

CITY OF PRAIRIE VILLAGE

November 21, 2011

**City Council Meeting
6:00 p.m.**



**COUNCIL COMMITTEE
November 21, 2011
6:00 P.M.
Council Chambers**

AGENDA

DALE BECKERMAN, COUNCIL PRESIDENT

AGENDA ITEMS FOR DISCUSSION

*COU2011-57 Consider Approval of First Amendment to the Developer Agreement for Corinth Square Community Improvement District to modify Exhibit C to include Project B2: Johnny's and Project B3: Lot H - Arby's
Dennis Enslinger

Presentation on Heartland Habitat Projects in partnership with the Prairie Village Municipal Foundation and city staff
Marcia Gradinger

COU2011-56 Consider contract for Document Imaging Software and Services including online public access with SIRE Technologies in the amount of \$22,474.83
Dennis Enslinger

Discussion regarding parks funding and special sales tax initiative

Report from the neighborhood event committee and discussion
Michael Kelly & Andrew Wang

2011 Park & Recreation Report
Chris Engel

*Council Action Requested the same night



ADMINISTRATION

Council Committee Meeting Date: November 21, 2011

***City Council Meeting Date: November 21, 2011**

COU 2011-57 Consider Approval of First Amendment to the Developer Agreement for Corinth Square Community Improvement District to modify Exhibit C to include Project B2: Johnny's and Project B3: Lot H - Arby's

MOTION:

Move that the Council Committee/City Council approve the First Amendment to the Developer Agreement for Corinth Square Community Improvement District to modify Exhibit C to include Project B2: Johnny's and Project B3 Lot H: Arby's. And authorizes the Mayor to execute the associated agreement and Resolution 2011-17

BACKGROUND:

On September 20, 2010, the City Council approved the creation of the Corinth Square Community Improvement District (CID), through the adoption of Ordinance No. 2229. In addition, the City Council approved Resolution No. 2010-08 approving the associated Development Agreement which formalized the implementation and financing of the CID Projects on September 20, 2010.

Polisinelli Shughart, on behalf of the developer CSN and CSS Retail Partners, LLC, is requesting to amend Exhibit C to include Project B2: Johnny's and Project B3: Lot H – Arby's to the list of eligible CID Projects. These two projects were in the initial list of eligible CID Projects considered by the City Council but, were left off of the exhibit which was provided by the developer and ultimately approved by the City Council. City Council should discuss and determine if Project B2 and B3 should be added to the list of eligible CID projects.

A second modification to Exhibit C is also being proposed, which is the correction of a clerical error. The initially approved Exhibit C referenced Construction of buildings R & S, however, the Developer CID Projects Concept Plan did not include locations for buildings R & S. Staff is recommending that this change be made to clarify the conflict between the two portions of Exhibit C.

Staff has attached drawings of the proposed improvements for the Johnny's building which is currently occupied by Johnny's and Subway. The improvements include adding an additional gable entryway, restructuring the columns, roof replacement, outdoor dining and additional landscaping.

Given the initial CID discussions, staff is also requesting that Council provide direction as to whether or not the roof replacement would be considered maintenance or an enhancement. The proposed roofing material would be a synthetic slate material. Other than the proposed gable extension and enlargement of the cutout rafter section of the roof, no additional modifications will be made to the roof. The roof is currently nearing age of life expectancy for the existing wood shingles. Staff is requesting this

discussion to determine what portion of the roof expenditure would be eligible for reimbursement. Council should discuss the following options:

- The entire roof is considered an enhancement based on the changes and the new material and is eligible for CID Reimbursement
- Only the portion of the roof being modified is eligible for CID reimbursement based on the fact it is an enhancement.
- The difference between replacement cost of a typical roof and the enhanced roof materials (synthetic slate) is eligible for CID Reimbursement.
- Or some combination of the above.

Because the revisions to Lot H are further out in the construction process, there are currently no renderings related to the proposed CID project.

FUNDING SOURCE:

All projects proposed are funded through the one (1) percent sales tax approved for CID eligible improvements.

ATTACHMENTS:

Letter from Polsinelli Shughart dated November 16, 2011

Resolution 2011-17

First Amendment to the Developer Agreement for the Corinth Square CID

Proposed drawings of the Johnny's improvements

PREPARED BY:

Dennis J. Enslinger

Assistant City Administrator

Date: November 17, 2011



John D. Petersen
(913) 234-7405
jpetersen@polsinelli.com

6201 College Boulevard, Suite 500
Overland Park, KS 66211
(913) 451-8788
Fax: (913) 451-6205
www.polsinelli.com

November 16, 2011

**ELECTRONIC MAIL
UNITED STATES MAIL**

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

Re: Corinth Square CID – Johnny’s Tavern Building

Dear Councilmembers:

On behalf of our client, CSN Retail Partners, LLC and CSS Retail Partners, LLC, the owner of the Corinth Square Shopping Center (the “Shopping Center”), we are pleased to report that our client’s multi-year vision to substantially improve and revitalize the Shopping Center is successfully underway. Some highlights the last few months include:

- **July:** The Planning Commission approved Phase 1 of our client’s vision, a plan to replace the long-vacant, former Tippin’s with a uniquely designed CVS building that compliments the Shopping Center’s architectural elements. The CVS building project will also include a redesign of the parking lot and hardscape to provide attractive landscaping and pedestrian connectivity to the rest of the Shopping Center.
- **August:** Urban Table, described as a “modern American interpretation of the corner café,” opened its doors. Just down from its sister restaurant, BRGR, Urban Table has already proven to be a highly popular addition to the Shopping Center.
- **September:** The Planning Commission approved Phase 2, which includes substantial improvements to the main retail building comprising the heart of the Shopping Center. Such improvements include new exterior columns, varied rooflines, façade improvements, pedestrian walkways and other hardscape upgrades, landscaped plazas at each of the building’s corners, and other aesthetic and functional improvements. In addition, the retail building at the southeast corner of the Shopping Center, in which Johnny’s Tavern and Subway are located (the “Johnny’s Building”), will receive a facelift. Improvements will include a partly covered, partly open-air outdoor dining

Chicago | Dallas | Denver | Edwardsville | Jefferson City | Kansas City | Los Angeles | New York
Overland Park | Phoenix | St. Joseph | St. Louis | Springfield | Topeka | Washington, DC | Wilmington

In California, Polsinelli Shughart LLP.

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patio, landscaping and hardscape upgrades, varied rooflines, and other exterior improvements.

- Other Leasing Activity: Salty Iguana has signed a long-term lease extension tied to a major remodeling, including the exterior remodeling of the building. SPIN! Pizza has executed a lease for a portion of the soon-to-be vacated CVS space.

The bidding process for Phases 1 and 2 is underway, and Phase I work is scheduled to begin as early as January, with Phase 2 work expected to begin this spring. Our client expects and looks forward to sharing more exciting developments and updates with respect to its strategic revitalization of the Shopping Center in the months to come.

The City's creation of the Corinth Square Community Improvement District has already proven to be a very effective revitalization tool, playing an integral role in making each of the highlights described above a reality. As you know, CID sales tax revenues may only be used to reimburse our client for certain redevelopment costs described in the Development Agreement dated as of September 20, 2011 between the City and our client (the "Development Agreement"). Unfortunately, due to a clerical oversight acknowledged by our client and the City, two of the Shopping Center improvement projects were removed from the list of projects for which our client could be reimbursed with CID sales tax revenues. Those projects included certain improvements of the current Arby's site and the Johnny's Building.

This fall, our client signed a significant lease extension to keep Johnny's Tavern in the Shopping Center for years to come. One of the conditions to the lease was that our client would provide certain upgrades and enhancements to the exterior of the Johnny's Building, which as noted above, have already been approved by the Planning Commission. The financial terms of the lease extension and associated exterior improvements depend on such costs being reimbursable with CID sales tax revenues.

Under Section 2.04 of the Development Agreement, the City Council may add additional "Developer CID Projects" to the Development Agreement, the costs of which are then deemed "CID Costs," and are thus reimbursable with CID sales tax revenues. Mechanically, the City Council may effectuate such additions by revised "Exhibit C" to the Development Agreement to include such additional projects.

On behalf of our client, we respectfully request that the City Council, pursuant to Section 2.04 of the Development Agreement, add back the Developer CID Projects that were unintentionally left out of the Development Agreement, as more specifically set forth as "Lot F – Johnny's" and "Lot H – Arby's" on the attached "Exhibit C (First Amendment)" to the Development Agreement, and as attached hereto as **Exhibit A**.

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In consultation with City staff, given our desire to move forward with the bidding process for the Johnny's Building, we would ask that our request be heard by the Committee of the Whole on Monday, November 21, and that our request be considered by the City Council that night.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



John D. Petersen

JDP:cjp

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EXHIBIT A

“Exhibit C (First Amendment)” to the Development Agreement

RESOLUTION NO. 2011-17

A RESOLUTION AUTHORIZING THE CITY OF PRAIRIE VILLAGE, KANSAS TO ENTER INTO A CERTAIN FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR THE CORINTH SQUARE COMMUNITY IMPROVEMENT DISTRICT; PRESCRIBING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS, AS FOLLOWS:

Section 1. Authorization of Documents. The City hereby authorizes and approves the execution of the First Amendment to The Development Agreement for the Corinth Square Community Improvement District Development Agreement ("First Amendment") between the City and CSN RETAIL PARTNERS, LLC and CSS RETAIL PARTNERS, LLC, both Kansas limited liability companies ("Developer"), in substantially the form presented for review prior to adoption of this Resolution and other documents necessary to implement the First Amendment (a copy of which shall be filed in the records of the City), with such changes therein as shall be approved by the officials and officers of the City executing such documents, such officials' and officers' signatures thereon being conclusive evidence of their approval thereof.

Section 2. Execution of Documents. The Mayor of the City is hereby authorized and directed to execute the First Amendment with such corrections thereto as the Mayor may approve, which approval shall be evidenced by his execution thereof, and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the purposes and intent of the Amended and Restated Redevelopment Agreement and this resolution. The City Clerk of the City is hereby authorized and directed to attest the execution of the First Amendment and such other documents, certificates and instruments as may be necessary or desirable to carry out the intent of this resolution ordinance under the City's official seal.

Section 3. Effective Date. This Resolution shall take effect and be in force from and after its adoption.

THIS RESOLUTION IS PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, this _____ day of _____, 2011.

Ronald L. Shaffer, Mayor

ATTEST:

By _____
Joyce Hagen Mundy, City Clerk

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

FOR THE

CORINTH SQUARE COMMUNITY IMPROVEMENT DISTRICT

THIS FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR THE CORINTH SQUARE COMMUNITY IMPROVEMENT DISTRICT, executed as of the date of the last execution by the parties hereto, by and between the **CITY OF PRAIRIE VILLAGE, KANSAS**, a municipal corporation duly organized under the laws of the State of Kansas (“City”), and **CSN RETAIL PARTNERS, LLC** and **CSS RETAIL PARTNERS, LLC**, both Kansas limited liability companies (collectively, “Developer”), amends and, to the extent inconsistent herewith, supersedes that certain “Development Agreement for the Corinth Square Community Improvement District dated September 20, 2010 (“Agreement”). All capitalized terms herein are as defined in the Agreement.

WITNESSETH:

WHEREAS, the parties have heretofore executed the Agreement; and

WHEREAS, the parties wish to modify the Agreement to include in "Exhibit C", describing Other Projects, the descriptions of certain projects inadvertently omitted from the original Exhibit C.

NOW THEREFORE, in consideration of the mutual promises set forth below, it is agreed:

1. That Exhibit C (1st Amendment), attached hereto and incorporated herein by this reference, is hereby substituted for and replaces Exhibit C attached to the Agreement, and the Other Projects shall include the projects listed on the attached Exhibit C (1st Amendment).
2. That to the extent inconsistent with the Agreement, this Amendment shall supersede same and control the contractual relationship by and between the parties. In all other respects, the Agreement is hereby ratified.
3. That this Amendment shall become effective upon the last party to the Amendment executing the same. In the interest of timely amending the Agreement, the parties may separately execute the Amendment.

IN WITNESS WHEREOF, the City and the Developer have duly executed this Agreement pursuant to all requisite authorizations as of the date first above written.

CITY OF PRAIRIE VILLAGE, KANSAS

Ronald L. Shaffer, Mayor

ATTEST:

Joyce Hagen-Mundy, City Clerk

APPROVED AS TO FORM:

Catherine P. Logan, City Attorney

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

This instrument was acknowledged before me on _____, 2011 by Ronald L. Shaffer and Joyce Hagen Mundy as Mayor and City Clerk, respectively, of the City of Prairie Village, Kansas.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

NOTARY PUBLIC

My Commission Expires:

CSN RETAIL PARTNERS, LLC, A KANSAS LIMITED LIABILITY COMPANY

By: Landmark Retail Properties, LLC, a Missouri limited liability company

By: Enterprises Retail Investors, LLC, a Missouri limited liability company

By: _____
William D. Cosentino, President

By: Group Retail Investors, LLC, a Missouri limited company

By: _____
David G. Cosentino, President

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2011 by William D. Cosentino and David G. Cosentino, as authorized representatives of CSN Retail Partners, LLC.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

NOTARY PUBLIC

My Commission Expires:

CSS RETAIL PARTNERS, LLC, A KANSAS LIMITED LIABILITY COMPANY

By: Landmark Retail Properties, LLC, a Missouri limited liability company

By: Enterprises Retail Investors, LLC, a Missouri limited liability company

By: _____
 William D. Cosentino, President

By: Group Retail Investors, LLC, a Missouri limited company

By: _____
 David G. Cosentino, President

STATE OF _____)
) ss.
 COUNTY OF _____)

This instrument was acknowledged before me on _____, 2011 by William D. Cosentino and David G. Cosentino, as authorized representatives of CSS Retail Partners, LLC.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

 NOTARY PUBLIC

My Commission Expires:

Exhibit C (1st Amendment)

Developer CID Projects Concept Plan and CID Cost Estimates

See Attached.

