeless youth. During 2012 some youth who in the past would have been admitted to the Emergency Shelter, will be served in resource family homes. Program outcomes include that children live in safe and supportive families which promote their healthy development. The agency anticipates serving 63 Johnson County youth during 2012.

APPENDIX A**2012 HUMAN SERVICE FUND
PARTICIPATING JURISDICTIONS**

JURISDICTION	CONTRIBUTION
Johnson County	\$110,250
De Soto	\$1,665
Edgerton	\$500
Gardner	\$4,500
Leawood	\$10,500
Lenexa	\$15,400
Merriam	\$2,205
Mission	\$6,395
Olathe	\$35,000
Overland Park	\$58,830
Prairie Village	\$6,825
Roeland Park	\$3,530
Shawnee	\$19,610
Spring Hill	\$1,495
Westwood	\$1,190
Westwood Hills	<u>\$210</u>
Total County Government & Cities	\$278,105
Interest Income	\$395
Total Human Service Fund	<u>\$278,500</u>
UCS Administration	\$22,000
Total Available to Allocate	\$256,500

APPENDIX B
2012 HUMAN SERVICE FUND GUIDELINES & REVIEW COMMITTEE

FUNDING PRIORITIES

The HSF targets programs that promote economic self-reliance and safety. Priorities are programs that:

- Provide safety net services for low-income Johnson County individuals and families when facing economic crisis. Services may include emergency aid for basic needs, housing/shelter, and primary medical care for acute and chronic conditions; *and*,
- Provide opportunities to build economic self-reliance through securing employment or continuing employment, and financial education; *and*,
- Provide protection and support for Johnson County victims of child abuse and/or family violence, and/or those at-risk of child abuse and/or family violence; *and*,
- Are consistent with evidence-based programs or best-practice programs; *and*,
- Provide county-wide benefit by avoiding, deferring, or reducing costs otherwise incurred by local governments. (Programs that do not offer county-wide benefit are priority only if the program provides residents with services that would not otherwise be available to them, but that are available to rest of County residents through another organization.)

MINIMUM ELIGIBILITY CRITERIA

Applicants for HSF must meet all of the following eligibility criteria:

- Current IRS Sec. 501(c)(3) designation and in good standing in Kansas or Missouri to do business as a nonprofit corporation. Not a program of city or county government.
- Completed independent certified audit of the previous year's financial records if the total agency expenses in the preceding year exceeded \$100,000. Organizations with total agency expenses under \$100,000 in the previous year must provide an independent financial review prepared by a Certified Public Accountant.
- The program serves primarily Johnson County residents. Programs which do not meet these criteria may still be eligible if they provide services to Johnson County residents that would otherwise not be available to them.
- The program targets those Johnson County residents with limited ability to purchase services. Programs that do not meet these criteria may still be eligible if they provide services to Johnson County residents that would otherwise not be available to them.
- The program clearly defines and measures outcomes for participants.
- The organization complies with all UCS Human Service Fund Agency Standards.

Grant Review Committee

UCS Board Members

- Wes Ashton, Black Hills Energy, *Committee Chair*
- Carol Lehman, Johnson County Community College
- Jill Quigley, Community Volunteer
- Loretta Summers, Summers Advisory Group

Community Representative

- Janice Friedman, Kansas Department of Social & Rehabilitation Services
- Emily Mitchell, United Way of Greater Kansas City, Johnson County Community Advisory Council

Staff support: Marya Schott, UCS Community Initiatives Director



POLICE DEPARTMENT

Council Meeting Date: November 7, 2011

CONSENT AGENDA: PURCHASE REQUEST FOR TWO POLICE DEPARTMENT MOTORCYCLES

RECOMMENDATION

Staff recommends the purchase of two 2012 Harley Davidson Road King motorcycles for \$4,500.00 each. The current motorcycles are being traded in, and this reflects the cost for the two new motorcycles.

COUNCIL ACTION REQUESTED ON NOVEMBER 7, 2011.

BACKGROUND

The Police Department currently rotates the motorcycle fleet every two years, which enables the Department to keep maintenance costs down, and keep trade-in values high.

This purchase was previously approved by the City Council as part of the 2011 Public Safety Budget.

FUNDING SOURCE

01-03-31-8006-000
01-03-25-8006-000

PREPARED BY

Capt. Tim M. Schwartzkopf
Patrol Commander
Date: November 1, 2011



ADMINISTRATION

Council Meeting Date: November 7, 2011

CONSENT AGENDA - Consider Agreement with Lowenthal, Webb & Odermann, P.A. to Audit the City's 2011 Financial Statements

SUGGESTED MOTION

Move that the Council approve the agreement with Lowenthal, Webb & Odermann, P.A. to audit the City's 2011 financial statements.

BACKGROUND

KSA 75-1124 requires the City to have an annual audit. In 2004, the City issued a Request for Proposals for auditing services and selected Lowenthal, Singleton, Webb & Wilson (LWO) for the 2004 audit with the option of auditing the financial statements for the three subsequent fiscal years (2005, 2006 and 2007). The firm has performed the audits of 2004 - 2010 financial statements.

Staff noted that LSWW's services have been satisfactory. Staff recommends maintaining the continuity of the auditor during the implementation of Governmental Accounting Standards Board Statement 54 and the transition of finance directors. Staff plans to do an RFP for audit services for the 2012 financial statements.

The proposed fee for the 2011 audit is \$21,900, a 1.86% increase over the cost of the 2010 audit.

FUNDING SOURCE

Funding for the financial statement audit is included in the 2011 budget for the Financial Management Program.

RELATION TO VILLAGE VISION

LG1.b. Enhance communication between government officials and the public. Enhance transparency of processes and financial accountability.

ATTACHMENTS: Agreement with Lowenthal, Webb & Odermann, P.A.

Prepared By: Lisa Santa Maria, Finance Director Date: November 2, 2011

LOWENTHAL, WEBB & ODERMANN, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

900 Massachusetts, Suite 301
Lawrence, Kansas 66044-2868
Phone: (785) 749-5050
Fax: (785) 749-5061
Website: www.lswwcpa.com

Client Copy

David A. Lowenthal, CPA
Patricia L. Webb, CPA
Audrey M. Odermann, CPA

Abram M. Chrislip, CPA
Caroline H. Eddinger, CPA
Grant A. Huddin, CPA
Brian W. Nyp, CPA

Members of American Institute
and Kansas Society of
Certified Public Accountants

September 27, 2011

Mayor and City Council
City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208

We are pleased to confirm our understanding of the services we are to provide the City of Prairie Village, Kansas, (the City) for the year ended December 31, 2011. We will audit the financial statements of the governmental activities, each major fund, budgetary comparison schedules and the aggregate remaining fund information, which collectively comprise the basic financial statements of the City as of and for the year ended December 31, 2011.

Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management discussion and analysis (MD&A), to accompany the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited: management's discussion and analysis and OPEB information.

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole: schedule of expenditures of federal awards, combining statements and individual fund statements.

The following additional information accompanying the basic financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements and for which our auditor's report will disclaim an opinion: introductory and statistical sections.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to above when considered in relation to the basic financial statements taken as a whole.

The objectives also include reporting on:

1. Internal control related to the financial statements and compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
2. Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

The reports on internal control and compliance will each include a statement that the report is intended solely for the information and use of the audit committee, management, the body or individuals charged with governance, others within the entity specific legislative or regulatory bodies, federal awarding agencies, and if applicable, pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America, the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133; and the Kansas Municipal Audit Guide and will include tests of the accounting records, a determination of major program(s) in accordance with OMB Circular A-133, and other procedures we consider necessary to enable us to express such opinions and to render the required reports. If our opinions on the financial statements or the Single Audit compliance opinions are other than unqualified, we will fully discuss the reasons with you in advance. If for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. Management is also responsible for identifying government award programs and understanding and complying with the compliance requirements, and for the preparation of the schedule of expenditures of federal awards in accordance with the requirements of OMB Circular A-133, and the capital assets depreciation schedule. As part of the audit, we will assist with preparation of your financial statements, schedule of expenditures of federal awards, and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements, schedule of expenditures of federal awards, and related notes and for accepting full responsibility for such decisions. You are also responsible for the selection of useful lives, depreciation methods and capitalization thresholds used in the capital asset depreciation schedules. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and the schedule of expenditures of federal awards and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any nonaudit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including internal controls over compliance, and for evaluating and monitoring ongoing activities; to help ensure that appropriate goals and objectives are met and that there is reasonable assurance that government programs are administered in compliance with compliance requirements. You are also responsible for the selection and application of accounting principles; and for the fair presentation in the financial statements of the respective financial position of the governmental activities, each major fund, budgetary comparison schedules and the aggregate remaining fund information of the City and the respective changes in financial position and where applicable, cash flows, in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is responsible for making all financial record and related information available to us and for ensuring that management and financial information is reliable and properly recorded. Your responsibilities also include, identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Management is responsible for adjusting the financial statements to correct material misstatements and for confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud and illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud and illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, contracts, agreements, grants and regulations. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan, if required. You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to present the supplementary information with the audited financial statements.

Management is responsible for establishment and maintenance of a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

With regards to the electronic dissemination of audited financial statements, including financial statements published electronically on your website (if any), you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Audit Procedures-General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws and governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because an audit is designed to provide reasonable, but not absolute, assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, any of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from you about the financial statements and related matters.

Audit Procedures-Internal Control

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards* and OMB Circular A-133.

Audit Procedures-Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with applicable laws and regulations and the provisions of contracts and agreements, including grant agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of test of transactions and other applicable procedures described in the OMB Circular A-133 Compliance Supplement and related addenda for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. The purpose of those procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

Audit Administration, Fees and Other

When delivered to the City, the audit reports and financial statements produced in connection with this engagement letter are public records and may be used (a) to fulfill the requirements of continuing disclosure under SEC Rule 15c2-12, (b) as inserts or incorporated by reference in offering documents issued by the City, and (c) for any lawful purpose of the City, all without subsequent consent from us. Any official statements in connection with debt issuances which include the above mentioned audit reports and financial statements shall contain the following: "Our independent auditor has not been engaged to perform and has not performed, since the date of its report included herein, any procedures on the financial statements addressed in that report. The independent auditor also has not performed any procedures relating to this official statement."

At the conclusion of this engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior auditing findings, auditor's reports and a corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

In the interest of facilitating our services to your organization, we may communicate by facsimile transmission or send electronic mail over the Internet. Such communications may include information that is confidential to your organization. Our firm employs measures in the use of facsimile machines and computer technology designed to maintain data security. While we will use our best efforts to keep such communications secure in accordance with our obligations under applicable laws and professional standards, you recognize and accept that we have no control over the unauthorized interception of these communications once they have been sent and consent to our use of these electronic devices during this engagement.

We may prepare a general ledger trial balance for use during the audit. Our preparation of the trial balance will be limited to formatting information in the general ledger into a working trial balance.

Our audit engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

The workpapers for this engagement are our property and constitute confidential information. However, we may be requested to make certain workpapers available to others pursuant to authority given by law, regulation or other legal process. If requested, access to such workpapers will be provided under the supervision of firm personnel. Furthermore, upon request, we may provide photocopies of selected workpapers to governmental agencies who may intend or decide to distribute the photocopies or information contained therein to others, including other governmental agencies. You agree to reimburse us for our personnel and other costs associated with our compliance with such requests. Our policy is to retain workpapers for five years after the engagement. During the term of this engagement, we agree to comply with the provisions of K.S.A. 44-1030.

You agree that the term "those charged with governance", as used in Statement on Auditing Standards No. 114 for defining our communication responsibilities under that standard, consists of the mayor, city council, and the city administrator.

It is understood that the services provided by our firm necessarily rely, to some extent, on information provided by your organization, including management representations, as well as information and documents. Accordingly, your organization indemnifies our firm and its owners and employees, and holds them harmless from all claims, liabilities, losses or costs in connection with services provided by our firm that are affected in any way by erroneous, misleading, or incomplete information furnished by your organization. This indemnification will survive any terminations under this letter.

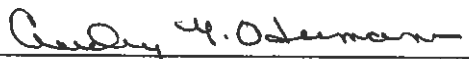
Audrey M. Odermann, CPA is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. We agree that our gross fee, including all expenses, for the above services shall not exceed \$21,900, except as noted above. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit, including delays resulting from the untimely delivery of and incomplete preparation of schedules and questionnaires we have requested from your staff. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report. Our 2009 peer review report accompanies this letter.

We appreciate the opportunity to be of service to the City of Prairie Village, Kansas and believe this letter accurately summarized the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

LOWENTHAL, WEBB & ODERMANN, P.A.
Certified Public Accountants

By 
Audrey M. Odermann, CPA



ADMINISTRATION

Council Committee Meeting Date: October 17, 2011
City Council Meeting Date: November 7, 2011

Consider moratorium on Planning Commission applications for rezoning or special use permits for the area of the comprehensive plan amendment

SUGGESTED MOTION

Move that the Governing Body adopt Ordinance 2245 establishing a temporary moratorium on all rezoning and special use permits in the area in and around the former site of the Mission Valley Middle School.