*The attached Concept Plan is intended to provide context for the attached CID Cost Estimates through a general depiction of the Developer CID Projects. To qualify for reimbursement of CID Costs under this Agreement, Developer's implementation of items of work listed on the attached CID Cost Estimates is not required to be in exact conformance with the Concept Plan. For example, a new building does not need to match the shape, size, use, or exact location of such building's depiction on the Concept Plan. Likewise, other improvements do not need to match the number of such improvements shown on the Concept Plan, or the shape, size, or location of such improvements depicted on the Concept Plan.

EXHIBIT C (First Amendment) DESCRIPTION OF DEVELOPER CID PROJECTS CORINTH SQUARE

PROJECT	PROJECT SCOPE OF WORK:	SUB-SCOPE OF WORK:	ESTIMATED TOTAL PROJECT COSTS
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Project A1: Lot E - Former Tippin's			
Lot E		Demolish existing building Relocate existing vehicular entrance(s) New building New landscaping/irrigation	
Buildings A & B		Enhanced pedestrian walkways New irrigation system New permanent planters Upgrade irrigation system (new water tap) Increase/modify landscaping New benches New trash receptacles Bike racks	
LOT E - FORMER TIPPIN'S TOTALS:			\$1,923,519

Project A2: Main Building Modification			
Building A & B Façade Remodel		Enhanced pedestrian walkways Building skin upgrade Roof screening for mechanical equipment Roofline modification	
Re-landscaping		New irrigation system New permanent planters Upgrade irrigation system (new water tap) Increase/modify landscaping New benches New trash receptacles Bike racks	
Surrounding parking lot modifications		Relocate existing vehicular entrances Reconfigure surrounding parking lots New monument signage New landscaping New parking lot stands Rustique New irrigation New energy efficient parking lot lighting Provide new paved pedestrian crosswalks	
MAIN BUILDING MODIFICATION TOTALS:			\$5,418,743

Project B1: Town Square			
Corinth Town Square		Reconfigure parking lot New pedestrian crosswalks New parking lot stands New energy efficient parking lot lighting New landscaping	
TOWN SQUARE TOTALS:			\$233,091

Project B2: Lot F - Johnny's			
Lot F		Provide new pedestrian sidewalks Façade remodeling Roofline modification & roof upgrade/replacement Create new paved outdoor patio Relocate existing vehicular entrances New landscaping/irrigation	
LOT F - JOHNNY'S TOTALS:			\$1,350,531

Project B3: Lot H - Arby's			
Lot H		Demolish building Create pads with sidewalks for future development site (I) and (P) Reconfigure parking lot to align with future/new main entrance Provide new paved pedestrian crosswalks	
LOT H - ARBY'S TOTALS:			\$1,184,365

Project C: Buildings C, D, & G Modifications			
Building C façade remodel		Building skin modification Façade modification Entrance enhancements Improve/modify landscape along street New irrigation	
Building D façade remodel		Façade modification New pedestrian sidewalk	
Reconfiguration of Building G		Reconfiguration of Building G	
BUILDING C, D & G MODIFICATIONS			\$2,893,587

Project D: Other Corinth Square Redevelopment

Prepare Corinth South for redevelopment	Relocate existing vehicular entrances
	New monument signage
	New landscaping
	New mitigation
	New crosswalk and traffic signal
	Reconfigure parking lot & sidewalks
	Demolish building M
	Demolish buildings L
	New sidewalks
	Provide new paved pedestrian crosswalks
Re-Construct existing building B	Demolish existing building B
	Provide new service parking court
Construction Of Building O	
Construction Of Building P	
Construction Of Building Q	
Construction Of Building R	
Construction Of Building S	

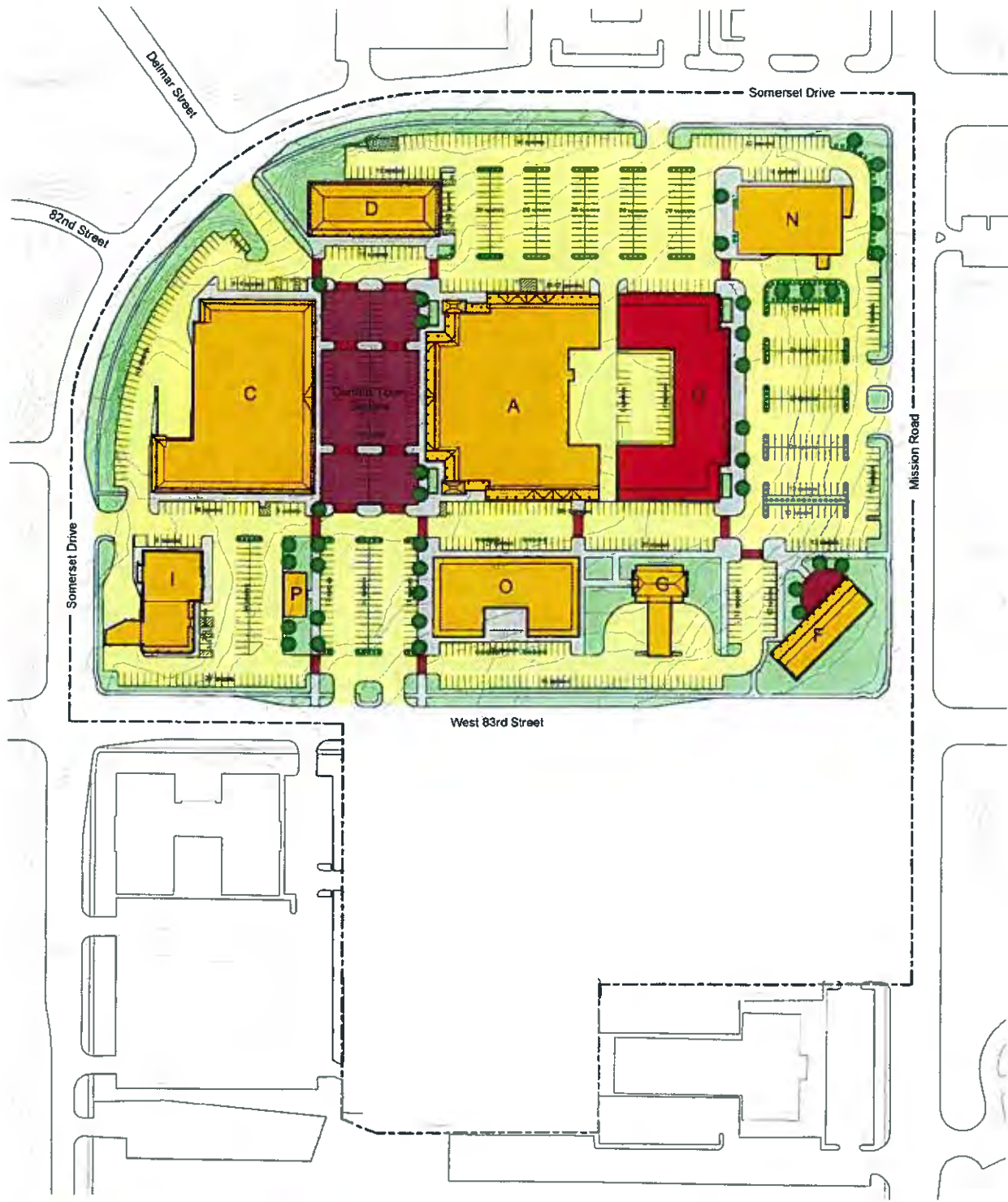
OTHER CORINTH SQUARE REDEVELOPMENT **\$29,712,745**

DEVELOPER CID PROJECTS TOTAL ESTIMATED COSTS: \$42,179,692

*Amounts for Developer CID Projects listed above are cost estimates and do not include associated financing costs such as Reimbursable Interest. The cost estimates are based on prices for goods and services in 2010, and thus the actual costs incurred over the multi-year phased project may be higher. CID Costs shall not be limited to the cost estimates above, but shall include all actual costs incurred directly related to Developer CID Projects listed above, including construction and associated design and other soft costs (e.g. architectural, engineering, legal, and surveyor fees), as well as legal and other costs incurred by Developer in forming the CID, Arts Projects costs, and Tenant Projects costs, Reimbursable Interest, and financing costs relating to Obligations, pursuant to the definition of "CID Costs" in Section 1.01 hereof and this Agreement generally.

*Other than items listed as part of "Project A" (defined in the Agreement as Project A1 or A2 – as selected by Developer in its sole discretion), the Developer may undertake any of the items of work listed above in its sole discretion, the costs of which shall be reimbursed with Bond Proceeds or from the Corinth CID Projects Fund under the terms of this Agreement. As part of Developer's right to choose which items to undertake Developer may determine the sequence and timing for the completion of any such items, regardless of the particular Projects under which such items of work are listed above. To receive reimbursement for any item that does not fall within the meaning of CID Cost as defined herein, the Developer must receive City consent, which shall not be unreasonably withheld.

**Enhanced pedestrian walkways and specified streetscaping improvements associated with Buildings A & B are listed as items of work under Projects A1 and A2. Because these items of work will only be completed in association with one of the aforementioned projects, the estimated cost of those items is only counted once for the Developer CID Projects Total Estimated Costs.



- Retail
- Residential
- Office
- Mixed use
- Enhanced Paving
- Landscape Improvements
- New Concrete Sidewalks
- Paving

--- CID boundary



LANE4 PROPERTY GROUP :: Corinth Square

Developer CID Projects
Concept Plan



06.21.10
Copyright © 2010 Helix



- Grocery
- Retail
- Residential
- Office

helix

LANE4 PROPERTY GROUP :: COMPLETE - Corinth Site Plan

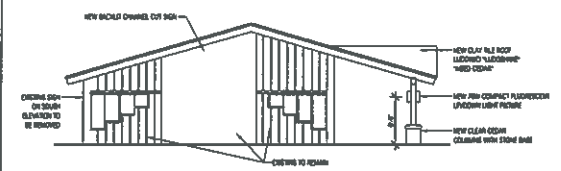


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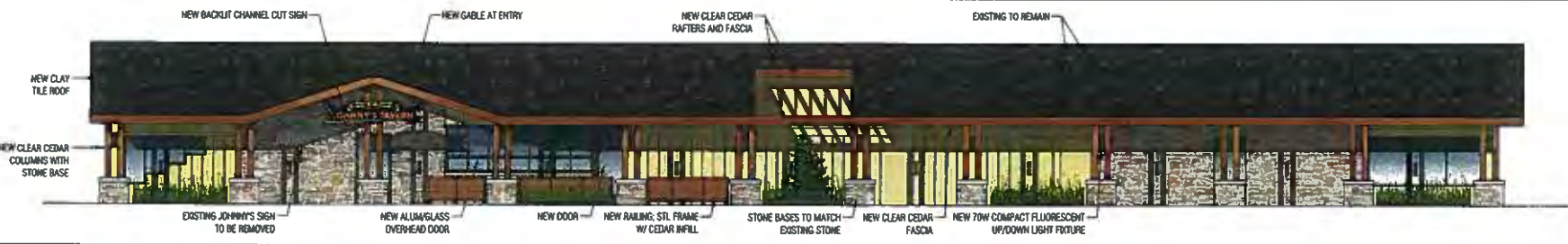
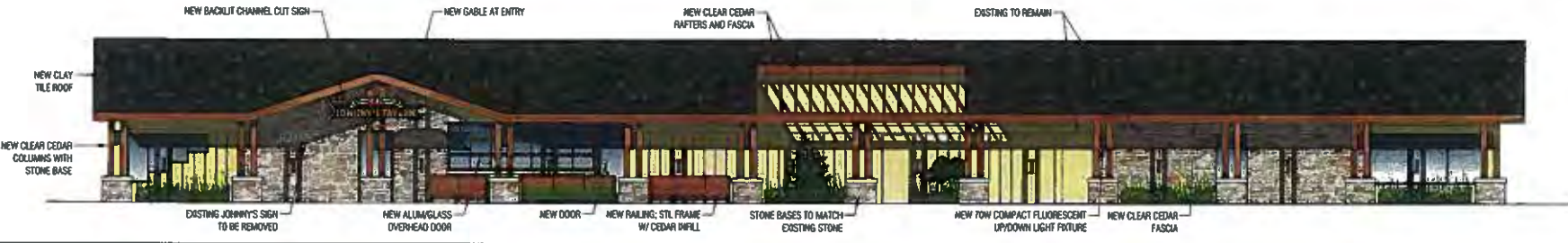
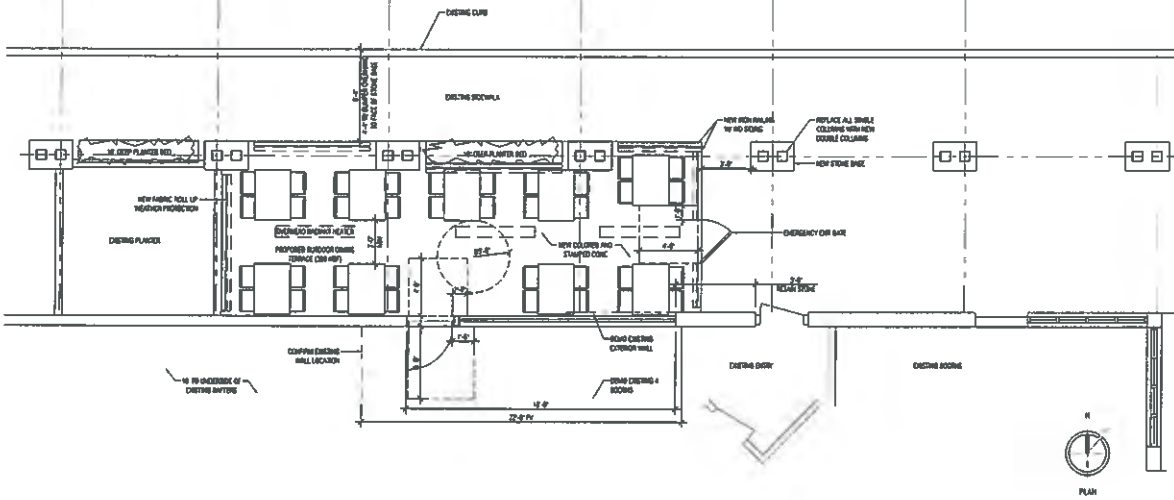
SIGNAGE AREA NORTH ELEVATION		SIGNAGE EAST AREA	
AREA OF NORTH ELEVATION	2,400 SF	AREA OF EAST ELEVATION	509 SF
ALLOWABLE SIGNAGE AREA	50 SF	ALLOWABLE SIGNAGE AREA AT 5%	25 SF
ACTUAL SIGNAGE AREA	15 SF	ACTUAL SIGNAGE AREA	21 SF

EXTERIOR FINISHES	
STONE VENEER	US STONE - TUMBLED FLORIDA MIX - CHESTNUT SHELL, COTTONWOOD, SILVERDALE
CLAY TILE ROOFING	LUXORWOOD ROOF TILE - LUGOSHARE ARID CEDAR
WOOD	CLEAR CEDAR STAINED AND SEALED

FINISH LEGEND AND SIGNAGE CALCULATION 04



ENLARGED PLAN 05 SCALE: 1/4" = 1'-0" **EAST ELEVATION 03** SCALE: 3/8" = 1'-0"



NORTH ELEVATION VERSION 2 02 SCALE: 3/8" = 1'-0"

NORTH ELEVATION VERSION 1 01 SCALE: 3/8" = 1'-0"

NOT FOR CONSTRUCTION

JOHNNY'S TAVERN

8282 MISSION ROAD
 PRAIRIE VILLAGE, KS, 66208

DESIGN DEVELOPMENT
 ISSUE DATE: XX MONTH XXXX
 BY: PROJECT NO.

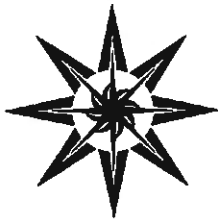
ARCHITECTURAL PLAN AND ELEVATIONS

A1-01



GENERATOR
STUDIO

| A1 JOHNNY'S NORTH ELEVATION
3/16" - 1'-0"



ADMINISTRATION

Council Committee Meeting Date: November 21, 2011
Council Meeting Date: December 5, 2011

COU2011-56: Authorize the Mayor to sign the contract for Document Imaging Software and Services with SIRE Technologies in the amount of \$22,474.83

RECOMMENDATION

Staff recommends the City Council authorize the Mayor to sign the contract for Document Imaging Software and Services with SIRE Technologies in the amount of \$22,474.83 with SIRE travel expenses not to exceed \$3,800.

BACKGROUND

Currently, city records are digitally stored in the Laserfiche Software system. The City has used the Laserfiche system since 1997. Over the past several years with the support of the City Council, staff has made major improvements to software systems and the website in order to improve internal processes and enhance communication with residents. The IT Committee budgeted funds in 2011 for Document Imaging Software that provides online public access to open records.

The Laserfiche product the city currently owns does not provide public access functionality. In order to see a variety of products and public access views, staff issued an RFP for Document Imaging Systems in August 2011 with an emphasis on the online public access portion.

Bids were received from twelve companies. Cost of a desired system ranged from \$11,621 to \$101,855. A staff committee interviewed six companies including the current vendor, Laserfiche. The staff recommends the purchase of the SIRE Technologies product based on features, public access functionality and price point.

SIRE Technologies will work with the City to customize the online public access portal and will provide unlimited users for the online public access portal. Residents will be able to search all records in the system that are designated as public records. The portal will increase transparency with the public. SIRE Technologies will also convert all records from Laserfiche.

While, the Laserfiche system provided online access, it does not allow for unlimited online users. In addition, the cost to upgrade Laserfiche was similar to the cost of a new system.

Johnson County currently uses SIRE Technologies for their legislative documents. Roeland Park has also recently implemented document imaging with SIRE.

FUNDING SOURCE

Equipment Reserve Fund - \$25,000

ATTACHMENTS

1. SIRE Technologies Contract
2. Maintenance Contract
3. Contract Exhibits

PREPARED BY

Jeanne Koontz, Deputy City Clerk

Date: November 16, 2011

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is made and entered into as of the ____ day of ____ 2011 by and between the **City of Prairie Village**, hereinafter referred to as "City", and AlphaCorp, also doing business as SIRE Technologies, hereinafter referred to as "CONSULTANT".

RECITALS

THIS AGREEMENT is entered into with reference to the following facts and circumstances:

- A. That the City desires to engage CONSULTANT to render certain professional services to the City;
- B. That CONSULTANT is qualified to provide such services to the City; and
- C. That the City has elected to engage the services of CONSULTANT upon the terms and conditions as hereinafter set forth.

TERMS AND CONDITIONS

1. Services.

The services to be performed by CONSULTANT under this Agreement shall include those services set forth in Consultant's RFP response dated September 6, 2011, also set forth in Exhibit(s) A, B, C, D & E, both of which are by this reference incorporated herein and made a part hereof as though fully set forth herein. If there are any inconsistencies between the RFP response and the Exhibits as to scope of work, the RFP response shall govern.

Performance of the work specified in said Exhibit(s) A, B, C, D & E, is hereby made

an obligation of CONSULTANT under this Agreement, subject to any changes that may be made subsequently hereto upon the mutual written agreement of said Parties.

Where in conflict, the terms of this Agreement supersede and prevail over any terms set forth in Exhibit(s) A, B, C, D & E.

2. **Term of Agreement.**

Said services shall commence on execution and shall continue until completion of the task set forth in Exhibit(s) A, B, C, D & E, as described in the preceding section, or until terminated by ten (10) days written notice by either Party.

3. **Compensation**

The payment schedule for this contract shall be as follows;

Payment Milestones for the project are as follows:

100% of software cost paid upon contract award	\$9,358.76
Services paid upon agreeable milestones	\$10,617.07
Expenses paid as accrued	
First year of maintenance due 90 days after go live of the system	\$2,499.00

Note: Project acceptance is deemed to be complete when the City has been functioning fully for 30 days without major disruption or issues.

Services are to be paid monthly as provided or according to milestones as agreed upon by City and Consultant.

4. **Authorization and Termination.**

This Agreement becomes effective when endorsed by both Parties in the space

provided below.

5. **Reliance of Professional Skill of Consultant.**

CONSULTANT represents that it has the necessary professional skills to perform the services required and City shall rely on such skills of the CONSULTANT to do and perform the work.

6. **Relationship of Parties.**

It is understood that the relationship of CONSULTANT to City is that of an independent contractor and all persons working for or under the direction of CONSULTANT are its agents or employees and not agents or employees of City.

7. **Nonassignment.**

This Agreement is not assignable either in whole or in part.

8. **Amendments.**

This Agreement may be amended or modified only by written agreement signed by both Parties.

9. **Validity.**

The invalidity, in whole or in part, of any provisions of this Agreement shall not void or affect the validity of any other provisions of this Agreement.

10. **Governing Law/Litigation.**

This Agreement shall be governed by the laws of the State of Kansas and all disputes not resolved by mediation shall be brought in the District Court of Johnson County, Kansas or the United States District Court in Kansas City, Kansas. In the event of litigation between the Parties hereto to enforce any provision of the Agreement, the

unsuccessful Party will pay the reasonable expenses of litigation of the successful Party.

11. **Mediation.**

Should any dispute arise out of this Agreement, the Parties shall meet in mediation and attempt to reach a resolution with the assistance of a mutually acceptable mediator. Neither Party shall be permitted to file legal action without first meeting in mediation and making a good faith attempt to reach a mediated resolution. The costs of the mediator, if any, shall be paid equally by the Parties. If a mediated settlement is reached, neither Party shall be deemed the prevailing party for purposes of the settlement, and each Party shall bear its own legal costs.

12. **Entire Agreement.**

This Agreement, including Exhibit(s) A, B, C D & E, comprises the entire Agreement.

13. **Insurance.**

CONSULTANT shall not commence work under this Agreement until all insurance required under this Paragraph has been obtained. CONSULTANT shall furnish City with certificates of insurance evidencing the required coverage. The City will be named as additional insured in the policy. These certificates shall specify or be endorsed to provide that thirty (30) days notice must be given, in writing, to the City office of any pending change in the limits of liability or of any cancellation or modification of the policy.

a. **Workers' Compensation and Employers' Liability Insurance.**

CONSULTANT shall have in effect during the entire life of this Agreement Workers' Compensation and Employers' Liability Insurance providing full statutory coverage.

b. **Liability Insurance.**

CONSULTANT shall take out and maintain during the life of this Agreement such bodily injury liability and property damage liability insurance as shall protect CONSULTANT while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from CONSULTANT's work under this Agreement, whether such work be by CONSULTANT or by any subcontractor or by anyone directly or indirectly employed by either of them. The amounts of such insurance shall be One Million and no/100 Dollars (\$1,000,000.00) combined single limit bodily injury and property damage for each occurrence. The City, its officers, employees and agents shall be maintained as additional insureds on said policy, and a certificate of said coverage shall be delivered to the City before any work commences.

14. **Notice.**

All notices required by this Agreement shall be given to City and CONSULTANT in writing, by first class mail, postage prepaid, addressed as follows:

//

//

CITY:	Joyce Hagen Mundy, City Clerk City of Prairie Village 7700 Mission Rd Prairie Village, KS 66208
CONSULTANT:	Kris Painter, President AlphaCorp 3676 WEST CALIFORNIA AVE. B100 SALT LAKE CITY, UTAH 84104

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed on the date first written by their respective officers duly authorized in that behalf.

DATED: _____, 2011

AlphaCorp

City of Prairie Village, Kansas

Kris. Painter
President

Ronald L. Shaffer, Mayor

Approved as to Form:

Catherine P. Logan, City Attorney

Attest:

Joyce Hagen Mundy, City Clerk

AlphaCorp, Inc. DBA SIRE Technologies
MAINTENANCE AGREEMENT
2211 West 2300 South
West Valley City, UT 84119

Exhibit E

This Maintenance Agreement is made by and between AlphaCorp, Inc. DBA SIRE Technologies, and:

CUSTOMER AND PRINCIPAL ADDRESS

City of Prairie Village, Kansas

hereafter referred to as "Customer". Under this Agreement, SIRE TECHNOLOGIES shall maintain the following Product, at the rates shown:

ANNUAL MAINTENANCE CHARGES

See Attached Product List and Charges

and on any attached schedule(s), hereafter called "the Product" according to the maintenance services set forth in the following "Terms and Conditions"

* Product - is defined as equipment and/or software as applicable

TERMS AND CONDITIONS

TERM. The initial term of this Agreement is for a period of 1 year and 120 days from the effective date of _____. Upon expiration of the initial term of the Agreement, it shall be deemed renewed with the same terms and conditions for further successive periods of 1 year unless either party has given the other party written notice not less than thirty (30) days prior to the expiration of the initial term or subsequent renewal term(s).

CHARGES. The charges for the maintenance described hereunder, are the total of the charges listed above. SIRE TECHNOLOGIES shall invoice the Customer sixty days prior to anniversary date, and the Customer shall pay the aggregate to SIRE TECHNOLOGIES within forty-five (45) days of the date of each invoice. SIRE TECHNOLOGIES has the right to increase maintenance charges at each anniversary or the effective date, by an amount not exceeding 5 percent of the total maintenance agreement. Written notice of such increase shall be given to the customer not less than thirty (30) days before the anniversary of the effective date. In addition, the Customer shall pay all federal, state, or local taxes on the services rendered or parts supplied.

SERVICE HOURS. When software is covered by this agreement, the maintenance agreement provides for unlimited telephone software support. If the customer requests on site support the customer will be billed at SIRE TECHNOLOGIES established service rates plus expenses. SIRE TECHNOLOGIES shall provide maintenance service as expeditiously as possible after notice from the Customer that the Product is inoperable. Service may be obtained during maintenance center office hours which are 6:00 AM to 6:00 PM daily (Mountain Standard Time), Monday through Friday, excluding public holidays. Service at times other than during maintenance center hours, shall be furnished upon the Customers request and at SIRE TECHNOLOGIES' established charges for labor and travel in effect at the time such service is performed.

RIGHT TO SUBCONTRACT. SIRE TECHNOLOGIES shall have the right to subcontract maintenance services to any qualified agent, provided that City may terminate this agreement.

SERVICE NOTIFICATION. The Customer shall notify SIRE TECHNOLOGIES of suspected Product malfunction, by calling SIRE TECHNOLOGIES service and identifying the problem and symptoms. Notification may be made to SIRE TECHNOLOGIES by phone at 801-415-0626 or email: support@siretechnologies.com

RISK OF LOSS. This Agreement does not cover service, maintenance or repair necessitated by loss or damage resulting from any cause beyond the control of SIRE TECHNOLOGIES, including, but not limited to loss or damage due to fire, water, lightning, earthquake, riot, unauthorized service or modifications, theft, or any other cause originating outside the Product. With respect to any loss or damage, SIRE TECHNOLOGIES shall submit to the Customer a description of the work to be done and request the Customer's consent to restore the Product to

normal operating condition at SIRE TECHNOLOGIES' rates. If the Customer does not agree to restore Product to normal operating condition, SIRE TECHNOLOGIES shall have the right to terminate its obligations under this Agreement.