BACKGROUND

At the October 17th meeting of the City Council, staff was directed to prepare a temporary moratorium for a period not to exceed nine months on the issuance of all rezoning and special use permits for the property within an area bounded on the south by the south and southwest boundary lines of a parcel formerly operated by the Shawnee Mission School District as Mission Valley Middle School, on the west by Somerset Drive, on the north by 83rd Street and on the east by Mission road, as additional study is required in order to include the entire area in the Comprehensive Plan of the City of Prairie village to further the general public health, safety and welfare of the community and its orderly development.

The temporary moratorium would only include zoning and special use permit applications.

ATTACHMENT

- Proposed Ordinance

Prepared By:

Joyce Hagen Mundy

City Clerk

Date: November 3, 2011

CITY OF PRAIRIE VILLAGE, KANSAS

ORDINANCE NO. 2245

AN ORDINANCE OF THE CITY OF PRAIRIE VILLAGE, KANSAS, ESTABLISHING A TEMPORARY MORATORIUM ON ALL REZONINGS AND SPECIAL USE PERMITS IN THE AREA IN AND AROUND THE FORMER SITE OF THE MISSION VALLEY MIDDLE SCHOOL.

WHEREAS, the Governing Body of the City of Prairie Village ("City") is entrusted with the responsibility to establish reasonable laws, policies and regulations to further the general public health, safety and welfare of the community and its orderly development; and

WHEREAS, the Mission Valley public school has been permanently closed and the site is no longer owned by the Shawnee Mission School District; and

WHEREAS, the Comprehensive Plan of the City does not include or consider alternative uses for the site of the former Mission Valley public school; and

WHEREAS, alternative uses for the former public school site and immediately surrounding area is an appropriate topic for update and amendment of the Comprehensive Plan of the City; and

WHEREAS, new uses of school sites should not proceed before the Planning Commission and the Governing Body have had a chance to consider alternatives as part of a public review process; and

WHEREAS, the City has initiated the public review process and update of its Comprehensive Plan to include the area described herein; and

WHEREAS, the Governing Body finds that for the property within an area bounded on the south by the south and southwest boundary lines of a parcel formerly operated by the Shawnee Mission School District as the Mission Valley Middle School, on the west by Somerset Drive, on the north by 83rd Street and on the east by Mission Road, as depicted on the attached Exhibit A (hereinafter "Temporary Moratorium Area"), additional study is required in order to include the entire area in the Comprehensive Plan of the City during the Nine (9) months after the effective date of this ordinance (hereinafter the "Temporary Moratorium Period") to further the general public health, safety, and welfare of the community and its orderly development.

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

Section 1. The above recitals are incorporated by reference as if fully set forth herein.

Section 2. The Governing Body hereby establishes a temporary moratorium on rezonings and special use permits within the Temporary Moratorium Area for the Temporary Moratorium Period. No rezoning or special use permit shall be accepted and considered until the expiration of the Temporary Moratorium Period.

Section 3. The intent of the moratorium is to ensure that all current and future improvements within the Temporary Moratorium Area are in compliance with planning and engineering recommendations as well as the preservation and enhancement of the community's public health, safety and welfare.

Passed by the City Council this 7th day of November, 2011.

Approved by the Mayor this 7th day of November, 2011.

Ronald L. Shaffer, Mayor

ATTEST:

Joyce Hagen Mundy, City Clerk

MAYOR'S ANNOUNCEMENTS
November 7, 2011

Committee meetings scheduled for the next two weeks include:

Insurance Committee	11/08/2011	4:30 p.m.
Park & Recreation Committee	11/09/2011	7:00 p.m.
JazzFest Committee	11/10/2011	7:00 p.m.
Sister City Committee	11/14/2011	7:00 p.m.
Prairie Village Arts Council	11/16/2011	7:00 p.m.
Council Committee of the Whole	11/21/2011	6:00 p.m.
City Council	11/21/2011	7:30 p.m.

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The Prairie Village Arts Council is pleased to announce a mixed media exhibit by the Greater Kansas City Art Association in the R. G. Endres Gallery for the month of October. The artist reception will be held on November 11th from 6:30 to 7:30 p.m.

The Northeast Johnson County annual dinner will be November 19th at the Doubletree, 10100 College Blvd. VIP Reception at 5:00 p.m. and dinner at 6:00 p.m.

The Municipal Foundation will be hosting the annual Mayor's Holiday Tree Lighting on Thursday, December 1st at 6:00 p.m. at Corinth Square.

The 2011 Holiday Social hosted by the Johnson and Wyandotte Counties Council of Mayors will be December 7th at the Overland Park Convention Center. RSVP by November 18th to dj.curtis@opkansas.org or 913-895-6103

The Municipal Foundation will be hosting a Gingerbread House Decorating Party on Sunday, December 11th at Brighton Gardens, 7105 Mission Rd. There will be sessions at 1:30 p.m. and 3:00 p.m.

The Mayor's Holiday Gala for Volunteers will be Friday, December 16th at Homestead Country Club.

INFORMATIONAL ITEMS
November 7, 2011

1. Council Committee of the Whole Minutes - October 17, 2011
2. Planning Commission Minutes - October 4, 2011
3. Arts Council Minutes - September 21, 2011
4. Environment and Recycle Committee Minutes - September 28, 2011
5. Finance Committee Minutes - November 2, 2011
6. Sister City Committee Minutes - September 12, 2011
7. Park and Recreation Committee Minutes - September 14, 2011
8. Mark Your Calendars

COUNCIL COMMITTEE OF THE WHOLE
October 17, 2011

The Council Committee of the Whole met on Monday, October 17, 2011 at 6:00 p.m. The meeting was called to order by Council President Dale Beckerman with the following members present: Al Herrera, Dale Warman, Ruth Hopkins, Steve Noll, Michael Kelly, Andrew Wang, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz. Staff Members present: Wes Jordan, Chief of Police; Sgt. Tim Schwartzkopf; Bruce McNabb, Director of Public Works; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Dennis Enslinger, Assistant City Administrator, Nicholas Sanders, Human Resources Specialist; Chris Engel, Assistant to the City Administrator; Lisa Santa Maria, Finance Director and Joyce Hagen Mundy, City Clerk.

Presentation on Mayor's Holiday Lighting Display

Mayor Shaffer stated a good solution has been reached to resolve a neighborhood issue with a holiday display at 7909 Fontana. He has met several times with Tim and Mary Dorr regarding the display and has issued an invitation for the Dorr's to place their holiday display on City property. The display will be located in the fenced area next to the 50 meter pool to be viewed from the Shawnee Mission East Parking lot. Mayor Shaffer has approved a short term special use permit for the display from Thanksgiving to January 1st. He introduced Mr. Dorr to talk about the display.

Mr. Dorr thanked Andrew Wang and Michael Kelly for their assistance in connecting him with Mayor Shaffer and the city for its invitation to host their holiday display. Mr. Dorr distributed photos of the animated display which contains over 50,000 lights with 450 channels of corresponding music that play 4 different selections of approximately 10-12 minutes in length. The display is totally secular. Donations will be accepted and will go to the Prairie Village Municipal Foundation and Heartland Habitat for Humanity to help with homes in Prairie Village.

Michael Kelly commended Mr. Dorr for moving the display from his home in response to complaints from his neighbor.

***COU2011-51 Consider renewing City's health, dental and vision insurance providers**

Nic Sanders stated after several years of plan increases and plan changes, this year's renewal rates are a 0% increase due to the plans performance. 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 2012 plan year. The renewal is based on the claims incurred by plan participants over the twelve month period of September 2010 - August 2011; the City's loss ratio for this period was 53%. With the outstanding loss ratio, BCBS responded with a 0% renewal increase. Staff attributes a portion of the plan's outstanding performance to the ongoing wellness campaign and the health risk assessment.

Mr. Sanders briefly reviewed the monthly cost sharing structure for the BCBS plans which are the same as 2011 with a \$20 increase for each plan. A non-tobacco user will

receive a \$20 reduction resulting in the same employee rates as 2011. The City will continue to offer four (4) types of plans for employees to select.

Delta Dental of Kansas, the City's dental insurance provider, has agreed to renew the dental plans for 2012 at a 0% increase. This will include moving the dependent child limiting age to age 26 regardless of student or marital status, as well as including coverage for domestic partners. The dental insurance renewal also includes a rate cap for the 2013 renewal of 5.50%, well under the current trend of 6-8% annually.

The City's vision insurance provider, Superior Vision, has also agreed that they will accept the domestic partner benefits with no cost impact. The current dependent age on the vision insurance is already at 26 to match the health insurance.

Beginning in 2011, employees who participated in a Health Risk Assessment (HRA) conducted by BCBS received a \$20 reduction in their monthly premium costs. Employees are required to go through a basic physical screening in 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. This differential will be continued for 2012 with employees participating in on-site HRA during December 2011.

Along with the continuation of the HRA premium differential, City staff recommends that there be an additional differential for any non-tobacco users covered on the City's health insurance plan (employee or dependent). Those individuals who do not use tobacco products (cigarettes, pipes, chewing tobacco, cigars, etc.) more than once per week will receive a \$20 reduction in their monthly premium costs. The City will continue to offer reimbursement of any smoking cessation treatments up to \$100 per month. If a covered individual quits using tobacco product(s) then they will be eligible to begin receiving the monthly premium discount.

City staff has explored the possibility of offering domestic partner benefits for the City's health, dental, and vision insurances over the last couple years. Domestic partners can be defined as a committed couple who are not married - opposite-sex or same-sex couples. Staff recommends adding this benefit to the City's health, dental, and vision insurance plans. Mr. Sanders stated an employee wishing to declare a domestic partnership will be required to complete an affidavit and declaration of domestic partnership and comply with the qualifications set forth by City staff. Qualifications will include length of time together, joint ownership of property, etc. All information will be filed with Human Resources and kept confidential.

Nic Sanders stated employee insurance premiums are funded with General Fund. The 2012 budget anticipated an increase in City premium contributions of 12%. The renewal rates of 0% fit within the budgeted funds. He also added that Blue Cross Blue Shield will be waiving both employer and employee premiums for January, resulting in a savings to the City of \$60,000 to \$65,000 and to employees of \$10,000 to \$15,000.

Michael Kelly questioned how the criteria for domestic partners would be determined. Mr. Sanders responded the individuals must demonstrate a level of commitment to their relationship with such factors as length of time together, joint ownership of property, etc. The final criteria are still being reviewed by staff and legal counsel. Mr. Kelly did not think property ownership should be criteria and expressed concern with the criteria being arbitrary. He felt a signed agreement should be sufficient. Mr. Kelly asked if the state of Kansas had a definition for "domestic partners". Mr. Sanders responded they did not, but noted Blue Cross has a definition as well as several other organizations. Mr. Kelly felt this was a hot button political issue and did not feel it should be voted on this evening.

Diana Ewy Sharp stated she discussed this issue with several of her constituents and most were supportive but were curious how it came about. Mr. Sanders responded it had been discussed internally for the past few years, but was not brought forward because of large premium increases that the city was incurring. Because of the city's excellent claims rating, Blue Cross has agreed to extend coverage without any increase in premiums. There has not been an overwhelming request for this to be added, but Mr. Sanders stated he has had inquiries by employees over the past years. He added this benefit would also make our benefit package more competitive with private businesses.

Diana Ewy Sharp asked Dave Johnson with CBIZ if the tobacco use differential was becoming commonplace. Mr. Johnson responded both Kansas and Missouri allow for different rates to be charged for tobacco users similar to the program instituted by the city for employees who take the health risk assessment. Mr. Sanders added the Cities of Overland Park, Lenexa and Olathe have different rates for tobacco users.

Ruth Hopkins stated she did not feel it was necessary to delay action on this, noting she saw it as an internal issue related to how the city chooses to treat its employees. Mr. Warman echoed his agreement.

Dale Beckerman stated this is commonplace in the private sector and encouraged staff to look at the criteria used in the private sector when establishing criteria. Quinn Bennion noted criteria and definitions are being gathered from several sources with the final criteria being reviewed by legal counsel. It is anticipated that there will be a primary requirement and along with several optional criteria from which they are required to only meet some. Mr. Sanders stated that Blue Cross requires the city have criteria in place for the coverage to be offered.

Michael Kelly asked if there was an appeal process. Mr. Sanders replied appeals would follow the established employee appeal process. Mr. Kelly stated he felt action on this item should be delayed until the next meeting.

Dale Beckerman stated he also felt this was an internal issue and there was no reason to delay action. Steve Noll stated from his experiences with the not-for-profit sector and Jackson County this is no longer a controversial issue, it is simply a question whether a company or organization chooses to offer the benefit.

Ruth Hopkins made the following motion, which was seconded by Dale Warman and passed by a vote of 10 to 1 with Michael Kelly voting in opposition:

Move that the Governing Body approve the following employee insurance Plans and plan changes:

- 1) Blue Cross Blue Shield of Kansas City as the City's health insurance provider for the 2012 plan year, with a 0% increase in premiums.
- 2) Delta Dental of Kansas as the City's dental insurance provider for the 2012 plan year, with a 0% increase in premiums.
- 3) Superior Vision as the City's vision insurance provider for the 2012 plan year, with a 0% increase in premiums.
- 4) Approve the addition of a non-tobacco user discount and coverage of domestic partners.