PERFORMANCE. SIRE TECHNOLOGIES shall exercise its best efforts in performing services covered under this Agreement, but shall not be liable for damages, direct or otherwise, for failure to perform services at a location deemed hazardous to health or safety or arising out of delays or failure in furnishing parts or services caused by Acts of God, Acts of Government, labor disputes or difficulties, failure of transportation, or other causes beyond its control, or for any consequential damage whatsoever.

LIABILITY. SIRE TECHNOLOGIES shall not be responsible, nor incur liability of any kind, nature or description to the Customer, its agents or employees or any other firm or corporation, whether direct or consequential, in event of failure or fault in condition or operation of the Product or for errors of omission in the transmission or display of information arising from the actual or alleged use of operation of the Product.

SIRE TECHNOLOGIES'S LIABILITY. SIRE TECHNOLOGIES shall procure and maintain in full force and effect at all times during the performance of on-site maintenance under this Agreement, Workmen's Compensation Insurance. SIRE TECHNOLOGIES personnel shall comply with, all reasonable rules and regulations in effect at the Customer site.

DEFAULT. In the event of payment default by the Customer, SIRE TECHNOLOGIES shall be entitled to collect interest and collection costs, including court costs and reasonable attorney's fees. In the event of default by the Customer in any term or condition herein, SIRE TECHNOLOGIES may, at its option, refuse service or terminate its obligations under this Agreement.

NOTIFICATION. Any notice required herein shall be in writing and shall be deemed given if mailed or delivered to the other party at its last known mailing address.

WAIVER. This instrument contains the entire Agreement of the parties. It cannot be changed, altered or modified orally. All changes or modifications must be in writing by the parties hereto.

TAX. The customer is responsible for any and all tax.

TYPES OF SUPPORT. Technical support includes telephone and email when the customer has problems or questions.

SOFTWARE SUPPORT. The customer will supply the conditions and data which caused the malfunction and help reproduce the failure.

SIRE TECHNOLOGIES	TITLE	DATE
CUSTOMER	TITLE	DATE

Maintenance Product List and Charges

Item Number	Quantity	Serial Number	Description	Annual Extended Rate \$
10050	1		SIRE Capture - batch scanning and indexing ≤ 80 ppm	\$499.00
40050	1		SIRE Server Core Components – Server License	\$1,100.00
40055	5		SIRE Client Component – Concurrent License	\$750.00
110050	1		Agenda Plus Client Licenses – Concurrent	\$150.00
			Total	\$2,499.00

CONTRACT EXHIBITS LIST

- **Exhibit A:** Price List, Application Products List and Annual Maintenance Costs
- **Exhibit B:** Implementation Timeline (to be finalized by mutual agreement of the parties within (30) days after the execution of the contract)
- **Exhibit C:** Scope of Work
- **Exhibit D:** Support and Maintenance Scope
- **Exhibit E:** Support and Maintenance Agreement

Exhibit B

Implementation Timeline

(to be finalized by mutual agreement of the parties within (30) days after the execution of the contract)

Exhibit C

Scope of Work

Document Imaging Specifications

SIRE will provide at least the following functionality in their products.

1. Decentralized Capture
 - a. Capture scanned documents from a variety of scanners/users
 - b. Capture electronic documents from computer files
2. Online access to retrieve records: ability to make specific folders and/or documents available to a public user for searching online. Customized public portal.
3. Security - ability to establish specific user permissions
4. Ability to Categorize & Index files - At least 8 Cabinets will be created during Implementation
5. Decentralized Retrieval: ability for multiple staff members and the public to access software simultaneously without being cost-prohibitive
6. Ability to maintain and store high volume of records
7. Organize documents with customized folders and views
8. OCR
9. Search: Full-text, fuzzy, folders, index fields, wild cards
10. Support multiple document types and native document viewing
11. Convert TIFF images to PDF
12. System back-up
13. Ability to set retention schedule to documents and/or folders for purging of records
14. Watermarks for public record view

Project Management

SIRE Technologies will be responsible for scheduling and coordinating installation and implementation of all software components. SIRE in conjunction with the City will establish a project timeline and project action list at the kick-off meeting after the contract has been signed.

SIRE Project Managers will setup a schedule for weekly progress meetings where both Project managers and any necessary staff will meet to discuss the progress of the project and manage issue resolution.

SIRE will devise an implementation plan with the City with the following objectives, including but not limited to:

- Develop a detailed project plan that is updated continually and guides all project activities.
- Identify milestones and detailed project tasks, their duration, and dependencies.
- Assign the best possible and best qualified resources.
- Develop a site preparation plan.

- Establish milestones to track project progress and to assess possible changes in project scope.
- Establish quality assurance checkpoints throughout the implementation phase of the project.
- Develop formal communication channels for team members and management.
- Manage project tasks and issues.
- Control change requests through a formal review process to weigh project impacts to resources, schedule and budget.
- Provide regular project reports to team members.
- Outline delivery and installation schedules.
- Define System acceptance testing.

Communications Management

Communications Management will focus on providing regular updates on the contributions, commitments and challenges for the project effort to the Sponsors, project team and the vendors.

The SIRE Project Manager will work closely with the City of Prairie Village Project Managers throughout the project. This includes, at minimum, weekly correspondence to provide a status update. In addition to the weekly project status update, SIRE will immediately notify the City of Prairie Village Project Managers of project issues, changes to the project timeline or risks to the project which will affect the success of the project and/or the project schedule.

With input from SIRE, the City of Prairie Village Project Managers will develop a weekly project status documenting the schedule, accomplishments for the prior week, accomplishments planned for the following week, acceptance and change management, and project issues. The weekly report will be sent to the Sponsors, project team, and the vendor to ensure that they share a common view of the project. City of Prairie Village Project Managers will also provide periodic status updates to the Project Sponsors as needed.

Issues / Task Management

An issue or task is defined as any item adversely affecting execution of the project plan or a dependency to complete others. Issues / tasks may adversely impact the cost, time frame and/or quality of the deliverables of the project. City of Prairie Village Project Managers will be responsible for tracking and ensuring all issues / tasks are resolved or completed. In the event the Project Managers are unable to resolve an issue / task, the item will be brought to the attention of the Project Sponsors for resolution. An excel spreadsheet will be used to track the project issues / tasks and to keep status of their completion and time frames.

Quality Assurance Approach

A combination of techniques will be used to ensure this project produces the intended results with no adverse effects to the user community or business interruption. Deliverable review and standard IT industry approaches for business process analysis, software modifications, gap analysis and acceptance testing will be the primary means of ensuring quality.

Roles and Responsibilities

City of Prairie Village Responsibilities

The City of Prairie Village is responsible for the following and will assume the following roles during this project.

Project Sponsor: The Project Sponsor is a senior administrator within the organization who has the authority to approve the use of City resources and make decisions on behalf of the organization as it relates to this project. Specific responsibilities include:

- Champion the project
- Accept responsibility for problems/issues escalated by Project Manager
- Review and approve (sign-off) deliverables during the course of the project.

Quinn Bennion will serve as the Project Sponsor for this project.

Project Manager: The Project Manager is the focal point for defining the needs of the project and ensuring the project objectives are reached. Specific responsibilities include:

- Oversee the project scope and project time-line with SIRE Project Manager
- Participate in status meetings
- Provide weekly status updates
- Maintain issue / task log for weekly review
- Review completed project deliverables and gain appropriate sign-offs
- Identify and prepare Change Requests with SIRE Project Manager
- Coordinate appropriate City of Prairie Village resources as needed
- Serve as a liaison with the Executive Sponsors and provide project status

Joyce Hagen Mundy and Jeanne Koontz will fulfill the role of Project Managers for this project.

Department Subject Matter Experts: Members of the City will participate in the implementation of the SIRE application by providing business domain knowledge

for process and work flow design/verification, configuration settings, and user acceptance testing. Staff from various city departments will provide business domain knowledge appropriate for their areas and use of the system.

Project Resources: The project will utilize resources as needed from both City functional business prospective and technical support groups to perform technical and analytical tasks normally associated with the deployment of a system in City's computing environment. City resources will perform tasks associated with their roles as defined by the Project Managers.

Sire Technologies Responsibilities

Engagement Manager: The Engagement Manager is a senior executive within the organization who has the authority to approve use of SIRE Technologies resources and make decisions on behalf of the organization as it relates to this engagement. Specific responsibilities include:

- Overall responsibility for engagement success
- Ensures all SIRE Technology project practices and quality procedures are followed
- Point of contact for escalation of issues, above the Project Manager level, in conjunction with Project Sponsors

Brad Painter will fulfill this role on behalf of SIRE Technologies.

Project Manager: The Project Manager is the focal point for defining the needs of the project and ensuring the project objectives are reached. It is expected that SIRE Project Manager will work closely with the City Project Managers throughout the project. Specific responsibilities include:

- Manage SIRE Technologies portion of the project scope, schedule, and task assignments
- Coordinate the review of completed project deliverables
- Provide weekly project status communication to the City Project Managers
- Participate in status meetings
- Coordinate resources to address issue / task log items
- Provide on-site Trip Reports / Daily on-site schedules for SIRE resources

Linda Lang will fulfill the role of Project Manager on behalf of SIRE Technologies for this project.

Development and Implementation Resources: SIRE project resources will be assigned to perform technical and analytical tasks normally associated with the deployment of a system in the City computing environment. SIRE Technologies resources will perform tasks associated with their roles as defined by the SIRE Technologies Project Manager.

Training Plan

SIRE's implementation includes comprehensive training courses, written documentation, workbooks, and videos that will allow the City's users to learn at their own pace. SIRE provides on-site training at the City of Prairie Village.

System Administrator Training

SIRE provides a SIRE Administrator Certification which affectively addresses the needs of a system administrator. It is designed to provide participants with a deep understanding of the administration components of the SIRE system.

The certification begins by covering SIRE Server Specification, server installation and validation to ensure participants competency with the SIRE software installation. This certification will also train participants on troubleshooting the software and provide answers to specific questions such as re-arranging the order of fields, removing cabinets after documents have been added, starting and stopping services, database indexes, client setups, upgrades, and database connections, as well as scanner installation and configuration.

User Training

User training takes place after installation is complete. Onsite training utilizes the newly installed system. Users can immediately begin using SIRE upon the completion of the proposed user training.

Train the Trainer

Most successful training models incorporate a "train the trainer" approach. There are no "special skills or traits" needed for a staff trainer. All that is needed is to establish a staff trainer who is competently trained and designated as a system user expert to whom other users can go for assistance and additional training.

Instructional Methods

Training is entirely hands-on. The basic training model consists of four parts:

- Explain
- Demonstrate
- Practice
- Evaluate

2 days of on-site Administrator training will be provided. 1 day of on-site User training will be provided.

Data Conversion

SIRE will move all existing document containers from Laserfiche 8.1 including indexes and other attributed metadata along with associated files in TIFF, PDF and other formats in an automated manner to the FileCenter and/or WebCenter repository(s).

Integration

SIRE's open architecture integrates with virtually any software application. SIRE is fully compatible with all open system standards.

SIRE's solution provides for HTML or XML data conversions. Possible integrations could gather information from specific areas of the different screens of a third-party application and pass them to SIRE in order to automatically retrieve documents.

SIRE has direct integration with Microsoft Office.

SIRE will work with the City to determine the appropriate method for integrating with Springbrook Software.

System Environment

The City will provide the following hardware and software requirements:

- PC Application Server and PC Database Server
 - Processor: Dual Intel 2 GB processors
 - Memory: 2-4 GB for Application Server, Maximum memory allowed if for Database Server. Storage Space: Minimum of 150 GB storage. For Database Server: 3 separate hard drives (min. 72 GB each) for operating system, data, and log files, or use a larger drive configured with RAID level 5 redundancy
 - Servers can reside on VMware
- Operating System: Windows Server 2003/2008 (32 bit)
- Other required Software: Microsoft Office or Microsoft Word 2007, Microsoft SQL Server 2000 or above, .net 2.0.
- External Web Server for Public Access with Vision Internet

SIRE system is compatible with the following scanners:

- Xerox Workcentre 7345
- Xerox Documate 515
- Xerox Workcentre 5050
- Xerox Workcentre 4150
- Lexmark X364dn
- HP LaserJet M2727nf
- Canon Image Runner C30801

Exhibit D

Support and Maintenance Scope

SIRE personnel provide all maintenance and support for supplied software. SIRE has a planned major release at least once per year as well as a number of Service Pack releases each year that bring improved functionality and performance to the SIRE system. Phone support for installing all updates is included in annual maintenance fees.

A hotline and/or SIRE Web support is available for all system difficulties during the agreed to support hours.

The initial software warranty period for the City is 90 days. All maintenance and support services available during maintenance are also available to the client during the warranty period.

Level One Maintenance: This maintenance level provides support five days per week, twelve hours per day excluding recognized holidays.

Software maintenance provides the following services to users:

- 1 hour telephone response during the hours of 6:00 a.m. and 6:00 p.m. for high priority software queries via the telephone support line
- Free software upgrades and documentation for all licensed software
- Phone support for all upgrades/updates
- Remote web support diagnostics via the internet and/or PC Anywhere
- Participation in product "wish lists" or new capabilities for future software enhancements
- Participation in discussions relating to future product development strategies
- Participation in SIRE Round Table User Conference
- Free update service for User Documentation
- Support of current release plus prior releases

SIRE's maintenance fee covers support and all new releases as well as patches and upgrades. All previous releases are supported under the maintenance agreement.



PARK & RECREATION COMMITTEE

Finance Committee Date: October 19, 2011
Council Committee Date: November 21, 2011

COMMITTEE ITEM: Discussion regarding parks funding and a special sales tax initiative

POSSIBLE MOTION

Direct staff to draft ballot language and a resolution calling for a special sales tax election.