**COUNCIL ACTION TAKEN
10/17/2011**

***COU2011-50 Consider approval of bid from Kansas City Tree for 2011 Tree Trimming Program**

Bruce McNabb presented the contract for the annual trimming of trees in selected City rights-of-way. Each year the City hires a contractor to accomplish this work in 1 or 2 of the City's 19 Public Works service areas. The final work area is dependent on the amount of funding available and the bids received. This year there are approximately 869 street trees in Area 31 bounded by 71st Street, Mission Road, 75th Street and Belinder Avenue. There are approximately 336 street trees in Area 32 bounded by 71st Street, Belinder Avenue, 75th Street and State Line Road.

The City trees in these areas will be trimmed to remove any dead wood larger than 2-inches in diameter and remove limbs interfering with sight lines to traffic signals, street signs or with the areas under street lights. The contractor will also update the City's tree inventory in these areas. All of this work should be accomplished by mid-December, 2011.

Kansas City Tree was selected as last year's contractor and did a satisfactory job on the project.

Three bids were received and opened on October 7, 2011, by the City Clerk with the following bids submitted:

Bidder	Area 31	Area 32	Total
Kansas City Tree	\$ 34,751.31	\$ 13,436.64	\$ 48,187.95
Arbor Masters	\$ 37,975.00	\$ 14,650.00	\$ 52,625.00
VanBooven Tree	\$ 35,425.00	\$ 22,950.00	\$ 58,375.00

Mr. McNabb noted that typically, this type of item would be placed on the Consent Agenda. However, since there was some discussion about a similar item in December,

2010 and the comprehensive review of the City's procurement policies is still underway, this item was placed on the Council Committee agenda with action requested the same evening.

Quinn Bennion noted the city has several different tree contracts. VanBooven Tree and Landscape was awarded the three-year tree care contract last year.

Dale Beckerman asked if it would make sense to combine these. Bruce McNabb stated he would look into doing so, but noted he felt the tree trimming and tree care would best be handled separately.

Diana Ewy Sharp made the following motion, which was seconded by Michael Kelly and passed unanimously:

**MOVE THE GOVERNING BODY APPROVE THE AWARD OF THE
2011 TREE TRIMMING CONTRACT TO KANSAS CITY TREE CARE,
LLC IN THE AMOUNT OF \$48,187.95 FOR THE TRIMMING OF
TREES IN CITY RIGHTS-OF-WAY**

**COUNCIL ACTION TAKEN
10/17/2011**

Follow-up discussion regarding 84th Street and Mission Road Planning Process

Dennis Enslinger distributed a draft ordinance creating a moratorium on acceptance of rezoning or special use permit applications for the property on which a comprehensive plan amendment is being developed. This would still allow for other planning action handled routinely by the Planning Commission to be considered. He stated he has talked with the three property owners of the affected property advising them that action was being considered and would be acted upon at the November 7th meeting. RED prefers not to have a moratorium and the others have no objection.

The draft ordinance does not have a time period included. The time period needs to be determined by the Council. Staff is recommending a 9 month period to cover the projected timeline for completion of the amendment to the comprehensive plan process. He noted that the timeframe can be changed at a later date if necessary by the adoption of a new ordinance.

Ruth Hopkins noted the area is limited and asked what happened when an application was received from Meadowbrook. Mr. Enslinger responded that staff would recommend doing a comprehensive plan amendment on that area once this area is completed. The City does a full comprehensive plan update every 10 to 15 years.

Diana Ewy Sharp asked what was happening with RED. Mr. Enslinger responded when he spoke with them last week they stated they were not in negotiations with Kansas City Christian School and were working on a development plan.

Michael Kelly stated he feels it is the City due diligence to put the moratorium in place until the completion of the comprehensive plan amendment.

Diana Ewy Sharp questioned the expenditure of funds for the study if the property would be remaining a school.

Charles Clark stated the study is being completed to ensure that the property will not remain untaxable, non revenue producing property.

Dennis Enslinger confirmed that the nine month period was acceptable to the Council and stated the ordinance would come back to the Council for action on November 7th.

Executive Session

Charles Clark moved pursuant to KSA 74-4319 (b) (2) that the Governing Body, recess into Executive Session in the Multi-Purpose Room for a period not to exceed 15 minutes for the purpose of consulting with the City Attorney on matters which are privileged in the attorney-client relationship. Present will be the Mayor, City Council, City Administrator, Public Works Director and City Attorney. The motion was seconded by Andrew Wang and passed unanimously.

Charles Clark moved to reconvene the Council Committee of the Whole at 7:00 p.m. The motion was seconded by Andrew Wang and passed unanimously.

STAFF REPORTS

Public Safety

- Chief Jordan reported on the temporary closure of the Rainbow Mental Health facility due to non-compliance with fire codes and the response by public safety agencies. Chief noted the department has had 17 involuntary and 11 voluntary committals to this facility so far this year.
- Prairie Village officers will be assisting with the funeral services for an Ottawa police officer.
- The third quarter departmental statistics were included in the packet and will be discussed in more detail by Captain Schwartzkopf at the November 7th meeting.

Public Works

- Bruce McNabb reported the successful on-line auction of city public works vehicles with over \$50,000 cleared on the sale of six vehicles.
- Prairie Village public works employees Mike Glasscock and Cale Hendry finished in the top ten in a recent metropolitan snow plowing contest.
- Work on the new trail along Tomahawk will begin later this week. Cambridge Street is open for traffic and work continues on Weltner Park. The delivery date of the shelter is unknown.

Administration

- Lisa Santa Marie noted the 2012 City Budgets have been distributed to Council members and the budget can also be found on the City's website.
- The closing on the recent sale of bonds will be held on Wednesday, October 19th.

- A budget amendment will be necessary due to the sale of bonds.
- Dennis Enslinger thanked the Arts Council for their work on the successful 2011 State of the Arts exhibit and reception held last Friday, October 14th.
- The City will be participating with the city of Overland Park on an e-recycling event on Saturday, October 29th at the Black & Veatch offices.
- The school district will be opening construction bids for Indian Hills Middle School next week. The work is estimated to take two years to complete.
- Dennis Enslinger announced the recent death of Mary Montello, a recipient of the Prairie Village Distinguished Citizen Award for her work in establishing the Prairie Village recycling program. Services will be Tuesday, October 18th.
- Chris Engel provided an update on the Geothermal project noting the units have all been installed, the system was air pressure tested today and should be fully operational by the end of the week.
- 2012 Legislative platform discussions are beginning. The Johnson County Legislative update will be held next Monday and the LKM legislative supper will be held on November 17th at Leawood.
- The Sister City Committee will recognize SME foreign exchange students on Monday, November 7th. The students will be introduced at the Council meeting followed by a reception.
- Quinn Bennion announced the ribbon cutting and reception for the new UMB Bank on Wednesday, October 19th at 5 p.m.
- The League of Kansas Municipalities will be offering training on November 18th at the city facilities.

Mayor's Report

Mayor Shaffer thanked Council President Dale Beckerman for covering for him at the last Council meeting while he was attend a NARC board meeting out of state. Mayor Shaffer reported on his attendance at the following activities during the past four weeks representing the City: Indian Hills Homes Association picnic, Air Force Brass Band performance, MARC board, Johnson County Charter Commission public hearing, Kansas City Chamber Leadership Exchange, Wyandotte/Johnson County Mayors' meeting, Nall Avenue ribbon cutting ceremony and the State of the Arts reception

Adjournment

Council President Dale Beckerman adjourned the formal Council Committee of the Whole meeting at 7:30 p.m.

Dale Beckerman
Council President

PLANNING COMMISSION MINUTES
October 4, 2011

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, October 4, 2011, in the Council Chambers of City Hall, 7700 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Bob Lindeblad, Dirk Schafer, Nancy Wallerstein and Marlene Nagel.

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 and Joyce Hagen Mundy, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Bob Lindeblad moved for the approval of the minutes of September 6, 2011 as written. The motion was seconded by Dirk Schafer and passed by a vote of 5 to 0.

PUBLIC HEARINGS

Chairman Ken Vaughn reviewed the proceedings for the two public hearings scheduled before the Commission and confirmed proper publication of notices of hearing and notification of surrounding property owners of the hearing.

**PC2011-06 Request for Conditional Use Permit for a
Drive Thru Service Lane at 3975 West 83rd Street**

Jeff Horstmeier, with Mobius Architects 5909 Martway, Suite #100, presented the application for approval of a Conditional Use Permit for a drive-thru and a Site Plan for Tide Dry Cleaners who plan to locate at 3975 West 83rd Street. Tide Dry Cleaner uses a covered drive-thru so customers can drop off and pickup dry cleaning without getting out of their car (valet services). They also have pickup and drop off lockers available for 24 hour service. The garments are cleaned on site using a Green Earth Cleaning process and no hazardous chemicals are used.

The proposal is to construct a canopy on the west end of the building for a covered double wide drive-thru. The interior operation of the cleaners will occupy the 3,150 square feet space which is currently occupied by the Dragon Inn Restaurant. Mr. Horstmeier noted there is a Tide Cleaners at 13420 Roe Avenue that is similar to the operation proposed at this location.

In order to accommodate the expansion, five large trees will be removed and an island will be created on the west side. The island will be planted with new trees.

Mr. Horstmeier stated a neighborhood meeting was held on September 19th. One person attended the meeting and was interested in how the valet service worked. It was explained that there will be no outdoor speakers and the valet works with the drop off and pick up of garments.

Bob Lindeblad asked if the applicant was aware of the staff recommendations regarding a redesign of the gable areas. Mr. Horstmeier stated he was, but noted he had not discussed the desired revisions with staff. Ron Williamson clarified what staff would like to see in the redesign. Mr. Williamson also noted the gable signs on the north and west sides cannot exceed 18 square feet in area under the city's code.

Nancy Wallerstein noted the existing large mature trees that were being removed and asked if they would be replaced with large trees. Mr. Horstmeier stated it is their intent to use large trees and noted they will work with the City's Tree Board in the selection of the trees.

Mrs. Wallerstein asked if the turning radius proposed was sufficient to not impact cars parked in the lower level of the adjacent parking lot. Mr. Horstmeier responded this had been discussed with representatives of Lane4 who felt based on the traffic patterns in place the adjacent parking should not be negatively impacted. Mr. Williamson noted that the Director of Public Works has reviewed the plans and does not see any problem with the traffic patterns or turning radius.

Ron Williamson noted that this property has not been platted and staff is recommending that it be platted as a condition of approval. Staff would also like to have sign standards established for this center by Lane4. Staff is also requested an updated parking count for the area.

Justin Kaufmann with Lane4 stated they are aware of the requested sign standards and are looking at standards similar to those recently approved for Corinth Square North. They will also provide the city with an updated parking count as requested.

Chairman Ken Vaughn opened the hearing for comments from the public. With no one present to speak on this application, the public hearing was closed at 7:15 p.m.

Ron Williamson advised that the Commission must first consider the request for the conditional use permit and then act separately on the proposed site plan.

The Planning Commission made the following review of the findings of fact for the approval of a conditional use permit:

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

The proposed drive-thru window complies with the zoning regulations and meets all setback requirements.

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

The proposed drive-thru will be located on the west end of the building within an area that is developed with business uses, and therefore will not adversely affect the welfare or convenience of the public.

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

The proposed conditional use will be located in the middle of a developed business area and will not cause substantial injury to the value of property in the neighborhood.

4. **The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets given access to it, are such that the conditional 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 conditional use will so dominate the immediate neighborhood, consideration should be given to:**

- a. **The location, size, nature and height of buildings, structures, walls and fences on the site; and**
- b. **The nature and extent of landscaping and screening on the site**

The proposed building expansion on the west end is approximately 27 feet by 43 feet or 1,161 square feet which is small in size compared to the rest of the buildings in the center. There is an existing gable on the west end of the building and it will be extended 27 feet west.

Much of the green space and five large trees will be lost as a result of this expansion. However, the applicant has proposed to build an island along the west edge of the drive-thru and plant four trees and 16 shrubs. This will help to mitigate the loss, but the trees will be smaller and the green area will be less.

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

The applicant has indicated that four or five parking spaces will be lost as a result of this expansion. This area has had a surplus of parking based on the amount of development, however, an overall parking count before and after the development of this project needs to be provided.

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

Since this is a redevelopment project, utilities are already available at the site. Drainage will be discussed under the site plan, but more area will be impervious on the proposed plan so there will be more stormwater runoff.

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.

The existing access off 83rd Street will serve this facility. There will be a cross traffic movement to enter the drive-thru but the volume of traffic in this area is low and the proposed use is not a high volume generator like a restaurant. All traffic will be handled internally on the site and there should not be traffic congestion on adjacent public streets.

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

The dry cleaning process will use Green Earth technology which does not use hazardous chemicals and there should not be any hazardous materials or obnoxious odors associated with this project.

Bob Lindeblad moved the Planning Commission find favorably on the findings of fact for PC2011-06 and approve the requested conditional use permit for drive-thru lanes subject to the following conditions:

1. That the Conditional Use Permit approval is contingent upon approval of the site plan. If the site plan is not approved by the Planning Commission, the Conditional Use Permit shall be null and void.
2. That the Conditional Use Permit shall terminate when the use of the site for a dry cleaner terminates.

The motion was seconded by Marlene Nagel and passed by a 5 - 0 vote.