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, completion of the plan according to Public Works will run in excess of \$14M and the plan offers no definitive annual contribution amount. The figure most often discussed to keep the plan progressing is \$1M per year. Since no ongoing funding source has been identified all parks funding comes from the CIP where parks compete with other City projects and priorities.

In the foreseeable future, infrastructure maintenance needs within the CIP will claim most of the available funds. Public Works reports the City is currently underfunding parks capital maintenance items such as interior park trails, pool reserves, and tennis courts by \$500,000 annually. The Parks and Recreation Committee asked Finance Committee for guidance on how the Parks Master Plan and parks capital maintenance (CIP) can be funded in the future. At their October 19, 2011 meeting the Finance Committee determined a sales tax initiative put to the voters would be the most appropriate option.

The topic of a special parks sales tax was previously discussed by the Committee of the Whole at the January 19, 2010 meeting. The initiative was not approved at that time due to a variety of factors such as LANE4's pending request for CID, a potential state-wide sales tax increase and overall city budget uncertainty.

DISCUSSION POINTS

- Appropriate percentage increase
- Special vs. general sales tax
- Sunset or no sunset
- Election ballot or mail-in ballot
- Election timing
- Uses - enhancements vs. maintenance

FINANCIAL IMPACT

A ½% increase in sales tax would generate ~\$1,000,000 in revenue annually.

ATTACHMENTS

Parks Master Plan Probable Cost Summary, CIP parks summary (1999 - 2011), Parks maintenance costs (2009 - 2010), Finance Committee minutes (11/2/11), Council Committee minutes (1/19/10), Sales Tax Referendum memo from legal counsel, Johnson County parks-related sales tax rates, sample ballot language, current Johnson County sales tax rates.

PREPARED BY

Chris Engel
Assistant to the City Administrator
Date: 11/17/11

Prairie Village 2009 Park & Recreation Master Plan		
OPINION OF PROBABLE COSTS SUMMARY		
3/12/2009		
ITEM	SUB-GROUPS	GROUP TOTAL
CONTINUE EXPLORATION OF COMMUNITY CENTER OPTIONS, Including possible Natatorium partnership with SMSD		\$20,000,000
DEVELOP TRAIL SYSTEM (Outside Parks)		\$5,276,000
INCREASE CITY-SPONSORED RECREATION PROGRAMMING OPPORTUNITIES	NOT ESTIMATED AT THIS TIME	
DEVELOP OFF-LEASH DOG PARK(City-Owned and Managed)		\$250,000
PURCHASE LAND FOR NEW PARKS	NOT ESTIMATED AT THIS TIME	
DEVELOP SCULPTURE GARDEN WITH MULTIPLE PIECES and WALKING PATHS	NOT ESTIMATED AT THIS TIME	
INTERPRET PARK SITE HISTORIES (INTERPRETIVE SIGNS AT EACH PARK)		\$40,000
DEVELOP GARDENING OPPORTUNITIES THROUGHOUT THE PARK SYSTEM	NOT ESTIMATED AT THIS TIME	
INCREASE LIGHTING IN ALL PARKS		\$200,000
INDIVIDUAL PARKS		
BENNETT PARK - ALL FEATURES		
ADD ON-STREET PARKING, TRAIL, TRYKE TRACK, AND OTHER IMPROVEMENTS	\$65,000	\$65,000
CONSIDER EXPANSION OPPORTUNITIES IN THE FUTURE	NOT ESTIMATED AT THIS TIME	
BRENIZER PARK (add water feature)		
		\$20,000
FRANKLIN PARK - ALL FEATURES		
		\$1,064,000
WIDEN PERIMETER AND INTERIOR TRAIL SYSTEM (PLUS TRAIL MAPS)	\$310,000	
NATURE PLAY AREA, WITH WATER FEATURE	\$125,000	
PARKING EXPANSION - ALL OPTIONS		
MAXIMIZE PARKING ALONG ROE AVE.	\$85,000	
EXPAND EXISTING LOT TO WEST ONE BAY (ADDS 9 STALLS)	\$17,000	
ADD NEW LOT TO WEST SIDE @ 87th & SOMERSET (ADDS +/- 20 STALLS)	\$62,000	
SHELTER, RESTROOM, AND GAZEBO	\$390,000	
BALL FIELD ADJUSTMENT AND IMPROVEMENT	\$75,000	
HARMON/SANTA FE PARKS - ALL FEATURES		
		\$6,525,000
PERIMETER AND INTERIOR TRAIL SYSTEM (PLUS TRAIL MAPS)	\$360,000	
DESTINATION PLAY AREA AND SANTA FE TRAIL PRAIRIE RESTORATION	\$775,000	
INCLUDES REVISED DRIVES AND PARKING, PLUS NEW PRACTICE COURTS		
AMPHITHEATER (Includes electrical upgrades for lighting and sound system power)	\$480,000	
GROUP 1 - EXPAND/IMPROVE OUTDOOR POOL COMPLEX		
FLO-RIDER	\$1,000,000	
NEW CONCESSIONS/RESTROOMS BUILDING(S) Cost potentially absorbed by Community Center	\$500,000	
GROUP 2 - Select One		
LAZY RIVER	\$900,000	
SPRAY PAD/SKATE RINK	\$150,000	Not in Total
CENTRE COURT TENNIS FACILITY	\$90,000	Not in Total
COMBINE SPRAY PAD/SKATE RINK AND 'CENTRE' COURT	\$220,000	Not in Total
COMBINE SPRAY PAD/SKATE RINK AND LAZY RIVER	\$750,000	Not in Total
GROUP 3 - Select One		
NEW OUTDOOR 50-METER POOL	\$2,300,000	
NEW INDOOR/OUTDOOR 50-METER POOL(Assumes no Community Center facility is constructed)	\$7,000,000	Not in Total
CLIMBING WALLS NEAR SKATE PARK	\$180,000	
NINE-HOLE DISC GOLF COURSE IN HARMON PARK	\$15,000	
'CRAFT SHACK' - ASSOCIATED WITH DESTINATION PLAY AREA	\$15,000	
McCRUM PARK - ALL FEATURES		
		\$420,000
NEW PLAY EQUIPMENT, SMALL SPRAY PAD, SMALL SHELTER, TRAIL, TRYKE TRACK	\$330,000	
ADD ON-STREET PARALLEL PARKING ON 70th St. AND MID-BLOCK CROSSING SIGNAL ON ROE AVE.	\$90,000	
CONSIDER EXPANSION OPPORTUNITIES IN THE FUTURE	NOT ESTIMATED AT THIS TIME	
MEADOWLAKE PARK - ALL FEATURES		
		\$365,000
WIDEN, EXPAND PERIMETER TRAIL	\$115,000	
NEW PLAY EQUIPMENT AND NATURE PLAY, RENOVATE AREA, REMOVE LARGE SAND "BOX"	\$185,000	
PRACTICE FIELD IMPROVEMENTS	\$65,000	
PORTER PARK		
		\$406,000
WIDEN PERIMETER AND INTERIOR TRAIL SYSTEM	\$225,000	
NATURE PLAY AREA AND EXPAND PLAY AREA SHELTER	\$116,000	
PARKING EXPANSION - ADD ON-STREET PARKING ALONG ROE AVE.	\$40,000	
IMPROVEMENTS TO EXISTING FEATURES - DRAINAGE PROBLEM AREAS, WEST SHELTER SWINGS	\$25,000	
PRAIRIE PARK - ALL FEATURES		
		\$6,000
MINOR ADJUSTMENT TO ALLOW ADDITION OF SWINGS TO PLAY AREA	\$6,000	
CONSIDER EXPANSION OPPORTUNITIES IN THE FUTURE	NOT ESTIMATED AT THIS TIME	
SCHLIFFKE PARK - REMOVE PARKING, CONSTRUCT TRAIL SEGMENT AND BRUSH CREEK OVERLOOK		
		\$175,000
WELTNER PARK (STATE LINE) - ALL FEATURES		
		\$870,000
RE-ALIGN CAMBRIDGE STREET, CONNECT HALVES	\$600,000	
ADD PERIMETER TRAIL, SHELTER, AND PLAY AREA	\$270,000	
WINDSOR PARK - ALL FEATURES		
		\$520,000
WIDEN PERIMETER AND INTERIOR TRAIL SYSTEM, CONNECTION TO THE VILLAGE, AND ENHANCE ENTRY	\$270,000	
ADD NATURE PLAY AREA, SHADE OVER EXISTING PLAY EQUIPMENT, REPLACE SHELTER	\$250,000	
TOTAL PROBABLE PROJECT COST (In 2009 dollars)		\$36,202,000

Park CIP from 1999 to 2011 - Actuals and Estimates

YEAR	PARK	POOL	TENNIS	GRAND TOTAL
1999	\$114,761	\$4,132,910		\$4,247,671
2000	\$51,226			\$51,226
2001	\$7,361	\$15,670		\$23,031
2002	\$46,978			\$46,978
2003	\$149,450	\$21,840		\$171,290
2004	\$317,537	\$21,484		\$339,021
2005	\$95,053		\$128,220	\$223,273
2006	\$60,524		\$49,854	\$110,378
2007	\$93,637			\$93,637
2008	\$63,140			\$63,140
2009 Est.	\$138,397	\$43,398		\$181,795
2010 Est.	\$1,060,364	\$48,019		\$1,108,383
2011 Est.	\$450,862	\$6,316		\$457,178
Grand Total	\$2,649,291	\$4,289,636	\$178,074	\$7,117,001

Uncompleted Projects: (estimated costs are used instead of actuals)

2009 - Weltner Park ID Signs

2010 - Community Center Feasibility Study

2011- Weltner Park, Tomahawk Trail

City of Prairie Village
Summary of Parks Operating Expenditures 2009-2010

Parks and Grounds Maintenance

Expenditures	2009	2010
Personal Services	\$381,674	\$381,884
Contract Services	\$302,812	\$219,433
Commodities	\$28,302	\$87,242
Total Operating Cost	\$712,788	\$688,559

Capital costs included in operating budget: \$20,068 \$86,784

- * Parks & Grounds Program includes costs to maintain, repair and replace park equipment, 65 acres of park, city islands, fountains, park shelters and public trees.
- * Prior to 2009, the Parks & Grounds Program was titled Buildings & Grounds and also included costs for maintenance of city buildings, tennis courts & swimming pool.

Tennis Operation and Maintenance

Expenditures	2009	2010
Personal Services	\$0	\$0 *
Contract Services	\$23,056	\$5,961
Commodities	\$689	\$1,462
Total Operating Cost	\$23,745	\$7,423

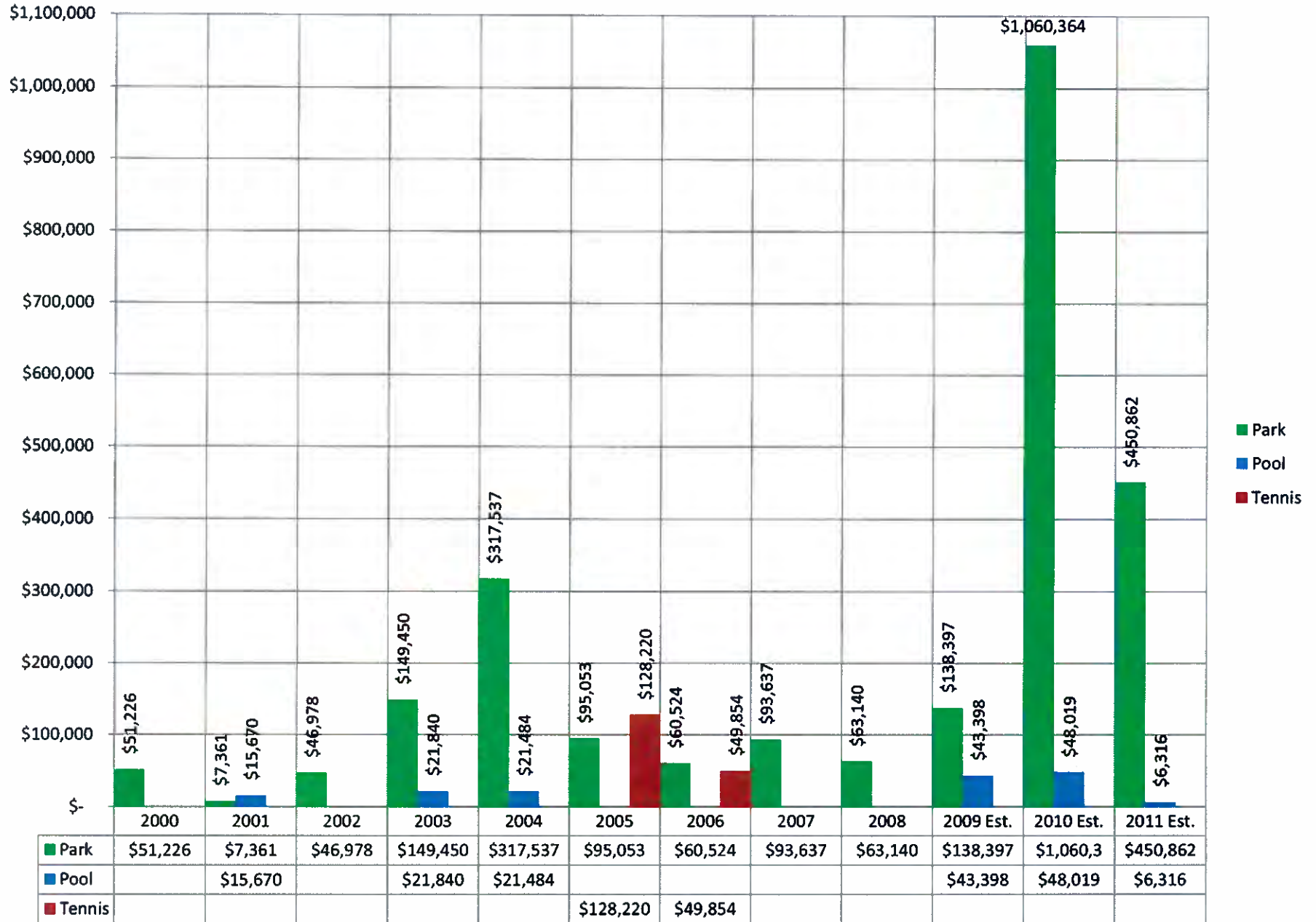
* Personal Services does NOT include Public Works employee costs.

Swimming Pool Maintenance

Expenditures	2009	2010
Personal Services	\$0	\$0 *
Contract Services	\$105,981	\$127,895
Commodities	\$38,940	\$37,618
Total Operating Cost	\$144,921	\$165,513

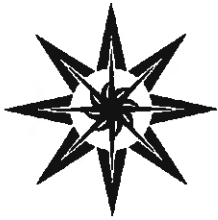
* Personal Services does NOT include Public Works employee costs.

Park CIP from 2000 to 2011



Park CIP from 1999 to 2011

PROJECT #	PROJECT TYPE	PROJECT DESCRIPTION	ACTUAL		START YEAR	COMPLETE	NOTES
			TO DATE 11/10/11	ESTIMATE REMAINING			
190601	Park	Park Improvements-Bennett Park	\$ 4,530		1999	Yes	
190602	Park	Park Improvements-Franklin Park	\$ 60,442		1999	Yes	
190603	Park	Park Improvements-Harmon Park	\$ 10,061		1999	Yes	
190604	Park	Park Improvements-McCrum Park	\$ 5,246		1999	Yes	
190605	Park	Park Improvements-Meadowlake Park	\$ 5,697		1999	Yes	
190606	Park	Park Improvements-Porter Park	\$ 2,654		1999	Yes	
190607	Park	Park Improvements-State Line Park	\$ 19,502		1999	Yes	
190608	Park	Park Improvements- Windsor Park	\$ 6,629		1999	Yes	
190609	Pool	Swimming Pool Construction	\$ 4,132,910		1999	Yes	
190610	Park	Windsor Park	\$ 12,040		2000	Yes	Received \$4,000 in grant funds
190611	Park	Prairie Park Design	\$ 28,999		2000	Yes	
190613	Park	Brenizer Park	\$ 9,440		2000	Yes	
190615	Park	Park Turf and Trees	\$ 747		2000	Yes	
190617	Pool	Pool Shades	\$ 15,670		2001	Yes	
190618	Park	Special Park Projects	\$ 512		2001	Yes	
190619	Park	Meadowlake Pavilion Roof Replace	\$ 3,080		2001	Yes	
190620	Park	Porter Park Refinish Pavilion	\$ 3,769		2001	Yes	
190621	Park	Harmon Park Roof Repairs	\$ 5,640		2002	Yes	
190622	Park	Franklin Park Electrical Service	\$ 9,985		2002	Yes	
190623	Park	Sculpture Garden Electrical Service	\$ 1,750		2002	Yes	
190624	Park	Harmon Park Sidewalk	\$ 29,603		2002	Yes	
190626	Park	Playground Fall Zone Installation	\$ 110,365		2003	Yes	
190627	Park	Homesteader Statue Renovation	\$ 36,785		2003	Yes	
190630	Park	Franklin Park Parking Lot Study	\$ 2,300		2003	Yes	Design only
190632	Pool	Paint Lap Pool	\$ 21,840		2003	Yes	
190616	Park	Harmon Park Skateboard Facility	\$ 317,537		2004	Yes	Received \$87,969.78 from other sources
190631	Pool	Replace Drop Slide Pump	\$ 9,386		2004	Yes	
190633	Pool	Wading Pool Gates	\$ 850		2004	Yes	
190635	Pool	Swimming Pool Concession Addition	\$ 11,249		2004	Yes	Design only
190634	Park	Prairie Park Addition	\$ 90,523		2005	Yes	
190636	Park	Weltner Park Basket Ball Court	\$ 4,530		2005	Yes	
190637	Tennis	Meadowlake Tennis Courts	\$ 128,220		2005	Yes	
190614	Park	Park Furnishings	\$ 8,241		2006	Yes	
190629	Park	Porter Park Irrigation	\$ 11,881		2006	Yes	
190638	Park	Bennett Park Fall Zone	\$ 31,053		2006	Yes	
190639	Park	Bennett Park Basketball Court	\$ 9,348		2006	Yes	
190641	Tennis	Windsor Park Tennis Court	\$ 49,854		2006	Yes	
190640	Park	Meadowlake Park Playing Field	\$ 1,920		2007	Yes	
190644	Park	McCrum Park Improvements	\$ 49,782		2007	Yes	
190647	Park	Franklin Park Parking Lot Resurface	\$ 20,000		2007	Yes	
190649	Park	Windsor Park Softball Field Repair	\$ 21,935		2007	Yes	
190650	Park	Park Master Plan	\$ 63,140		2008	Yes	
BG950001	Park	El Monte Fountain	\$ 58,307		2009	Yes	Received \$19,000 from Homes Association
POOLRESV	Pool	Pool Reserve-Graeme Baker	\$ 43,398		2009	Yes	
SIGN0001	Park	Park ID Signs	\$ 79,190	\$ 900	2009	No	Waiting to install final sign at Weltner
BG250001	Park	Franklin Park - Master Plan	\$ 1,003,865		2010	Yes	
BG520001	Park	Community Center Study	\$ 25,549	\$ 30,951	2010	No	Received \$20,000 from SMSD & JOCO
POOLRESV	Pool	Pool Reserve-Lap Pool Painting	\$ 48,019		2010	Yes	
BG800001	Park	Weltner Park - Master Plan	\$ 236,254	\$ 89,430	2011	No	
POOLRESV	Pool	Pool Reserve-Diving Board Replace	\$ 6,316		2011	Yes	
TRAIL0001	Park	Trail from Porter to Village	\$ 6,745	\$ 118,433	2011	No	



FINANCE 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.

Shift Existing Funding Priorities

Another option to fund the plan is to use existing resources. With this option, parks funding would compete with other city priorities or projects such as city services, CIP (streets / drainage), city personnel costs, etc. Funding would be allocated from existing revenue streams and reserve funds based upon Council priorities. All items "above the line" will receive funding while items "below the line" will not.

FINANCIAL IMPACT

A 0.5% increase in sales tax or a 3.60 mill increase would generate ~\$1,000,000 in revenue annually.

ATTACHMENTS

Johnson County parks specific sales tax rates, excerpt from Parks Master Plan, memo from City Attorney, sample ballot language, Johnson County Sales Tax Rates for selected cities.

PREPARED BY

Chris Engel

Assistant to the City Administrator

Date: 10/10/11

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

COUNCIL COMMITTEE OF THE WHOLE
January 19, 2010

The Council Committee of the Whole met on Tuesday, January 19, 2010 at 6:00 p.m. The meeting was called to order by Council President Michael Kelly with the following members present: Mayor Shaffer, Al Herrera, Dale Warman, Ruth Hopkins, Michael Kelly, Andrew Wang, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz. Staff members present: Quinn Bennion, City Administrator; Wes Jordan, Chief of Police; Mike Helms, Field Superintendent for Public Works; Dennis Enslinger, Assistant City Administrator; Karen Kindle, Finance Director; Chris Engel, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

COU2010-03 Discussion of possible special sales tax vote and schedule for parks and recreation funding

Chris Engel noted at the January 4th meeting of the Council Committee of the Whole initial discussion was held on possible funding sources for parks past 2011. One of the items discussed was the placement of an increased sales tax with the funds received being designated for parks. It is estimated that a one percent increase in sales tax would provide \$2,000,000 annually. During the discussion additional information was requested of staff, including a prioritization of parks projects with costs and a timetable for the process of placing before the public the issue of an increased sales tax.

A review of parks priority listing with costs was included in the packet along with information on sales tax rates of other Johnson County cities and how those increases are used within their cities with the accompanying ballot language and vote results.

The City Attorney provided a written timetable of the necessary steps for a city sales tax referendum. The first step would be the adoption of a Resolution calling for a special election to be held on a specific date. The Resolution includes the proposed ballot language and form of Notice of Election to be published in the official City newspaper. The Resolution must include the sales tax percentage, proposed start date, describe the purpose of the sales tax, whether "general" or "special" and any applicable sunset date. It was noted if a "special purpose" it 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 0.5%. The current city sales tax is 1% with a total sales tax collected in Prairie Village of 7.525%. A .05% increase would collect approximately \$1 million in new revenue annually.

Designating the purpose as "to acquire, construct, improve, maintain and operate City parks" would be a general purpose sales tax based on a recent attorney general opinion and would not require a 10 year sunset, although the city has the option of setting a sunset.

The second step to provide ballot language to the Johnson County Election Office for the ballot by September 1, 2010. The third step is the publication of a Notice of Election once each week for two consecutive weeks. The fourth step would be the election held in

conjunction with the November 2nd general election with a simple majority required for approval.

If approved the City would adopt an ordinance levying the approved sales tax and after publication, furnish a certified copy to the Department of Revenue at least 90 days prior to the effective date. The earliest effective date would be April 1, 2011.

City staff cannot advocate for the sales tax, only educate and inform. Any promotion of the issue would need to be conducted by a resident group.

Council President Michael Kelly reviewed the questions before the committee and the process he'd like to follow in their discussion.

Laura Wassmer stated she struggles as she looks at the Parks Master Plan, noting this has been a difficult year financially and economically. A sales tax increase would be an additional charge on basic daily expenses for people. This is not the right time to increase costs. Looking at the bigger picture, the Council needs to consider how it will fund its 2011 budget. She is nervous that a sales tax may be necessary to fund basic City services and maintain status. At the last meeting, the Council stated their support to provide the police department with the staff and equipment needed to perform their jobs. She feels the Council needs to look at all of its priorities and spending prior to making this decision.

Ruth Hopkins noted in the state of the state address the Governor proposed a 1% sales tax increase statewide and received extensive negative backlash. The state may very well place additional financial restraints on the City in order to address its budget. The timing is wrong for the City.

David Belz stated he supported the proposed tax until he heard the Governor's address and would like to see this action put off until it is known whether or not the State will be increasing sales tax statewide by 1%. If there is not a statewide sales tax increase, he would support going forward and placing this question before the residents. However, he would like to see 75th Street Improvements also funded with these funds and if it were included does not feel the tax should have a sunset.

Dale Warman expressed his support for parks; however, noted that when the survey rating the priority of park improvements, it was a totally different economic situation. It would be very difficult to support a tax increase at this time.

Charles Clark explained the additional \$1 million would be added to the funding available for the capital improvement program as the funds now designated for parks would be able to be used elsewhere.

Al Herrera noted the economy was bad when the parks master plan was approved. He noted the extensive amount of time and work that has gone into the plan and feels the residents should be allowed to vote on the question of an increased sales tax.

David Morrison stated in his election campaign he promised his constituents that he would oppose any and all tax increases and this is a tax increase. He feels the City needs to reprioritize how it is spending available funds.

Michael Kelly stated is not opposed to a sales tax. He asked what it will cost to just maintain the city's streets. Will this create a parks rich, city poor scenario?

Charles Clark restated the money received from the sales tax for the parks would free up additional money for other CIP projects, just as the bond money freed up funds to do the park improvements.

Laura Wassmer expressed concern that the residents would understand the full implications of the approval of the proposed sales tax on the city's general budget and services. The Council is in the position to understand the budgetary implications. Mr. Belz disagreed stating he felt the resident would understand. Ruth Hopkins stated that placing the question on the ballot would imply to the residents that it had the support of the City Council and it does not.

Diana Ewy Sharp stated hours of research and public input was put into the creation of the parks master plan by residents and as well as committee members. The plan was unanimously approved by both the Governing Body and the Planning Commission adopting it as part of Village Vision. We have begun the first three projects and now you are pulling funding. Without the sales tax it will take 30 years to implement the plan. The City has also approved applying for a trails grant of \$300,000 that requires matching funding. How will that be funded?

Laura Wassmer stated during discussion of the parks master plan it was specifically stated that the Council was not approving funding. It was only approving the plan as it did the Village Vision Plan. Plan approval does not equate to funding approval. The approval was for the plan which is a vision for the future development of parks.

Al Herrera he was under the assumption when it was approved the City would find the way to fund it and move forward. He would not have spent the time for a document to be put on the shelf.

Andrew Wang stated he agreed with Ms Wassmer. He noted the planning process is critical to go through and was very pleased with the results of the master parks plan process that resulted in an excellent document on which to base future improvements. He was pleased to approve it, but he would not have given his approval if it meant a 1% sales tax increase. It is essential that the City have a plan for direction but its adoption is not the same as writing a blank check for its total implementation.

Dale Beckerman asked what a 0.5% sales tax would cost the average Prairie Village resident. Karen Kindle responded it would depend on what they were spending and would be difficult to compute. Mr. Beckerman stated he is generally supportive of this, but agrees the adoption of a plan does not its funding. However, he feels it is important to keep the momentum moving and let it go before the public in 2012 or 2013.

Michael Kelly asked what would be the impact of a citywide sales tax. Quinn Bennion stated the impact is difficult to determine. He stated it would be helpful to have a clear outlook on the 2011 budget, stating that balancing the budget will be a struggle reviewing

some of the issues that will need to be addressed. The 2011 budget outlook is as bleak as the 2010 budget.

Chief Jordan expressed concern with the impact of the 2011 budget on staffing levels and staff morale. He stated staff understands up to a point, but after a while begin to compare the items on which money is being spent by the Council to the services they provide. Chief noted he is currently operating four officers short and does not have the funds to pay overtime for replacement officers under the current salary cap.