The Planning Commission reviewed the following criteria for site plan approval:

A. The site is capable of accommodating the buildings, parking area, and drives for the appropriate open space and landscape.

The proposed expansion of the building is 27 feet by 43 feet or 1,161 square feet which is insignificant in comparison to the buildings currently located in the shopping area and can easily be accommodated. The proposed use will eliminate some existing parking spaces, but will provide customer parking for its use in the drive-thru which allows for stacking of at least four vehicles. Access will use existing driveway circulation. Greenspace will be reduced in area and five mature trees will be removed but they will be replaced in an island adjacent to the west.

B. Utilities are available with adequate capacity to serve the proposed development.

The property is currently served with all utilities and the proposed improvements will not create the demand for additional utilities. No additional needs are contemplated for water and sewer services.

C. The plan provides for adequate management of stormwater runoff.

The proposed development will create more impervious area and therefore increase runoff. The applicant needs to provide the calculations for the impervious increase and prepare a stormwater management plan that addresses these issues. The applicant will work with the Public Works Department to develop an acceptable solution for the storm water runoff.

D. The plan provides for safe and easy ingress, egress and internal traffic circulation.

The drive-thru will be accessed from an existing driveway off 83rd Street. There will be a cross traffic movement to enter the drive-thru, but traffic volumes are low and this should not be a problem. Traffic currently must make the left turn movement to visit shops and offices to the east.

E. The plan is consistent with good land planning and good site engineering design principles.

The proposed drive-thru is being added to the end of an existing building and the site plan has been designed to have a minimal impact on this area. The exit from the valet area has been reduced from two lanes to one lane to preserve as much green space as possible. Given the location of existing buildings and the configuration of existing driveways and parking, the plan is consistent with good planning and engineering design.

However, this area is currently unplatted and should be platted in accordance with the subdivision regulations.

F. An appropriate degree of compatibility will prevail between the architectural quality of the proposed installation and the surrounding neighborhood.

The proposed expansion of the gable to the west blends well with the existing building. The roof and columns duplicate the existing structure and are compatible. The faces of the gables are plain and some type of architectural treatment in addition to the signs would improve the aesthetics of the addition.

The proposed signage in the gable areas is too large based on the ordinance. The proposed sign—including the logo—is approximately 25.63 square feet. The ordinance only permits sign area to be 5% of the building façade area. The area of the north façade is approximately 351 square feet and at 5% the maximum size of the sign is 17.5 square feet. The west façade is larger at 621 square feet which at 5% would allow a 31 square foot sign. The signs as proposed are too large and not in scale with the gables and both signs should be the same size based on the area permitted for the north façade.

It was noted that the sign standards for Corinth South were last amended in November 1999. The standards do not address signs on gable areas and therefore will need to be updated as they were for Corinth Square North. Since the proposed signage is different from the existing sign standards, the Planning Commission will need to approve the specific signage for this business. New sign standards for Corinth South need to be submitted and approved by the Planning Commission.

G. The plan represents an overall development pattern that is consistent with the comprehensive plan (Village Vision) and other adopted planning policies.

Village Vision did not specifically address this area as it did for North Corinth Square. However, Village Vision recommended as a general principle that commercial areas need improvement through redevelopment and repositioning. The proposed use is new to the area and is designed to accommodate both the elderly and young families with children.

Bob Lindeblad moved the Planning Commission find the criteria to be favorable and approve the proposed site plan for Tide Dry Cleaners at 3975 West 83rd Street subject to the following conditions:

- 1) That the applicant submit the Landscape Plan to the Tree Board for review and approval.
- 2) That the applicant meet with Public Works and develop a workable stormwater master plan that meets the Prairie Village Stormwater Ordinance, to be approved by Staff.
- 3) That the gable signs be approved for both the north and west sides, but not exceed 18 square feet in area.
- 4) That any external lighting be in accordance with Section 19.34.050 Outdoor Lighting and an outdoor lighting plan be submitted to Staff for review and approval.
- 5) That the area be platted in accordance with the Subdivision Regulations.
- 6) That all mechanical/equipment units be screened from view.
- 7) That the applicant redesign the gable areas to improve the aesthetics and submit the plans to Staff for review and approval.
- 8) The applicant prepare sign standards for Corinth South to be reviewed and approved by the Planning Commission prior to any additional signage or site plan requests for this area.

The motion was seconded by Marlene Nagel and passed by a vote of 5 to 0.

**PC2011-07 Request for Special Use Permit for operation of
An Adult Senior Dwelling at
2700 Somerset
Zoning: R-1a
Applicant: Hunt Midwest Real Estate Development, Inc.**

Commissioner Bob Lindeblad recused himself due to a professional conflict of interest with the applicant and left the chambers.

Brenner Holland with Hunt Midwest Real Estate Development noted the presence of the following team members: Kyle Diekmann, Principal Senior Living Group; Ora Reynolds, HMRED, Brett Carlgren, BHC Rhodes Civil Engineer; Jim Tilden, attorney and Sheila Martin, PSLG. Mr. Holland gave a brief overview of their partnership with the Principal Senior Living Group.

Hunt Midwest Real Estate Development, Inc. is acquiring the Somerset School site from Shawnee Mission School District and is proposing to construct Benton House, which is a senior living community. Benton House will be developed by Hunt Midwest and Principal Senior Living Group, who will manage and operate the facility after it is constructed.

Mr. Holland reviewed the site plan for the facility noting the current six entrances onto this site will be reduced to two. The main entrance will be off Somerset and a service entrance on the northeast side. The proposed building is a single story structure with 71 units - 59 assisted living units with 80 beds and an 12 memory care units surrounded by two courtyards. He noted the location of the proposed 90 parking spaces, which all face internally. A retention pond is proposed to accommodate stormwater overview.

There will not be any significant grading changes. The proposed building will be at the same elevation as the current school. Mr. Holland stated they will work with city staff to increase the amount of landscaping on the project. They will be constructing a five foot wide north south trail along 79th Street and Belinder Avenue. Staff has asked that the sidewalk along Belinder Avenue to be relocated 5 feet off the curb. Mr. Holland pointed out existing trees, power lines and underground lines that would make those very difficult and suggested constructing a new sidewalk at the bottom of the slope closer to the building. Mr. Holland asked that they not be required to immediately construct a sidewalk adjacent to 79th Street noting that currently this sidewalk would not connect with any existing sidewalks, but noted it would be willing to construct it at a later date.

Kyle Diekmann with Principal Senior Living Group stated he felt the proposed facility offers the following advantages that are not found in existing facilities in Prairie Village:

- A single story, smaller more residential feel facility.
- Four different size apartment units from which to select.
- Shorter walking distances to facility accommodations
- Moderately priced
- With fewer residents more personal care
- Serving a different demographic - no independent living residents

Mr. Diekmann stated the facility would create 25 to 30 new positions. The largest staff on site at one time is 12. The facility will not generate a lot of traffic. Very few of their residents will drive, a bus will be provided for them.

Nancy Wallerstein asked for clarification on the parking count initially and at full construction expressing concern for adequate parking noting parking problems that exist at Claridge Court and other assisted living facilities.

Mr. Williamson pointed out that Benton House will be more similar to Brighton Gardens which is an assisted living development and parking has been more than adequate.

Brett Carlgren, Civil Engineer with BHC Rhodes, stated that 90 spaces will be constructed with the initial construction. They will be located primarily on the west and north sides of the building. The number of parking spaces being provided exceeds the number required by the city's code. When the villas are constructed they will each have a single garage and driveway that will accommodate parking. Mr. Diekmann noted at their other facilities they provide between 50 and 60 parking spaces and have not had any problems. He noted it is generally the independent living residents that will have vehicles on site and drive. They've found very few assisted living residents have vehicles and drive.

Marlene Nagel stated she feels the proposed facility is an appropriate size for the site and reflects a quality design. She asked if they had considered any other designs. Mr. Diekmann responded they initially looked at using the school structure but felt it was too institutional. They did not want an institutional type building. Mrs. Nagel questioned the proposed colonial design being in keeping with the neighborhood. Mr. Diekmann noted that their residents prefer traditional designs and noted that these will be more compatible with neighborhoods long term.

Brett Carlgren stated it was considered but they wanted to honor the existing setbacks and still get the necessary turning radius needed for emergency equipment. He also noted the grade at 79th Terrace is higher and grade would be a problem. Also doing so could result in the removal of mature trees along Belinder Avenue.

Mr. Schafer stated he is pleased with the one-story structure, however, noted the porte cochere on the structure adds significant height to the building. Could this be removed or reduced in size. Mr. Diekmann noted the copula has become a branding element for their communities and gives a less institutional appearance to the building.

Chairman Ken Vaughn opened the hearing to comments from the public.

Ruth Brettle, 2513 West 79th Terrace, a long-time resident of the area, noted the significant problems she encountered getting in and out of her residents when the school had an event because of traffic parked up and down the adjacent residential streets. She does not understand why they could not use the existing school building. She feels the proposed structure will overshadow the neighborhood and negatively impact property values. She does not feel there is sufficient on-site parking.

Charles Schollenberger, 3718 West 79th Terrace, expressed concern that Prairie Village was becoming the "assisted living" capital of Kansas noting existing facilities in the City and other potential facilities that have been discussed. He would like to see an alternate

use considered and would rather see villas and cottages, noting the need for more diversity in housing stock and increased tax revenue for the City. Mr. Schollenberger asked if this development fit the city's comprehensive plan. He also asked about the safety of the detention basin.

Andrea Cahill, 7921 Norwood Drive, expressed concern with the impact of parking as her property backs up to this site. She is concerned both is noise and lights from parked vehicles in the evening and the lighting of the parking lot. She noted that due to the elevations, the one-story building will have the appearance of a two-story building from her property. She questioned the villas proposed in phase II. She is concerned with maintaining the residential character of the neighborhood and agreed with Mrs. Brettle concerns with increased traffic and parking.

Brenner Holland gave the following responses to the comments/questions raised by the residents speaking during the public hearing:

- Based on the size of the school, it would have yielded three to four times more traffic than is projected for this project on a daily basis without considering special events. Brett Carlgren noted a traffic study was conducted and given to the city staff showing a significant decrease in traffic on weekdays with a minor increase on weekends.
- The school district feels the school is no longer needed and chose to sell the property. Mr. Holland noted with the sale of that property, the City will now be getting tax revenue on that property, whereas the school district was exempt.
- The proposed "senior living community" is a residential use in a residential neighborhood.
- Residents moving from existing homes into the facility will open up additional housing stock in Prairie Village.
- All parking faces internally to keep car lights from shining onto neighboring properties. The parking lot lights are also designed to focus internally directly light inward toward their facility.
- They will work with city staff and the Tree Board to increase the amount of landscaping and screening particularly on the west edge of the property.
- The proposed trail replaces what was once a service drive and has been proposed for the benefit of the neighborhood as a means to get to Meadowlake Park.
- Brett Carlgren explained the operation of the proposed detention basis which is a dry basin that will not hold water. The materials in the basin will filter the stormwater and send it through the city's existing stormwater system.
- Mr. Holland noted that for the villas to be constructed the special use permit would need to be amended requiring another public hearing before the Planning Commission and notification of neighboring property owners. Specific details will be known at that time.

Ken Vaughn asked if it would be possible to move the trail to the west side of the parking lot. Mr. Holland replied that would be possible.

Dirk Schafer reminded those present that approval is a two step process and that many of their concerns are being addressed in the Commission's review of the proposed site plan for this site.

Marta Hill, 8000 Belinder, asked if the walk could be constructed of a softer rubberized surface. She is ok with the proposed location. She also confirmed that there will not be any children or pets in the assisted living community.

Andrea Cahill asked how long construction was estimated to take. Mr. Holland responded 12 months.

With no further comments from the public, Chairman Ken Vaughn closed the public hearing at 8:20 p.m.

Ron Williamson noted the assisted living facility will have 59 units and 80 beds. They plan to construct an additional 12 units/20 beds at some point in the future. The 71 units and 100 beds will be in one building and the operation will be similar to Brighton Gardens. Long-range, it is proposed to construct 16 family villas that will parallel the west and north property lines. The Special Use request at this time is for only the 71 units in the main building. The applicant will reapply for the villas when their plans are more defined and the market is more predictable.

The existing Somerset School building will be demolished and the playground equipment and the paved parking areas will be removed. Currently, there are six driveways entering the site from adjacent streets: one on 79th Street; two on Somerset Drive; and three on Belinder Avenue. The six driveways will be reduced to two: one on Belinder Avenue; and one on Somerset Drive.

The applicant held a neighborhood meeting on September 14th in accordance with the Planning Commission's Citizen Participation Policy. Seven residents attended the meetings. The applicant outlined the proposed plan in detail including the approval process. The questions from the public were more about the facility operation rather than about the proposed facility itself. There were no significant issues that were unanswered by the applicant. The questions on stormwater runoff and fencing along the west property line were the only ones that affected the proposed plan.

The Planning Commission made the following review of the findings of fact for the approval of a special use permit:

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

The proposed main building will setback approximately 73 feet from Belinder Avenue 169 feet from 79th Street, 113 feet from Somerset Drive and 188 feet from the west property line which is well in excess of the required building setbacks. The main building—including the 71 units—has an area of approximately 50,000 square feet, which

is about 17% lot coverage. The property is unplatted and platting in accordance with the Subdivision Regulations should be a condition of approval.