Diana Ewy Sharp read the following from the Council minutes of June 1, 2009: "Adopt Resolution 2009-04 adopting the "Prairie Village Parks Master Plan - 2009" to guide the development and funding of future parks and recreation enhancements."

Mayor Shaffer advised the Council they need to be aware of other obligations on the horizon such as the potential request for an increase in sales tax under the "Community Improvement District" regulations for the city's shopping areas.

Dale Warman stated he does not feel the Council is turning its back on the Plan, it is a matter of prioritization. He does not feel it is necessary to go forward with additional funding at this time. David Belz stated he now understood Mr. Clark's earlier comments on the receipt of sales tax revenue freeing up other funds for the CIP.

Quinn Bennion stated he is hearing from the discussion that a sales tax is possible, but not at this time. More information is needed about the 2011 budget.

Charles Clark stated he did not feel the question should move forward without substantial support of the Council and he does not see that support.

Mayor Shaffer stated he felt the Council needed to be aware of the 2011 budget status before taking action. Quinn Bennion responded that is possible, but only following the normal budget timetable, making that information unavailable until late spring.

Dale Beckerman noted that timetable would make inclusion on the November ballot impractical. Mr. Bennion noted the Council would have time to prepare the ballot language for the Election Office by September 1st, but noted there would not be a lot of time for the citizens to organize or a committee.

LATHROP & GAGELLP

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.

If Sales Tax Revenue Bond authority included, may issue bonds secured solely by the projected sales tax revenues under the election proposition. These bonds are less “secure” than GO bonds and accordingly have a higher “cost” and interest rate and generally require debt service coverage.

City may be able to just authorize “bonds” in the sales tax ballot language and then decide later whether they are GO or Sales Tax Revenue Bonds. This requires further review by bond counsel.

Step 2. Ballot language provided to the Johnson County Election Office to be include on ballot by September 1, 2010.

Sample ballot language:

Shall the following be adopted?

Shall the City of Prairie Village, Kansas, be authorized to impose a new _____ percent (. __%) city-wide retailers’ sales tax and to use the revenue from such tax to pay the costs to acquire, construct, improve, maintain and operate City parks (“Park Projects”), and be authorized to pledge such sales tax for the payment of the principal and interest on bonds issued to pay the cost of such Park Projects, with collection of such sales tax to commence on April 1, 2011 **[optional: and with such retailers’ sales tax to expire ____ () years from the date it is first collected (expiration date of March 31, 20__),]** all pursuant to K.S.A. 12-187 et seq. and other applicable state statutory provisions?

Step 3. Notice of Election published once each week for two consecutive weeks.

First publication must occur on a date which is between 9/13 and 10/12

Second publication is 1 week after first publication.

Step 4. Election. Majority approval required.

Step 5. City adopts Ordinance levying the approved sales tax. After publication, City Clerk furnishes certified copy to Department of Revenue at least 90 days prior to effective date.

Step 6. Sales Tax Effective – If November election, earliest effective date is 4/1/2011.

A partially completed timeline is attached.

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 Sales Tax Election Calendar

DATE	ACTION
[TBD]	Governing Body Adopts Resolution Calling for Special Ballot Question
September 1, 2010	Latest Date for Ballot Language to be Submitted to Johnson County Election Office
September 13, 2010	First Publication Notice of Election in Daily Record
September 20, 2010	Second Publication Notice of Election in Daily Record
November 2, 2010	General Election – sales tax question on ballot
November 15, 2010	If approved in general election, Sales Tax Ordinance adopted by Governing Body
November 19, 2010	Sales Tax Ordinance published
Before December 31, 2010	Certified Copy of Sales Tax Ordinance to Dept of Revenue
April 1, 2011	Sales Tax becomes effective

**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.

Sample Ballot Language

Gardner – June 7, 2005

Shall a retailers' sales tax in the amount of one-half of one percent (.5%) be levied in the city of Gardner, KS (the "City"), for the purpose of:

- renovations and expansion of the Gardner swimming pool to include, but not limited to, the development of zero depth entry, water slides, lazy river, in water play features, spray grounds, tot pool, concession stand, group party structure, and shade structures;
- development of a new community park to include, but not limited to, baseball and softball fields, soccer and football fields, playground equipment, concession facilities, parking, passive open space; and
- all things related and necessary to such projects;

provided that, such retailers' sales tax shall be levied for a period not to exceed ten years from the date of its inception, all pursuant to K.S.A. 12-187 et seq.

Yes 2260 70.98%

No 924 29.02%

Merriam – August 16, 2005

Shall a retailers' sales tax in the amount of one-fourth of one percent (.25%) be levied in the city of Merriam, Kansas (the "City"), for the purpose of paying the cost of improving certain residential streets, which improvements may include grading, curbs, gutters, pavement and other surfacing, driveway entrances and structures, drainage works incidental thereto, service connections from utility mains, conduits or pipes necessarily lying within curb lines, streetlights, street lighting systems, storm water drains, retaining walls and area walls on public ways or land abutting thereon, sidewalks, street trees and landscaping, and related improvements ("Improvements") and paying the principal of and interest on revenue bonds issued to pay the cost of such Improvements and all things necessary and related to such Improvements, provided that such retailers' sales tax shall expire five (5) years from the effective date of January 1, 2006, all pursuant to City Charter Ordinance No. 17, K.S.A. 12-195 and other applicable state statutory provisions?

Yes 531 69.14%

No 237 30.86%

Olathe – December 7, 1999 (mail-in ballot)

Shall the City of Olathe, Kansas, be authorized to levy a one-eighth of one percent (.125%) City Retailers' Sales Tax, in addition to the one percent (1.0%) currently levied within the City of Olathe, Kansas, and to use the revenue from the additional tax to fund the acquisition and improvement of public parks and recreation areas, such additional tax to take effect on April 1, 2000, and to end on March 31, 2005?

Yes 14266 67.78%

No 6782 32.22%

C. Engel

1/11/10

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 (as of 4/1/2011)**

Entity	Total Tax Rate	TDD/CID Location
Lake Quivira (JoCo)	7.525%	
Mission Woods	7.525%	
Edgerton	8.525%	
Mission Hills	8.525%	
Prairie Village	8.525%	
Westwood	8.525%	
Westwood Hills	8.525%	
Leawood	8.650%	
Olathe	8.650%	
Overland Park	8.650%	
Merriam	8.775%	
Mission	8.775%	
Roeland Park	8.775%	
Shawnee	8.775%	
Lenexa	8.900%	
Fairway	9.025%	
Gardner	9.025%	
Springhill (JoCo)	9.025%	
Overland Park Oak Park TDD*	9.150%	Oak Park Mall
Bonner Springs (JoCo)	9.275%	
DeSoto (JoCo)	9.275%	
Roeland Park Shopping Center #2 TDD*	9.275%	Lowe's
Prairie Village "The Village" CID	9.525%	Prairie Village Shops
Prairie Village Corinth Square CID	9.525%	Corinth Square Shopping Center
Leawood Park Place TDD	9.650%	Nall: 117th - Town Center Drive
Leawood Shops of 119th St TDD	9.650%	Southeast Corner of 119th & Roe
Olathe Entertainment District Ph. 3*	9.650%	West & South of 119th & Renner
Olathe Gateway TDD No. 1a*	9.650%	119th St., Kansas City Road & Renner
Olathe Gateway TDD No. 1b*	9.650%	119th St., Kansas City Road & Renner
Olathe Pointe TDD*	9.650%	119th & Black Bob
Olathe Ridgeview Falls TDD*	9.650%	Ridgeview & 119th
Overland Park Deer Creek TDD*	9.650%	NW corner 135th & Metcalf
Roeland Park Shopping Center #1 TDD*	9.775%	Portion of shopping center not incl Lowe's
Lenexa Orchard Corners CID	9.900%	9510 through 9676 Quivira Road (even only)
Olathe Great Mall of the Great Plains CID	10.150%	Great Mall of the Great Plains
Highest Rate:		
Olathe Great Mall of the Great Plains CID	10.150%	
Highest Increment:	1.500%	
State of Kansas portion of all rates:	6.300%	
Johnson County portion of all rates:	1.225%	
Total non-city portion of all rates:	7.525%	
Source: KS Dept of Revenue Website (Publication KS-1700, 04/2011)		
Prepared by: Karen Kindle, Finance Director		
Date: April 14, 2011		



City of Prairie Village

Summer Recreation Programs Report

2011

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APPENDIX

Prairie Village Recreation Programs

General Overview

The City of Prairie Village provides many recreational opportunities including year round tennis courts in several city parks and a swimming pool complex for use during the summer months. Within these facilities, the city offers tennis and swimming lessons, as well as city sponsored competitive tennis and swim teams. In addition, various non-city recreation programs use Prairie Village parks and facilities for other recreational offerings.

Goals Set in the 2011 Budget

Mission: Fully fund current service levels.

Short Term Goal: Continue all recreation programs.

Objective: Maintain at least 90% excellent or good ratings for all recreation programs.

Status Indicator: All aquatic team members and Junior Tennis League participants were surveyed to gain feedback about recreation programs. These annual surveys allow the Park and Recreation Committee to continually improve recreation programming.

Short Term Goal: Continue to use collaboration to provide recreation programming.

Objectives: Continue to participate in the Johnson County Swim & Dive League and the Kansas City Junior Tennis League; continue offering camps at parks throughout the city; continue offering swim lesson programming through Johnson County Parks & Recreation District at the Prairie Village Pool; explore additional opportunities to collaborate to offer additional recreation programming.

Status Indicator: The City of Prairie Village continued to make arrangements with various organizations to use the city's recreational facilities. Shawnee Mission East, Bishop Miege High School, YMCA and various other groups used the tennis courts for practice, lessons and tournaments. The Johnson County Parks and Recreation Department offered three different programs at the pool complex including group and private swimming lessons. Prairie Village hosted several swim and dive meets at the pool complex throughout the summer. There were also multiple soccer and flag football camps and several youth sports teams that used Prairie Village parks throughout the year.

Short Term Goal: Improve City information sources.

Objectives: Increase the number of constituents surveyed for general park & recreation and specific recreation programs by 10% annually; make use of technology to improve communication with program participants and the community about programs / events.

Status Indicator: City staff continues to use the internet and email as an information portal for all residents and recreation members. All recreation program surveys were sent electronically this year.

Prairie Village Pool

General Overview

The swimming pool program is designed to provide safe summer outdoor recreation and instruction in swimming and water safety. The pool complex at Harmon Park includes a recreational swimming pool, diving pool, slide pool, meter pool, baby pool, adult pool, and food service facility. Qualified personnel coach swimming and diving teams for youth. Members pay an annual fee, purchase a swim card or SuperPass for admission to the pool complex; others pay a gate fee.

Pool Memberships

The sale of pool memberships began on April 1. A total of 1,214 pool membership packages were sold in 2011 for a grand total of 4,119 individual passes. This figure includes 14 scholarships granted to 51 residents allowing them to receive either a half or fully subsidized membership. Total revenue generated through membership sales was \$181,801.

Membership trends break down as follows:

	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Resident Family Membership	666	706	710	747
Resident Two Person Family	72	56	77	74
Resident Individual	191	126	207	96
Resident Senior Citizen	98	24	101	42
Resident 10 Swim Card	159	77	120	62
Employee Membership	39	44	44	42
Non-Resident Family Membership	123	126	105	123
Non-Resident Individual	26	11	23	13
Non-Resident Senior Citizen	18	1	20	3
Non-Resident Child	49	26	31	11
Non-Resident 10 Swim Card	19	5	3	1
Packages Sold	1,460	1,202	1,441	1,214
Total Memberships	4,192	4,018	4,583	4,119

SuperPass

The City has entered into a reciprocal pool usage agreement with the cities of Fairway, Leawood, Mission, Roeland Park and Merriam. For an additional charge of \$40 for a family pass or \$20 for an individual, Prairie Village residents could upgrade their existing pool memberships allowing them access to any of the other municipal pools. Each city retains half of the revenue generated by the sale of the SuperPass while the other half is pooled for redistribution based upon the percentage of total usage at all pools. The program was used by over 1,200 Prairie Village residents generating over 5,200 visits to neighboring pools and over \$13,000 in total revenue for the city.

Attendance

The pool complex experienced a bather load of 77,073 in 2011 including 8,117 non-resident SuperPass users. The average daily attendance was 847 with an average temperature of 92°. Total gate revenue for 2011 was \$151,650.

The pool closed eight days early this season at the advice of the Johnson County Health Department. In late August there was a dramatic increase in confirmed cases of cryptosporidium throughout the County. Normal protocol would be to close the pool for approximately 10 days and reopen after super-chlorinating. However, since the outbreak occurred at the end of the season the pool closed for the year.

	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Bather Load	70,459	69,199	82,019	77,073
Ave. Daily Attendance	784	655	845	847
Average Daily Temp.	86°	83°	91°	92°
Gate Revenue	\$145,409	\$139,225	\$162,944	\$151,650

Food Service

This summer the City utilized the services of US Food Service for food products and retained Coca-Cola for beverages. The concessions stand offered pool patrons a selection of snack food items, hot items, and assorted drinks. The concession stand also carried Dippin Dots Frozen Ice Cream and Tropical Flurry Frozen Fruit Drinks. Total concession sales were \$37,647.

Staffing

The pool used 56 different lifeguards throughout the year. In addition, there were 15 operations attendants, an operations manager, three assistant managers, and one head pool manager on staff. There were 35 staff members who are Prairie Village residents.

Staff recruitment began in November 2010 with invitation letters being sent to previous Prairie Village lifeguards. The City offered nine different lifeguard training classes at Prairie Village City Hall and the SME Swimming Pool between January and May.