B. The proposed special use at the specified location will not adversely affect the welfare or convenience of the public.

The proposed building is one story and has a residential design. It is a low traffic generator and the number of driveways has been reduced from six to two which will reduce conflicts for the travelling public.

C. 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 site is large, approximately 6.7 acres, and the developed portion of the site will be 3.7 acres, which leaves approximately three acres of open space. The building is setback more than twice the required setbacks and ample area is available for landscaping. Therefore, the use will not cause substantial injury to the value of the property in the neighborhood.

D. 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 with 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 Permit will so dominate the immediate neighborhood, consideration shall be given to a) the location, size, and nature of the height of the building, structures, walls and fences on the site; and b) the nature and extent of landscaping and screening on the site.

The building is one story and is approximately the same square footage as the elementary school building that is being removed. The roof will be a hip roof design rather than a flat roof as Somerset School so it will have the appearance of being a larger structure. A landscape plan has been submitted but it needs some revision and when additional trees and shrubs are added, it will provide appropriate screening for the surrounding residences. The immediate neighborhood is totally developed and this use will not dominate the area so as to hinder remodeling and updating of nearby residences. The final landscape plan will need to be approved by Staff and the Tree Board.

E. Off-street parking and loading areas will be provided with standards set forth in these regulations, and area shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.

The parking regulations require 72 spaces and the applicant is providing 90 spaces. Therefore, parking should be adequate. The parking spaces all face forward the main building which should minimize lights shining on adjacent property. However, the landscape plan, which is incomplete at this time, should be designed to screen parking areas from adjacent residents.

F. Adequate utility, drainage and other necessary utilities have been or will be provided.

This site was adequately severed with utilities where it served as an elementary school and the utilities should be adequate to serve the proposed facility.

The proposed project will create more impervious surface than the elementary school and stormwater management will need to be addressed. The applicant has prepared a stormwater management plan and submitted it to Public Works. This item will be discussed in more detail in the site plan review, Staff Report.

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

The proposed site plan has reduced the number of driveways from six to two. One driveway will access from Belinder Avenue and the other one from Somerset Drive. The reduction in the number of access points to the site will help minimize congestion.

The proposed assisted living community will generate significantly less traffic than the elementary school according to the traffic analysis submitted by the applicant. Based on the ITE Trip Generation Handbook 8th Edition, it is estimated that the assisted living property will generate 340 daily trips while the elementary school generated 768 daily trips. Therefore, surrounding streets should easily handle the traffic. It should be noted from the traffic analysis that traffic from the assisted living community will be seven days a week 52 weeks a year while the school traffic was only on weekdays and only when school was in session.

Pedestrian circulation is as important as vehicular for this project. The applicant has proposed to construct a new north-south trail adjacent to the west property line. A paved walkway currently exists there, but it is in poor condition. The sidewalk adjacent to Belinder Avenue is curbside. The City policy is to separate sidewalks from the street a distance of five feet if possible. The sidewalk is five feet wide for part of the distance and four feet wide for the remainder. The sidewalk should be replaced away from the curb and a minimum of five feet in width. ADA standards require five foot wide sidewalks to allow wheelchairs to pass. 79th Street is designated as a collector street, which according to City policy requires a sidewalk on both sides. Currently there is a sidewalk on the north side of 79th Street but not on the south side. Public Works would like this sidewalk to be installed. The applicant would prefer to wait until such time as the Villas are constructed so that the sidewalks do not need to be rebuilt after construction. There also are some grade issues in this area. The City may want the sidewalk installed before the Villas are built therefore, at a minimum, the applicant should sign an agreement to install the sidewalks upon the request of the City.

H. Adjoining properties will be adequately protected from any hazardous or toxic materials, hazardous manufacturing processes, obnoxious odors, or unnecessary intrusive noises.

This particular use does not have any hazardous materials, processes, odors or intrusive noises that accompany it.

- I. **Architectural style and exterior materials are compatible with such style and materials used in the neighborhood in which the proposed structure is to be built or located.**

The proposed building is one story and it has a residential design using materials that are typically found on residential buildings. The materials are brick veneer, cultured stone base white trim with a composition roof. The architectural style and materials blend well with the neighborhood.

Dirk Schafer moved the Planning Commission find favorably on the findings of fact for PC2011-07 and forward the application to the Governing Body recommending the Special Use Permit be granted for an assisted living facility called Benton House at 2700 Somerset subject to the following conditions:

1. That Benton House be approved for a maximum of 71 units and 100 beds.
2. That the applicant construct a five foot wide sidewalk adjacent to 79th street or provide an agreement to install the sidewalk upon request of the City.
3. That the applicant plat the property in accordance with the subdivision regulations prior to obtaining a building permit.
4. That the applicant meet all the conditions and requirements of the Planning Commission for approval of the site plan.
5. That the Special Use Permit not have a termination or expiration time established for it, however, if construction has not begun within 12 months from the approval of the Special Use Permit by the City Council, the permit shall expire unless the applicant shall reappear to the Planning Commission and receive an extension of time.

The motion was seconded by Marlene Nagel and passed by a vote of 4 - 0.

NON-PUBLIC HEARINGS

PC2011-118 Request for Site Plan Approval 2700 Somerset

Ron Williamson noted there was a lot of discussion regarding landscaping along the west side of the property during the public hearing and suggested the applicant work with staff to provide adequate screening and buffering.

The Planning Commission reviewed the following criteria for site plan approval:

- A. **The site is capable of accommodating the buildings, parking area, and drives with appropriate open space and landscaping.**

The site is approximately 6.7 acres and the plan indicates that there is ample open space for landscaping, parking and the necessary amenities to provide good screening and site development for adjacent properties. The building has been setback much greater than the minimum setback requirements of the ordinance and therefore should provide a much better setting for the building itself. The proposed main building will setback approximately 73 feet from Belinder, 169 feet from 79th Street, 113 feet from

Somerset Drive and 188 feet from the west property line. Approximately 3.7 acres of the site will be developed which leaves about three acres for open space.

There are seven houses that back onto the site and one house that sides the site along the west property line. The property slopes downhill to the west from the north-south trail. Because of the grade change a fence would not provide adequate screening, however, additional trees and shrubs between the trail and the west property line would help to provide privacy and screening for the adjacent residents. The plants should include a mixture of coniferous and deciduous plants. The landscape plan needs to add more plant materials in this area. A revised landscape should be submitted for approval of Staff and the Tree Board.

B. Utilities are available with adequate capacity to serve the proposed development.

The property is currently served with all utilities and the proposed improvements will not create the demand for additional utilities. No additional needs are contemplated for water and sewer services. The location of the electrical transformer needs to be specifically identified on the plan and appropriately screened.

C. The plan provides for adequate management of stormwater runoff.

At complete build out, which includes the main building and the Villas, there will be an increase in the impervious area over what currently exists. The applicant is proposing to construct a detention pond on the southwest corner of the site to handle the additional stormwater runoff. The site generally slopes from the northeast to the southwest and the southwest corner of the site is the lowest area. The applicant has prepared a Stormwater Management Study which has been submitted to Public Works for review and comment. The applicant will need to work with Public Works to develop an acceptable solution for the stormwater runoff.

D. The plan provides for safe and easy ingress, egress and internal traffic circulation.

The applicant has reduced the number of access points to the site from six to two which reduces the number of points of conflict on the adjacent public streets. The internal circulation and parking wrap around the west and north sides of the main building and the drives will also serve as access to the Villas when they are constructed. The vehicular circulation works well on this site.

The applicant has proposed to replace the north-south trail with a new concrete trail along the west property line. This will help pedestrian traffic safely reach Meadowlake Park on the north side of 79th Street. The sidewalk along Belinder Avenue is curb side which is not in accordance with City policy and it is only 4 feet wide for a portion which does not meet ADA standards for wheelchairs passing. In a strictly residential area, the existing four foot sidewalk would probably serve adequately, but in this senior living community more people may be in wheelchairs and the width of the sidewalks is more critical. The sidewalk should be replaced away from the curb and a minimum of five feet in width.

Public Works has requested a sidewalk be installed along the south side of 79th Street. 79th street is a collector and the City policy is sidewalks on both sides of collector streets. The applicant would like to defer this improvement until the Villas are built because they are concerned that the sidewalk would be torn up during construction and would have to be replaced. It is suggested that as a minimum the developer agree to install the sidewalk at such time as requested by the City whether or not the Villas are constructed. The sidewalk should be replaced away from the curb and a minimum of five feet in width.

E. The plan is consistent with good planning and site engineering design principles. The site plan appears to be well thought out and designed so that it has a minimal impact on the adjacent residences. It sets back further from Somerset Drive and Belinder Avenue than required by ordinance. The landscape plan is not complete at this time, but there is ample open space to provide screening for the residents to the west and the parking areas. The proposed building is one story which is consistent with the character of the residences in this area and the floor area is about the same size at Somerset School. Therefore, it is in scale with the previous use that occupied the site.

The applicant will need to prepare an outdoor lighting plan in accordance with the outdoor lighting ordinance and submit it to Staff for review and approval.

The tract is unplatted and will need to be platted in accordance with the Subdivision Regulations.

F. An appropriate degree of compatibility will prevail between the architectural quality of the proposed installation and the surrounding neighborhood.

The elevations proposed by the applicant are very compatible with the character of the neighborhood. The proposed building is one story and the materials are brick, stone and white wood trim. The roof is an architectural composition which should be similar to homes in the area.

Two monument sign designs are shown on the detail sheet and the plan designates Sign A to be located at the Somerset Drive entrance. Sign A is very large and consideration should be given to reducing its size. The sign face itself is not too large but the supporting walls are out of scale. The sign wall is 32 feet long with a 10 foot wing wall on each end.

All mechanical units need to be screened from view of neighboring properties and adjacent streets. Several units are located around the building and the landscape plan will need to show how these are screened.

G. The plan represents an overall development pattern that is consistent with the comprehensive plan (Village Vision) and other adopted planning policies.

Village Vision specifically addressed this location and pointed out that it is an attractive site for redevelopment. The type of land use and form of development must be compatible with the neighborhood. Village Vision also suggested the potential for a mix of residential uses. Benton House with the Villas provides a mix of residential types and

the one story residential design of the facility is compatible with the surrounding neighborhood. The scale, massing, height, lot coverage and relationship to the streets are as recommended in Village Vision.

Marlene Nagel stated she felt the location of the trail as proposed is more likely to be used by the neighboring residents. If it were constructed closer to the community it would give the appearance of a private trail and less likely to be used. She feels the trail add value to the application. Mr. Vaughn stated he is ok with the proposed location. Mrs. Nagel noted she would like to see additional landscaping added by the trail as a buffer. Nancy Wallerstein agreed that a trail that is more accessible to the general community would be desired.

Mr. Holland responded the trail was designed to fit in with the community and felt that an asphalt surface would be more identified with a trail than a concrete surface. Mr. Diekmann added they have programs that focus on bringing the public into the community as it is difficult for community residents to get out.

Ken Vaughn asked about the staff recommendation for the sidewalk on Belinder. Mr. Williamson responded the alternative presented by the applicant was a good solution and stated staff will work with the applicant on the final placement of the sidewalk.

Brenner Holland asked for clarification on the staff recommendation on the monument sign. Mr. Williamson responded the sign needs to be reduced in size possibly reducing the size of the wing wall. The maximum area of the face of the sign cannot exceed 20 square feet.

Dirk Schafer stated it is not the Commission's job to legislate design but to enforce the City's code and ordinances.

Mr. Williamson noted the height of the port-cochrue shown on the photos in the packet is greater than the final submittal he received. He advised the commission its height will be reduced.

Nancy Wallerstein restated for the benefit of the residents that the Commission is only approving phase 1, it is not approving the construction of the villas at this time.

Ken Vaughn thanked the residents for their comments and participation.

Dirk Schafer moved the Planning Commission find the criteria favorable and approve PV2011-118 the proposed site plan for Benton House - phase 1 at 2700 Somerset subject to the following conditions:

1. The applicant revise the landscape plan to include screening for parking, screening along the west property line, and providing additional street trees along 79th Street and Belinder Avenue. The applicant shall submit the landscape plan to the Staff and the Tree Board for review and approval prior to obtaining a building permit.
2. Construct a minimum five feet wide north-south trail along the west property line as shown on the site plan.

3. Construct a five foot wide sidewalk adjacent to 79th Street or provide an agreement to construct the sidewalk when requested by the City.
 4. Reduce the size of Sign A so that it is more in scale with the development and submit revised plans to Staff for review and approval.
 5. Work with staff to construct a new sidewalk parallel with Belinder Avenue so that it is not curbside and it is a minimum of five feet in width to meet ADA Standards.
 6. Implement the Stormwater Management Plan as approved by Public Works.
 7. Prepare an outdoor lighting plan in accordance with Section 19.34.050 Outdoor Lighting and submit it to Staff for review and approval.
 8. Plat the property in accordance with the Subdivision Regulations.
- The motion was seconded by Marlene Nagel and passed by a vote of 4 to 0.

Commissioner Bob Lindeblad returned to the meeting. Dirk Schafer stated he had a professional relationship with the next applicant and recused himself from the meeting.

**PC2011-119 Request for Sign Approval
7400 State Line Road**

Chris Erdley with Tower Properties presented a request to change the current monument sign and sign standards for 7400 State Line Road. The current monument sign identifies two major tenants of the office building. They now have another major tenant that they want to include on the monument sign.

The face of the monument sign would change from two horizontal tenant listings to three vertical panels. The only change would be a change out the two panel sign to a three panel. The sign will not be enlarged and the monument sign base will not be changed.

Mr. Erdley stated the sign standards will be amended to permit three tenants on the monument sign.

Bob Lindeblad moved the planning commission approve the change in the sign standards for 7400 State Line Road to permit three tenants on the monument signs and the proposed three panel design for the monument sign provided the sign panel is not enlarged from what is currently in place. The motion was seconded by Nancy Wallerstein and passed by a 4 to 0 vote.

Commissioner Dirk Schafer returned to the meeting.

**PC2011-117 Request for Preliminary & Final Plat Approval
Corinth Square North**

Dennis Enslinger reported as part of the review of the plat by the County Surveyor, it has been determined that there may not be the necessary documents to show the dedication of adjacent rights-of-way, in particular, Somerset. Staff has requested the adjacent rights-of-way be shown on the final plat. As these were not shown on the plat approved by the Planning Commission at its September meeting, the Commission will

need to reapprove the Final Plat as amended. The City Council has approved the final plat subject to the approval of the Planning Commission.

Bob Lindeblad moved the Planning Commission approve the Final Plat of Corinth Square North subject to the following conditions.

- 1) Add the street names and access control to the face of the Preliminary Plat and submit three copies of the revised plat to the City.
- 2) Add the words "Final Plat" to the title of the final plat.
- 3) Add the street names to the face of the final plat.
- 4) Add the access control to the face of the plat and include the language in the Dedication text.
- 5) Add language to the text granting access from the 35' Access Easement to Lot 2.
- 6) Show sidewalks/trail easements on the face of the plat.
- 7) Resolve whether the easements are U/E Utility Easements or S/E Sanitary Sewer Easements.
- 8) Revise the Final Plat as approved and submit three copies to the City for their records.
- 9) That the applicant submit proof of ownership.
- 10) That the applicant submit the final plat to the Johnson County surveyor for a review.
- 11) That the applicant submit a certificate showing that all taxes and special assessments due and payable have been paid.
- 12) That the applicant submit to the City a copy of the maintenance agreement between the two property owners and a copy of any covenants to be recorded with the Plat

The motion was seconded by Nancy Wallerstein and passed by a 5 to 0 vote.

OTHER BUSINESS

Next Meeting

There have not been any applications submitted for the November meeting. Staff recommends the meeting be used to address possible code revisions such as lot size, fences and solar regulations. Ron Williamson noted that Overland Park recently

adopted new solar regulations. Mr. Vaughn stated he would like to see what other cities have adopted.

Dennis Enslinger announced that an RFP for the comprehensive plan amendment will go out this fall. Meetings on the amendment will not take place until early next year. He also advised the Commission that the City Council is considering putting in place a zoning moratorium until the amendment to the Comprehensive Plan is completed.

ADJOURNMENT

With no further business to come before the Planning Commission, Chairman Ken Vaughn adjourned the meeting at 8:50 p.m.

Ken Vaughn
Chairman

Prairie Village Arts Council
Wednesday, September 21, 2011
7:00 pm
City Hall Council Chambers

Minutes

The Prairie Village Arts Council met at 7:00 pm in the City Council Chambers at City Hall. Members present: Randy Kronblad, Chair, Ian Arnold, Shelly Trewolla Pam Marshall, Dan Anderson Council Representative; Laura Wassmer; Staff; Nancy Yoakum.

Meeting Minutes from the August 17, 2011 meetings were unanimously approved as submitted.

Financial Reports

Dennis Enslinger was unable to attend. The Financial report will be deferred to the Oct 19' 2011 meeting.

City Council Report

Council Member Wassmer provided a brief status of current council issues which included Robbery updates re: tire/hubcaps affecting the Mission Hills area, determined to be a national scam. SOTA was discussed as well as a recap of Jazzfest and the storm that affected the event.

Exhibit/Receptions

September Exhibition /Reception – Michael Doyle - Photography. Randy Kronblad noted that there was light attendance at the reception.

October Exhibition/Reception – State of the Arts –October 14, 2011 6:00-8:00 pm. Randy, Shelly, Pam, Ian, Dan, and Ryan will be present. Arts council member Jack and Council Representative Laura will be unable to attend due to prior commitments.

Introductions

Two female freshman students from SME High School have volunteered to be Youth Representatives on the Arts Council. Their names are Clara Martin & Taylor Hawes. Arts Council members welcomed them and introduced themselves to the students and are happy to have them on board.

Public Attendee

Dorothy “Dot” Hager introduced herself and announced she is interested in be considered as an exhibitor at the R.G. Endres Gallery. Nancy provided her with the necessary forms to help facilitate her request.

Old Business

State of the Arts – October 14, 2011 6-8 pm

Acknowledgment was given to Council liaison Laura for all her hard work obtaining sponsors for the event and a heartfelt thanks was given for her efforts.

Discussion of the necessary preparation for the upcoming events was reviewed. Pam volunteered to purchase twinkle lights to decorate the tents, and Dan said he would be available to help with the lighting.

All members were in favor of naming the awards at the event so that specific sponsors could be associated with a specific award.

Council Liaison Laura requested more information about the musicians that will be playing at the event to help promotion.

Randy asked Nancy to see if it wasn't too late to contact All Star Yes We Can to see about adding the award names to the ribbons if they hadn't gone out for production.

Randy asked that Arts Council members wear a black and white colored outfit to the SOTA Reception to be easily identified.

Everyone was encouraged to help with food preparation for the event which will be on Thursday, October 13th at former Arts Council Members Angi Jones house.

Search continues to find 3-4 ounce plastic cups to serve cold soup shooter at event.

Randy invited everyone to attend the hanging of the show on Friday, September 30th at 6:00pm

Air Force Blues and Brass Band

Randy noted that Colonial Church at 71st and Mission will be hosting the event. The event will be on September 26th at 7 p.m. He noted that we will need volunteers for the event. Tickets will be issued but there is no cost to anyone who wants to attend. Fish bowls with a donation sign will be put out if authorized by contact Alex Sewartowski, USAF.

New Business

Council Liaison Laura has two artist that she would like to be contacted regarding exhibiting in 2012. Their names are Mike Savage and Charley Podebarack. Laura advised she would provide Nancy with contact information in the following week.

Shelly requested that Arts Council members be provided with business cards to help promote the R.G. Endres Gallery and requested that information re: the SOTA exhibit be put on card.

Randy requested that the two new Youth Representatives be put on the consent agenda for Mayor Shaffer to approve.

The Meeting was adjourned at 8:11 p.m.

PRAIRIE VILLAGE ENVIRONMENT AND RECYCLE COMMITTEE

Minutes, September 28, 2011

Linda Smith, for the steering committee, called the meeting to order at 7:05 p.m. Attending were Anne-Marie Hedge, Deborah English, Karin McAdams, Linda Smith, Dennis Enslinger, Thomas O'Brien, Ruth Hopkins, Penny Mahon, Pete Jarchow, Barbara Brown, Ashley Weaver, Kathy Riordan and Al Pugsley. Visitors were Aaron Roberts, with his son Paul, and Sarah Garcia. Speakers were Bruce McNabb and Dennis Patton.

The minutes were approved. Dennis Enslinger reported that we spent about \$100 inadvertently for recycling bins at Jazz Fest (they were never returned, and we can use them again).

Guest Speaker I: Dennis Patton, Horticulturist for Johnson County and Kansas Agricultural Extension. He clarified several points relevant to our quest for safer pesticide/herbicide use.

- People have strong feelings on this subject, and opinions can easily be on the extremes of a continuum. However, most people are somewhere in the middle. Between applying nothing to a park, yard, etc. and spraying everything in sight is "integrated pest management," in which pesticides/herbicides are avoided if at all possible but used with discretion when needed.
- Fertilizing judiciously is often a way to avoid spraying, as a dense, healthy turf will resist pests and overcome weeds.
- Most pesticides have to be watered soon after application; therefore, using fewer pesticides results in less watering.
- Most of the harmful runoff is from hard surfaces, such as sidewalks, so it's wise to keep fertilizers, leaves and grass clippings on the grass and not on the pavement.
- This is complicated. Some possibilities are:
 - We can educate the public through use of PV publications
 - Bruce agreed that one of the positions in his department could be dedicated to learning more about these issues and working with Public Works on implementing them.
 - To keep the public sympathetic, we shouldn't rush. Occasional "did you know?" announcements will help keep the public informed.

Guest Speaker II: Bruce McNabb, Director of Public Works in Prairie Village

- Bruce offered a list of comments on the proposal we sent him.
 - He agrees with Dennis that fertilizing turf is an effective way to prevent weeds.
 - A gradual approach would be more appropriate, with the public and with the department.
 - Regarding the phrase "work process implications," he appreciates our concern for respecting the needs of the public works staff.
 - For constructing a poll, he would defer to a more statistics-minded person. We probably need to narrow it down to a small number of variables.
 - He intends to formalize the current schedule for spraying.

- Discussion:
 - ◻ When we prepare a poll for comparing Bennett with another park, we will consult Bruce.
 - ◻ A concern is to be clear on the difference between “chemical-free” and “pesticide-free”
 - ◻ Bruce and Public Works are already learning more about current practices; we can also investigate Lawrence’s policy and results, as Dennis suggested.
 - Note – we should only poll people who are actually using the parks.

Reports and business:

- ◻ **Community Forum:** The exhibitors are registered and many volunteers have signed up. Kathy passed a sign-up sheet for remaining volunteers.
- **Community Gardens:**
 - ◻ Nineteen people attended the September 22 meeting, in addition to the committee.
 - ◻ Congregation Ohev Shalom and Cherokee Christian Church have asked to partner with us as they create their own gardens. Dennis Enslinger reported that Belinder School is also interested in working with us on their garden.
 - ◻ Tom shared the calendar of upcoming action on the garden, including a design committee meeting. Once a design is created, we can present it to the Parks and Recreation Committee.
- **Belinder School Fair:** Dennis reported that they would like us to facilitate discussion on glass recycling, composting etc. at the fair. We could also offer our fishing-for-recycling activity. The fair is November 10 from 5:30-7:30 pm.
- **Ed Peterson,** Johnson County Commissioner, wants to form a sustainability group, on which some of our members could serve.
- **MARC challenge:** MARC has asked Ron Schaffer to issue a challenge to cities served by Ripple Glass recycling to surpass the volume of glass recycled in Prairie Village. This will happen in November: save your glass to help uphold our reputation!

The meeting adjourned at 8:40

The next meeting will be on October 26, 2011, 7:00 p.m.

Respectfully submitted,

Karin McAdams

FINANCE COMMITTEE

November 2, 2011

The Finance Committee met on November 2, 2011. Present: Chairman David Belz, Charles Clark, Dale Beckeman, Dale Warman and Mayor Shaffer. Guests Present: Laura Wassmer and Diana Ewy Sharp. Staff Present: Quinn Bennion, Dennis Enslinger, Lisa Santa Maria, Chris Engel and Bruce McNabb.

The Committee met to discuss:

Parks Funding

Councilmember's Laura Wassmer and Diana Ewy Sharp attended the meeting to discuss funding for parks maintenance and parks capital projects in 2012 and future years. The Parks Master Plan was approved in 2009 and includes \$36 million in projects. The community center project is \$20 million of the \$36 million. But, without a new revenue source there are no funds available and the CIP is committed to other projects. Councilmember Diana Ewy Sharp would like to see a dedicated tax source for parks. The options for additional revenue are raising the sales tax for general or special purposes or an increase in the property tax levy. A campaign for the sales tax initiative would need to begin early in 2012 in order for it to be successful and to make it on the November 2012 ballot. Funds would not be available until spring 2013 if the sales tax initiative passed in November 2012. A ½ cent increase in sales tax would generate about \$1 million in revenue annually. The sales tax initiative could be with a sunset for special purposes or without for general purposes. There was discussion about the importance of having funds available for both park CIP maintenance in addition to park improvements. Councilman Charles Clark moved that the Finance Committee recommend a ½ cent sales tax for parks, and Councilman Dale Beckerman seconded the move. All committee members were in favor of a public vote. Councilmember's Diana Ewy Sharp and Laura Wassmer agreed to be ready to present to the Council at the November 21st meeting.

It was noted that the state sales tax increase (raised sales tax from 5.3% to 6.3%), was due to be scaled back after 3 years (June 2013) to 5.7% with 0.4% going to the state highway fund to pay for road projects.

Purchasing Policy & Contract Renewals

Quinn asked for guidance in regards to the selection of services that are being bid and the appropriate length of contract terms. Currently the only guidance for selection is that the service be "obtained at the lowest cost possible consistent with the quality required to maintain efficient operations of city departments." Typically vendors are approved by the City Council on the consent agenda.

Chris put together a Contract Analysis that lists all City service contracts and the "suggested class" they should fall in. He also indicated whether they "auto renewed", the term length and the date the contract expires.

Councilman Charles Clark suggested that staff bring all the contracts before Council prior to bid and inquire if there are any that should not be bid. He also recommended that in order for an incumbent to automatically renew their contract they must agree to hold all costs constant. If

FINANCE COMMITTEE

November 2, 2011

they cannot agree to hold costs constant then the service should go out for bid. The committee discussed if the incumbent could agree to the same terms of the existing contract, then it wouldn't go to bid. The terms include the annual increase in the existing contract, if any.

Councilman Dale Beckerman also thought that the dollar level staff is able to approve should be looked at and probably raised.

Bruce has about 12 contract renewals that have gone out recently. He agreed to put together a list and have it on the Consent Agenda at the November 7th meeting. Council will have the opportunity to at that time to indicate if a service should not be going out for public bid.

In the future, staff will bring all potential service contracts that are being bid to Council first to give them the opportunity to pull a service contract from the process prior to the Request for Bids being sent out. If a service is not pulled from the process then staff will follow due diligence and be allowed a certain amount of leeway to determine which vendor will provide the best value with cost being a primary, but not deciding factor.

Meeting was adjourned at 6 p.m.

FINANCE COMMITTEE

November 2, 2011

4:30 p.m.

MPR Conference Room

Agenda

- 1. Parks Funding – discussion regarding Parks Master Plan and maintenance funding**
 - A. handout attached**
- 2. Purchasing Policy & Contract Renewals –**
 - A. handout attached**
- 3. Future Meeting Topics and Date**



PARK & RECREATION COMMITTEE

Finance Committee Date: October 19, 2011

DISCUSSION: Discussion of possible special sales tax vote and schedule for parks and recreation funding

DISCUSSION

Does the City want to find a funding source for parks past 2011? If so, what funding source is most appropriate and for how much? Should only parks be funded? Should the funding source have a sunset? Does the funding source include needed park maintenance funding?

BACKGROUND

City Council approved the Parks Master Plan in early 2009. There are varying opinions if approval of the plan meant approval of funding the plan. Regardless, the plan includes improvements in excess of \$35M (2009 est.) but offers no definitive annual contribution amount to complete the plan in a 'reasonable' amount of time. The figure often discussed to keep the plan moving along and to avoid it becoming dated is \$1M per year. The \$1M could be either available cash flow as part of the CIP or a debt service payment. The Parks and Recreation Committee seeks Finance Committee recommendations for how the plan will be funded.

Sales Tax

The City currently receives 1% of the 8.525% sales tax rate which translates into approximately \$2,000,000 annually. The state receives 6.3%, Johnson County - 1.1% and Research Triangle - 0.125%. At the Village Shops and Corinth Center there are also 1% CIDs in effect that raise the total sales tax rate in those centers to 9.525%.

The City has the ability to approve additional sales tax for general or special purposes. Should Council choose to investigate this option further they will want to discuss the merits of a mail-in ballot vs. general election. In addition, Council may want to discuss other purposes of an additional sales tax such as streets.

Under state statute City resources and staff cannot lobby for a sales tax initiative. The City's role is only to provide factual information. Therefore, a successful campaign for the sales tax could require significant time for preparation. This could include the formation of a committee by interested citizens to champion the initiative and facilitate some form of public outreach.

Property Tax

A second option to secure the additional funding would be for Council to increase the property tax levy. The City's 2012 mill rate is 19.491 which is ~\$465 annually on the average home. This rate includes the 0.6 increase added for two additional officers. Currently one mill equates to \$280,000 annually. To generate \$1M by property tax alone, the mill rate would need to be increased by 3.6 mills. A 3.6 mill increase on the average home would be an additional \$86 annually.

**JOHNSON COUNTY
PARKS-RELATED
SALES TAX RATES**

CITY	SALES TAX AMOUNT	SUNSET	LAST APPROVED	APPROVAL PERCENTAGE	TOTAL VOTER TURN OUT	TOTAL ACTIVE VOTERS IN CITY	PARKS RELATED PURPOSE
Gardner	1/2 - cent	10 yrs	2005	71%	3,184	9,494	pool renovations, 1 new park, general P&R
Lenexa	3/8 - cent	20 yrs	2008	58%	9,943	29,913	60% parks / 40% pavement
Mission	1/4 - cent	10 yrs	2002	57%	1,184	5,690	Syl Powell only
Olathe	1/8 - cent	10 yrs	2004	70%	48,368	69,599	general parks and recreation
Roeland Park	1/4 - cent	10 yrs	2010	56%	2,330	4,577	city facilities w/ "recreation facilities" included
Shawnee	1/8 - cent	10 yrs	2004	68%	27,491	37,361	50% parks / 50% stormwater
Spring Hill	1/2 - cent	none	2008	57%	2,252	1670*	general parks and recreation

* Spring Hill is located in both Miami and Johnson County. This number is for only Johnson County.

LATHROP & GAGE^{LLP}

MEMO

To: Governing Body
City of Prairie Village, Kansas

From: Katie Logan

Date: January 11, 2010

Subject: Sales Tax Referendum

Steps for City Sales Tax Referendum:

General statutes are 12-187 *et seq.* and 10-120

Step 1. City adopts a Resolution calling for a special election on a certain date. If use next general election, date is November 2, 2010. The Resolution includes the proposed ballot language and form of Notice of Election to be published in official City newspaper (see below).

Resolution must include the sales tax % , proposed start date, describe purpose of sales tax, whether "general" or "special", and any applicable sunset date. If "special purpose", must sunset after 10 years.

Cities may impose sales tax of up to 2% for general purposes and up to 1% for special purposes, with a 3% limit, in increments of .05%.

City sales tax is currently 1%. Total sales tax in the City is currently 7.525%.

It appears that designating the purpose as, for example, "to acquire, construct, improve, maintain and operate City parks" would be a general purpose per a 2008 AG Opinion 2008-25, and would not require a 10 year sunset.

In any event, City may elect to impose a sunset for a general purpose sales tax.

Per Gary Anderson, Gilmore & Bell:

If City wants to include authority to issue general obligation bonds or special obligation sales tax revenue bonds, City must include this authority in the Resolution and Ballot Question or use a notice and protest process available under bonding statutes.

If GO authority included (with the sales tax as a source of payment), then do not need the Charter Ordinance which is under court challenge for authority to fund park improvements with GO Bonds.

Miscellaneous:

City cannot advocate for the sales tax, only educate and inform:

ATTORNEY GENERAL OPINION No. 93-125

“the public purpose doctrine does not encompass the use of public funds to promote or advocate a governing body's position on a matter which is before the electorate. However, public funds may be expended to educate and inform regarding issues to be voted on by the electorate.”

Sample Ballot Language

Fairway – November 3, 2009

Shall the City of Fairway, Kansas be authorized to impose an additional one-half percent (0.5%) city-wide retailers' general purpose sales tax, the collection of which to commence on April 1, 2010 or as soon thereafter as permitted by law and shall terminate twenty years after its commencement, the proceeds of which shall be used to fund a capital improvements plan **and** to pay debt service on bonds issued by the City; all pursuant to the provisions of K.S.A. 12-187 *et seq.*, as amended?

Yes 794 63.67%

No 453 36.33%

Overland Park – January 29, 2008

Shall the City of Overland Park, Kansas, be authorized to levy a one-eighth of one percent (0.125%) Special Purpose City Retailers' Sales Tax within the City of Overland Park, Kansas, and to use the revenue from the new tax to fund a residential street improvement program consisting of neighborhood residential street reconstruction, curb replacement, new sidewalks and street light upgrades, **and** to continue to fund a thoroughfare street improvement program, with each program to receive as nearly as possible one-half of the new tax revenue, such new tax to take effect on April 1, 2009, the day following expiration of the existing one-eighth of one percent (0.125%) City Retailers' Sales Tax; such new tax to end March 31, 2014; and such new tax to be in addition to the ongoing one percent (1.0%) City Retailers' Sales Tax currently levied?

Yes 28879 74.93%

No 9660 25.07%

Lenexa – May 27, 2008

Shall a retailers' sales tax (also known as "Investing in Our Future") in the amount of three-eighths of one percent (.375%) be levied in the City of Lenexa, Kansas (the "City"), for the purpose of:

(a) improving, rebuilding and maintaining roads, including but not limited to, sidewalks, storm water facilities and street lighting associated therewith;

(b) development and maintenance of City parks;

(c) design, construction and operation of cultural and recreational facilities and amenities for the community;

(d) all things related and necessary to such projects, including but not limited to acquisition of land;

construction of public buildings and facilities associated therewith and payment of the principal and interest on bonds or other obligations issued to finance such projects; Provided that such retailers' sales tax shall expire 20 years from the date of imposition, all pursuant to K.S.A. 12-187 *et seq.*, as amended, and K.S.A. 12-195.

Yes 5782 58.15%

No 4161 41.85%

Leawood – November 7, 2006

Shall the City of Leawood, Kansas, be authorized to levy a four-tenths of one percent (.4%) City Retailers' Sales Tax, in addition to the one and one-eighth percent (1.125%) tax currently levied, within the City of Leawood, Kansas, and to use the revenue from the additional tax for the purpose of constructing public safety improvements, including a Justice Center and necessary and related improvements, including infrastructure and other necessary and related costs, such additional tax to take effect on April 1, 2007 and end March 31, 2012, or at the end of such calendar quarter prior thereto as the City shall have collected tax revenues from such additional tax in the amount of \$10,000,000.00 [Ten Million Dollars]?

Yes 8702 59.98%

No 5807 40.02%

Sales Tax Rates Johnson County Cities				
Entity	Rate	TDD Increment	TDD Location	Notes
Lake Quivira (JoCo)	6.525%			no local sales tax
Mission Woods	6.525%			no local sales tax
Edgerton	7.525%			1.0% local
Fairway	7.525%			1.0% local
Mission Hills	7.525%			1.0% local
Prairie Village	7.525%			1.0% local
Westwood	7.525%			1.0% local
Westwood Hills	7.525%			1.0% local
Olathe	7.650%			0.125% Parks Tax
Overland Park	7.650%			0.125% Street Improvements
Merriam	7.775%			0.25% Residential Streets
Mission	7.775%			0.25% Sylvester Powell
Roeland Park	7.775%			0.25% for infrastructure
Shawnee	7.775%			0.125% parks/SMAC & 0.125% safety
Gardner	8.025%			0.5% parks and pool
Lenexa	8.025%			0.125% storm & 0.375% roads/parks
Springhill (JoCo)	8.025%			.50% parks and pool
Leawood	8.050%			0.4% safety & 0.125% streets/SMAC
Overland Park Oak Park TDD*	8.150%	0.500%	Oak Park Mall	
Bonner Springs (JoCo)	8.275%			
DeSoto (JoCo)	8.275%			
Roeland Park Shopping Center #2 TDD*	8.275%	0.500%	Lowe's	
Olathe Entertainment District Ph. 3*	8.650%	1.000%	West & South of 119th & Renner	
Olathe Gateway TDD No. 1a*	8.650%	1.000%	119th St., Kansas City Road & Renner	
Olathe Gateway TDD No. 1b*	8.650%	1.000%	119th St., Kansas City Road & Renner	
Olathe Pointe TDD*	8.650%	1.000%	119th & Black Bob	
Olathe Ridgeview Falls TDD*	8.650%	1.000%	Ridgeview & 119th	
Overland Park Corbin Park TDD	8.650%	1.000%		Inactive until 10/1/2010
Overland Park Deer Creek TDD*	8.650%	1.000%	NW corner 135th & Metcalf	
Mission TDD	8.750%	1.000%	Johnson Dr/Roe/SM Parkway	
Merriam Pointe TDD	8.775%	1.000%	67th Street/Frontage Rd/35	Inactive as of 10/1/2009
Roeland Park Shopping Center #1 TDD*	8.775%	1.000%		
Leawood Park Place TDD	9.050%	1.000%	Nalt: 117th - Town Center Drive	
Leawood Shops of 119th St TDD	9.050%	1.000%	Southeast Corner of 119th & Roe	
Highest Rate:				
Leawood TDDs	9.050%			
Highest TDD Increment:				
	1.000%			
Johnson County portion of all rates:	1.225%			
State portion of all rates:	5.300%			
Source: KS Dept of Revenue Website (Publication KS-1700, 01/2010)				
Prepared by: Karen Kindie, Finance Director				
Date: January 4, 2010				



ADMINISTRATION DEPARTMENT

Finance Committee Meeting Date: November 2, 2011

Discussion Item: Purchasing Policy

BACKGROUND

Staff manages over 50 contracts with a variety of vendors that provide both knowledge-based and commodities-based services. These services range from pension management to the provision of rock salt and are considered essential to normal city operations. Current practice is to request bids for a particular service when the need is initially identified. The only guidance for the selection is that the service be "obtained at the lowest cost possible consistent with the quality required to maintain efficient operations of city departments." As worded, after due diligence, staff is allowed the latitude to determine what vendor will provide the best value with cost being a primary factor but not paramount to the decision. Once selected, the majority of vendors are approved by City Council, usually on the consent agenda. This is a common and appropriate method of vendor selection and has served the city well over the years.

However, policy does not address the term of the various contracts or when a service should go back out for bid or be auto-renewed. Current total contracts are split approximately in half between those considered on-going and eligible for auto-renewal and the others that are usually multi-year agreements covering two or three years that go out for bid shortly before the contract term expires. Examples of ongoing contracts that are auto-renewed are Springbrook (financial software), New Directions (employee assistance program) and FP Mailing (postage meters). Examples of multi-year agreements that are subject to being rebid are Ace Painting, Lawrence Pest Control and O'Dell HVAC.

DISCUSSION ITEMS

- Initial selection - what are the essential selection criteria?
- Term length - is there an appropriate or beneficial contract length?
- Rebid vs. auto-renewal - what criteria dictates when a service goes back out to bid?
- Vendor preference - when, why and how should low bid not be accepted?
 - Examples: minority-owned, resident owned, local business, incumbent
 - What value/discount should be associated with vendor preference?
- Consent agenda vs. council item - what dictates the process of Council approval?
- Purchasing classes - should the treatment of similar contracts be standardized?

ATTACHMENTS

CP061 - Purchasing Policy, current city contract analysis & suggested classification

PREPARED BY

Chris Engel

Date: 9/26/2011

CP061 - Purchasing

3. Blanket purchase orders may be used for those merchants from whom many repetitive purchases are made, as supplies are required. Blanket purchase orders may be used for items such as, but not limited to, the following: Office Supplies, Gasoline, Salt, Asphalt, Auto Parts, Tires, Tree Service, and Printing. If there is more than one accessible supplier, the bids will be taken and awarded to the best bidder. Bids may be taken on a yearly basis.
 4. Emergency Purchases - An emergency shall be defined as situations when the department's operations would be severely hampered if the purchase were not made immediately. In these instances, the purchase order policy may be bypassed and the purchasing department will furnish a requisition as soon as possible. In these instances the Mayor shall have the authority to approve purchases in excess of \$20,000. "EMERGENCY" should be boldly written across the purchase requisition. The purchase order process should only be bypassed in extreme emergencies with department head approval.
- F. All other expenditures which are \$2,000 or more, not a regular expenditure, not a contractual expenditure, not covered by a blanket purchase order, and are not considered an emergency must have an approved purchase order BEFORE ordering. No warrant for payment shall be issued by the City unless a purchase order has been properly issued for the expenditure item.
- G. Tax Exempt Status
1. The City is tax exempt as a political subdivision under Section 4221(b) of the IRS Code and K.S.A. 79-3606. Under Missouri Statute, the City's exempt status is valid only when items purchased from Missouri vendors are delivered within the State of Kansas.

VI. PROCEDURES

CITY CONTRACT ANALYSIS

	<u>Company Name</u>	<u>Program - Service</u>	<u>Suggested Class</u>	<u>No Term</u>	<u>Auto Renew</u>	<u>Term Length</u>	<u>Expires</u>	<u>Notes</u>
1	Cargill	Highway Rock Salt	1			1	12/31/2011	PW Bids annually
2	Office Depot	Participation Certificate	1		x			
3	SAMS Club	Membership	1		x			Invoiced
4	Ace House Painting, Inc.	Painting Services	2			3	12/1/2012	PW Bids 3 year period
5	Alexander Open Systems	Network Support	2			2		
6	Allied Exterminators	Rodent Control	2		x			
7	Animal Medical Center	Animal Care	2			1	12/31/2011	
8	Arbor Masters	Holiday Tree Lighting	2			3	12/31/2011	PW Bids
9	Arbor Masters Tree & Landscape	Tree Planting	2			3	12/31/2012	PW Bids 3 year period
10	Best Portable Toilets	Portable Toilets	2			3	12/31/2011	
11	Big Green, Inc.	Weed Abatement Services	2			1	5/15/2012	Codes
12	Blue Valley Public Safety	Civil Defense Sirens	2			1	12/31/2011	PD
13	Coffee Plus	Cofee Services	2			3	12/31/2013	
14	Datamax	PW Copier	2				10/5/2014	lease
15	Deffenbaugh Disposal	Refuse Containers	2			3	12/31/2013	
16	First Choice Publishing	City Newsletter	2			1	12/31/2011	has been bid
17	Icemasters	Ice Maker	2			3	12/31/2011	
18	ImageQuest	Administration Copiers	2				5/1/2013	lease
19	Johnson County Key Service	Locksmith	2			3	12/31/2011	PW Bids 3 year period
20	Lawrence Pest Control	Pest Control	2			3	12/31/2011	PW Bids 3 year period
21	Lexington Plumbing	Plumbing	2			3	12/31/2013	
22	MidWest Office Technology	PD Copier	2				12/12/2012	lease
23	O'Dell Service Company, Inc.	HVAC Services	2			3	12/31/2011	PW Bids 3 year period
24	Pitney Bowes	Postage Meter - PW	2				12/31/2012	lease
25	Sanitol	Custodial Services	2			3	12/31/2013	
26	Teague Electric	Electrical Services	2			3	12/31/2011	PW Bids 3 year period
27	VanBooven Landscape & Tree	Tree Care Services	2			3	12/31/2013	
28	Weather or Not	Weather Services	2			3	12/31/2013	
29	Active Network (The)	Rec Ware on-line support	3	x	x			
30	Advanced Public Safety	Public Safety Software License	3	x	x			
31	Blue Cross/Blue Shield	Employee Health Insurance	3	x	x			
32	Code Red	Network License	3	x	x			
33	Delta Dental	Dental Insurance	3	x	x			
34	EnServe Midwest, LLC	Disposal of medical waste	3	x	x			
35	Fed Surplus Purchase Agreement	Surplus Purchase	3	x	x			
36	Fuelmaster	Fuel Management	3	x	x			invoiced

CITY CONTRACT ANALYSIS

	<u>Company Name</u>	<u>Program - Service</u>	<u>Suggested Class</u>	<u>No Term</u>	<u>Auto Renew</u>	<u>Term Length</u>	<u>Expires</u>	<u>Notes</u>
73	Deffenbaugh Industries	Solid Waste Services	5			3	12/31/2013	
74	Fed Equitable Sharing Agreement	Seizure Funds	5		x			
75	FP Mailing Solutions	PD & Admin Postage Meters	5	x	x			lease
76	Johnson County	Driver Training Area Use	5	x				PW renews annually
77	Johnson County Human Services	Minor Home Repair Program	5	x				
78	Johnson County Human Services	Utility Assistance Program	5	x				
79	Kansas City Crime Stoppers	TIPS	5	x				
80	Kansas City Power & Light M-Power	M-POWER Agreement	5	x				
81	Mid America Council	Purchasing	5	x				
82	Mid America Regional Council	9-1-1 Agreement	5		x			
83	Mid America Regional Council	800 MHz Radio	5		x			
84	Municipal Investment Pool	MIP	5	x				
85	Shawnee Mission School Dist.	School Resource Officer	5			1	6/1/2012	PD negotiates annually
86	Lathrop & Gage	Legal Services	6	x	x			
87	Lochner/BWR	Planning Services	6	x	x			

SISTER CITY COMMITTEE
12 September 2011
MINUTES

Call to Order

Chair Jim Hohensee called the meeting to order. Present: Vice Chair Carole Mosher, Vera Glywa, Ivan Novikov, Cindy Dwigans, Phil Monnig and Yulia Matskevych. Also present: Vira, Dasha
Staff: Emily Kotay and Chris Engel

Vera submitted an invoice in the amount of \$45.35 for the Ukrainian flags purchased for Ukrainian Independence Day.

Minutes

Minutes from August 8, 2011 were approved.

Exchange Student Update

Vira shared some of her experiences and coursework at Shawnee Mission East. Ivan reported he has found a potential permanent host family for Vira to stay with for the duration of the school year.

Ukrainian Independence Day / Dolyna Days

Everyone agreed the event at the Blue Moose was a success. Not as large as last year and more spread out with the tables not pushed together. Discussed the possibility of moving the venue next year to a more contained space.

Jim stated he would like to explore the possibility of sending a formal delegation to Dolyna next year. There was discussion of sending the Mayor again if the Council would approve the expenditure of funds. Also discussed was the possibility of sending an educator, student, medical professional and a museum employee.

Jazzfest

Jim reported that since the committee last met, there was a second hearing for Oleg in Kiev to obtain his visa. He was awarded a visa but the shortened timeline made the trip too difficult to pull off. The second appointment and awarding of the visa was made possible only through the tremendous assistance of Ethan Patterson in Rep. Kevin Yoder's office. The Committee suggested inviting Mr. Patterson to be a member of the next official delegation that visits.

Budget

Cindy pointed out there was still ~\$2,900 left in the 2011 budget to spend. Future expenditures discussed were the exchange student reception, hosting another art show, early bird rate for the 2012 SCI Conference, items that could be useful for the 2012 Jazzfest event, banners, signs, gifts for the next delegate visit to Dolyna, and a farewell gift to Peace Corp volunteers Jim and Robin Eleazer who are leaving Dolyna in December.

Exchange Student Reception

Carole will begin planning for the event to occur in early November. **Vera moved for Carole to spend up to \$300 on items related to the reception. Cindy seconded and the motion carried.**

The next meeting will be Monday, October 10, 2011.

Jim Hohensee
Chair

PARK AND RECREATION COMMITTEE
September 14, 2011
Council Chambers

The Park and Recreation Committee met at 7.00pm. Present and presiding: Diana Ewy Sharp, Chair, Kathy Peterson, Diane Mares, Peggy Couch, Max Rieper, Jim Bernard Jr., Clarence Munch and Tim O'Toole. Staff: Mike Helms and Chris Engel. Also present: Margaret Goldstein, Thomas O'Brien &

Community Garden

The Environmental Committee Garden Subcommittee had met with the individual responsible for the Overland Park Community Garden and gained some good insights into the process. They also met with the public to share their progress and gauge interest in participation. They will be hosting another public meeting on September 22nd. They have investigated all of the Harmon/Santa Fe sites and the site they believe works best is Site #4 between Delmar and the tennis courts. There are still a few concerns with the site but Mike Helms volunteered to meet with them and see what can be done to make the site work.

CONSENT AGENDA

Jim moved for the approval of May 11, 2011 minutes. Peggy seconded and the motion carried.

REPORTS

Public Works Report

Mike reported the diggers and sand have been removed from the play stream area in Franklin Park. They have been the cause of the frequent and expensive problems with the pumps. He has also had a concrete pad poured behind the restroom and will be installing a fenced-in dumpster to handle the overflow of weekend trash generated at the park. The fountain plumbing at Carroll Plaza should be completed this fall so it can be turned on next spring. Curbs and driveways adjacent to Weltner Park are being installed and the park improvements should begin shortly. The related Cambridge road work is slated for completion on October 1 and the park should be complete by November 1. Plans for the Porter Park to 71st St. trail are complete and will be constructed as a change order to the current Weltner Park contract.

Recreation Program Report

Chris gave a timeline of events that led to the early closure of the pool due to cryptosporidium. He explained that a similar event occurring earlier in the season would not have shut down the pool for the year. It was only a result of the event occurring at the end of the season that there was not enough time to close, let the outbreak run its course and then reopen. As a result of the closing, the Animal Control Dog Swim event had to be cancelled. Chris explained this event is the updated version of the Dog Days in the Park event that Animal Control has hosted the last few years. Animal Control will be returning at a future meeting to share the future of this event. Chris reported the annual year-end recreation report will be presented to the full committee in October.

Parks Master Plan Report

Diane reported on the Franklin Park rededication event in May. It was very successful, well attended, and the weather was great. Diane shared the budget for the event and there is still ~\$1,330 remaining. She proposed using the balance to fund a 'Movie in the Park' event in Franklin. It was also discussed to hold the event in Weltner or use the funds to pay for the play stream repairs. Diane and Dan will be looking into the movie option for next summer.

Jim reported the Weltner Park groundbreaking last month was well attended and Mayor Weltner enjoyed and appreciated the event.

Community Center Report

Chris reported the committee hasn't met since February. However, there have been quite a few small group meetings with SMSD, JCPRD and YMCA. Things are moving along but there are complexities with the various partners that slow the progress considerably. The current direction of the committee is to have the consultant prepare three different scenarios and then choose which option is most appropriate. That option will be what the final report is based upon.

Chairperson's Report

Diana thanked the Committee for their attendance, emails and calls in support of the parks during the 2012 Budget meetings. There is currently no future funding programmed for the parks beyond maintenance. Identifying a funding mechanism will be a topic for the Finance Committee in the near future. Diana shared there were three vacancies which include a youth representative. She asked Tim to try and identify another youth member for the Mayor to consider. Diana will review current applications with the Mayor to fill the openings.

NEW BUSINESS

Lifeguard Certification

Chris reported the Red Cross had doubled and tripled many of their rates effective immediately. There is not budget in 2012 to absorb these increases so he will be looking into alternate methods of getting guards certified. The Committee would like to continue the practice of Prairie Village guards being recertified at little or no cost. Chris will be meeting with the YMCA as one option and will report back next month.

INFORMATIONAL ITEMS

The next meeting will be October 12, 2011.

Diana Ewy Sharp
Chairperson

**Council Members
Mark Your Calendars
November 7, 2011**

November 2011	Greater KC Art Association mixed medium exhibit in the R. G. Endres Gallery
November 11	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
November 19	Northeast Johnson County Chamber Annual Dinner
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 1	Holiday Tree Lighting 6:00 p.m.
December 5	City Council Meeting
December 9	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
December 16	Mayor's Holiday Gala
December 19	City Council Meeting
December 26	City offices closed in observance of Christmas