Lifeguards worked a total of 19,483 hours during the 2011 season. The base wage for a starting lifeguard was once again \$8.46 per hour with the average among all lifeguards being \$8.67. Two incentive bonuses were used to encourage employees to work until the end of season. The first bonus was a \$1 per hour raise for all hours worked between August 16th and close of season. The second bonus was achieved by averaging at least fifteen hours per week between August 16th and close of season. If an employee accomplished this they were paid an extra 50¢ for every hour worked during the pool season. Eighteen employees took advantage of the end of season bonus for a total of \$6,628 in bonus wages. The 15 operations employees this year worked a total of 3,715 hours.

City Recreation Programs

Once again this year the Swim, Dive, and Synchro Teams operated as a consolidated 'Aquatics Team' with all revenues and expenditures approached programmatically. As such, Aquatics Team revenues were \$26,905 while its expenditures were \$21,747. Despite this combined approach to the program information in the form of direct costs vs. team revenues is included in the summaries below.

Swim Team

In 2011 the swim team saw the departure of longtime coach Rob Cole and the promotion of assistant Kaleb Stoppel to Head Coach. Membership for the Prairie Village Piranhas on both the competitive and pre-competitive teams was 201 (163 residents and 38 non-residents). The pre-competitive team met at two different times each morning while the competitive team met as a whole. This year we had one head coach and five assistants. This number was well within the 25 to 1 coach to child ratio established by the Park & Recreation Committee. In addition, the coaches were allowed to offer swim lessons for \$30 a session - \$6 of which went to the City. The coaches taught 214 total lessons this year generating \$1070 in revenue. Revenue from swim team fees covered the cost of the coaches' salaries by \$9,237.

Synchronized Swimming Team

The Synchronized Swimming Team saw the return of second year head coach, Melanie Muecke. All of the swimmers worked exceptionally hard on the 52nd annual water show in cooperation with pool employees and parent volunteers. Participation slightly increased from 27 last year to 29 on this year's team (22 residents and 7 non-residents) and team revenue covered salaries by \$801.

Dive Team

Dive Team membership held steady this year at 35 participants (33 residents and 2 non-residents). The team had another competitive season and continues to improve at an acceptable rate. Once again the City offered independent dive lessons to team members to provide them with extra instruction and the coach with extra income – nine sessions were purchased generating \$270. Dive Team expenditures outpaced registration fees this year by \$313.

Tennis Program

This year the Junior Tennis League was fielded with 64 players (48 residents and 16 non-residents). New Head Coach Tracy Cooper had several players competing in the final tournament. In addition to JTL, Tracy coached nine sessions of adult lessons and offered a new session of pre-season tennis that attracted 16 registrants and received great reviews.

For lessons, Tennis Pro Rebecca Snodgrass gave 101 children's lessons. In addition, Rebecca gave 39 private tennis lessons. The total revenue brought in by the tennis program was \$12,049 with \$12,101 in program expenditures.

SuperPass Report
2011 - FINAL

PACKAGES SOLD		MISSION	R. PARK	MERRIAM	FAIRWAY	P.V.	LEAWOOD	TOTALS
R E S	INDIVIDUAL	15	11	8	13	31	33	111
	FAMILY	115	72	39	108	260	187	781
	FAMILY >5	0	0	8	0	30	10	48
N O N	INDIVIDUAL	1	0	0	1	2	4	8
	FAMILY	7	0	6	31	17	45	106
	FAMILY >5	0	11	2	0	3	6	22
TOTAL SP Packages		138	94	63	153	343	285	1076

VISITS TO		MISSION	R. PARK	MERRIAM	FAIRWAY	P.V.	LEAWOOD	TOTALS
U S A G E	from MISSION		999	1349	437	1021	103	3909
	from R. PARK	375		942	795	803	174	3089
	from MERRIAM	69	284		27	259	50	689
	from FAIRWAY	92	325	255		1748	298	2718
	from P.V.	189	483	817	2458		1319	5266
	from LEAWOOD	93	217	192	709	4286		5497
TOTAL VISITS		818	2308	3555	4426	8117	1944	21168

Total Bathers

26967
13.2%

27055
16.4%

77073
10.5%

Compiled by:
C. Engel
9/30/11

	2008	2009	2010	2011
Resident Family Membership	666	706	710	747
Resident Two Person Family	72	56	77	74
Resident Individual	191	126	207	96
Resident Senior Citizen	98	24	101	42
Resident 10 Swim Card	159	77	120	62
Employee Membership	39	44	44	42
Non-Resident Family Membership	123	126	105	123
Non-Resident Individual	26	11	23	13
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Packages Sold	1,460	1,202	1,441	1,214
Total Memberships	4,192	4,018	4,583	4,119

	2008	2009	2010	2011
Gate Attendance	70,459	69,199	82,019	77,073
Average Daily Attendance	784	655	845	847
Average Daily Temp.	86°	83°	91°	92°

<u>SuperPass</u>	<u>Fairway</u>	<u>R. Park</u>	<u>Mission</u>	<u>Merriam</u>	<u>Leawood</u>	<u>Total</u>
Visits to PV from:	1748	803	1021	259	4286	8117
Visits by PV residents to:	2458	483	189	817	1319	5266

	2008	2009	2010	2011*	as of 9/30
Revenue - Membership Fees	\$ 170,263	\$ 176,570	\$ 179,324	\$ 181,801	
Revenue - Aquatic Registration	\$ 25,255	\$ 24,717	\$ 28,328	\$ 26,905	
Revenue - Tennis Registration	\$ 16,742	\$ 14,293	\$ 13,514	\$ 12,049	
Revenue - Gate Admissions	\$ 145,409	\$ 139,225	\$ 162,944	\$ 151,650	
Revenue - Concessions Stand	\$ 44,352	\$ 39,274	\$ 42,105	\$ 37,647	
Revenue - Rental of Facilities	\$ 23,266	\$ 32,131	\$ 24,833	\$ 35,811	
Total P & R Revenues	\$ 425,288	\$ 426,209	\$ 451,048	\$ 445,863	

	<u>Dept.</u>	2009	2010	2011	as of 9/30
Personal Services	Pool/Aquatics	\$ 257,322	\$ 259,606	\$ 263,783	
Contract Services	Pool/Aquatics	\$ 34,413	\$ 18,467	\$ 26,373	
Commodities + Capital Outlay	Pool/Aquatics	\$ 15,118	\$ 7,916	\$ 10,557	
		\$ 306,852	\$ 285,989	\$ 300,712	
Personal Services	Concessions	\$ 38,131	\$ 29,767	\$ 30,069	
Contract Services	Concessions	\$ 1,543	\$ 2,457	\$ 1,421	
Commodities + Capital Outlay	Concessions	\$ 32,824	\$ 33,747	\$ 26,883	
		\$ 72,497	\$ 65,971	\$ 58,373	
Personal Services	Tennis	\$ 11,643	\$ 13,057	\$ 10,393	
Contract Services	Tennis	\$ 1,448	\$ 1,720	\$ 1,566	
Commodities + Capital Outlay	Tennis	\$ 295	\$ 166	\$ 142	
		\$ 13,386	\$ 14,943	\$ 12,101	

Total P & R Expenditures (direct)	\$ 392,735	\$ 366,903	\$ 371,186	
(utilities/maint/repairs/equip.)	\$ 168,666	\$ 156,919	\$ 137,686	as of 9/30
Debt Service	\$ 194,978	\$ 10,653	\$ 173,600	
Total Expenditures	\$ 756,378	\$ 534,475	\$ 682,472	
Total P & R Balance	\$ (330,170)	\$ (83,426)	\$ (236,609)	
% of expenditures covered by revenues	56.3%	84.4%	65.3%	
% of total concession cost covered	54.2%	63.8%	64.5%	
% of concession food cost covered	120%	125%	140%	

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
November 21, 2011
7:30 p.m.**

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **PUBLIC HEARING 2012 BUDGET AMENDMENT**
- V. **PUBLIC PARTICIPATION**
Introduction of foreign exchange students at Shawnee Mission East High School - Sister City Committee

VI. **CONSENT AGENDA**

All items listed below are considered to be routine by the Governing Body and will be enacted by one motion (Roll Call Vote). There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the regular agenda.

By Staff:

1. Approve Regular Council Meeting Minutes - November 7, 2011
2. Ratify the Mayor's appointment of Kevin Letourneau and Eric Blevins to the Prairie Village Parks & Recreation Committee filling unexpired terms expiring in April, 2012 and April, 2014 respectively.
3. Consider approving the calendar designating 2012 City holidays
4. Consider authorization to continue multi-year agreements in 2012
5. Approve the Interlocal agreement with Leawood, Kansas for Project 190723 - Mission Road Culvert Replacement

By Committee:

6. Approve discontinuing maintenance of recreation fields at St. Ann's Church effective December 31, 2011
7. Adopt Ordinance 2246 amending the Chapter VII of the Prairie Village Municipal Code entitled "Fire" by amending Article 3, Section 7-305 entitled "Permit for Public Fireworks Display Required"

VII. **MAYOR'S REPORT**

VIII. **COMMITTEE REPORTS**

Adoption of the 2012 Budget Amendment

COU2011-57 Consider Approval of First Amendment to the Developer Agreement for Corinth Square Community Improvement District to modify Exhibit C to include Project B2: Johnny's and Project B3: Lot H - Arby's - Dale Beckerman

IX. **STAFF REPORTS**

X. **OLD BUSINESS**

XI. **NEW BUSINESS**

XII. **ANNOUNCEMENTS**

XIII. **ADJOURNMENT**

If any individual requires special accommodations – for example, qualified interpreter, large print, reader, hearing assistance – in order to attend the meeting, please notify the City Clerk at 381-6464, Extension 4616, no later than 48 hours prior to the beginning of the meeting.

**If you are unable to attend this meeting, comments may be received by e-mail at
cityclerk@pvkansas.com**



ADMINISTRATION

Council Meeting Date: November 21, 2011

Public Hearing 2012 Budget Amendment

SUGGESTED MOTION

None.

BACKGROUND

State statutes require that the City hold a public hearing on the budget amendment at least ten days after publication. The attached Notice of Budget Hearing page was published in The Legal Record on Tuesday, November 8, 2011, per state statute guidelines.

The budget amendment increases the expenditure authority in the Bond & Interest Fund to cover the increased debt service payments resulting from the Series 2011A bonds. The bonds were issued after the adoption of the 2012 budget.

The funding for the additional expenditure in the Bond & Interest Fund comes from the existing tax that was levied and the budgeted transfer from the Stormwater Utility Fund.

ATTACHMENTS:

Notice of Budget Hearing.

Prepared By:

Lisa Santa Maria

Finance Director

Date: November 16, 2011

The Legal Record

PO Box 273
Olathe, KS 66051-0273
(913) 780-5790

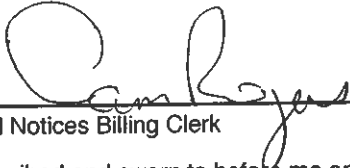
CITY OF PRAIRIE VILLAGE
7700 MISSION RD
PRAIRIE VILLAGE KS 66208-4230

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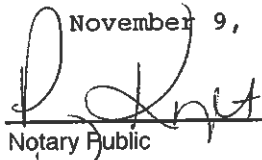
2012 BUDGET HEARING - PRAIRIE VILLAGE
-- 11/8/11



Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

November 9, 2011



Notary Public

PENNY KNIGHT
Notary Public-State of Kansas
My Appt. Expires: Dec. 31, 2013

NOTICE OF BUDGET HEARING

First published in The Legal Record, Tuesday, November 8, 2011.

State of Kansas
Amendment

2012

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

/s/ Joyce Hagen Mandy
City Clerk

11/8

CONSENT AGENDA

CITY OF PRAIRIE VILLAGE, KS

November 21, 2011

CITY OF PRAIRIE VILLAGE
November 7, 2011

The City Council of Prairie Village, Kansas, met in regular session on Monday, November 7, 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, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz.

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

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

PUBLIC PARTICIPATION

Tom Robinson, with KCP&L, distributed a brochure on "Weathering the Storm" and his contact information to Council members. He urged council members to contact him with any power related issues/questions and stated they could give him contact information to constituents.

Al Herrera noted he had a resident express concern with the brightness of a new streetlight. Mr. Robinson stated he would look into the matter. Mr. Bennion stated he suspects the new light is related to the MARC program "Smart Lights for Cities" which the City is a participant receiving approximately 250 new LED lights. Most of these

lights have been installed. There have been some negative comments regarding the lights, but noted most of the comments received have been positive.

Dale Warman noted he has spoken with residents regarding the lights and has generally received positive comments, but noted many of them are not located near homes. Mr. Warman commended Mr. Robinson on his excellent response to residents' concerns and problems.

With no one else wanting to address the Council, Mayor Shaffer closed public participation at 7:40 p.m.

CONSENT AGENDA

David Morrison requested that item #4 be removed from the Consent Agenda.

Dale Beckerman moved the approval of the Consent Agenda for Monday, November 7, 2011 except for item #4:

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. Removed
5. Approve the purchase of two 2012 Harley Davidson Road King Motorcycles for \$4,500 each with the trade-in of the existing motorcycles.
6. Approve the agreement with Lowenthal, Webb & Odermann, P.A. to perform the 2011 audit of the City's financial statements.

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

David Morrison stated he felt the expenditure of public funds to provide funding for grants to private agencies deserves more examination by the Council. He does not believe it is proper for governments to give citizens' tax dollars to private charitable

agencies. He noted historical precedence against the use of public monies to fund charitable agencies and organizations. Mr. Morrison acknowledged he supports the work of these agencies; however, feels that they should be funded by other means, not be taxpayer dollars.

Mr. Morrison noted the City of Fairway recently dropped its support of UCS as they felt it was an inappropriate expenditure of tax dollars. Mr. Morrison went on to express concern in the 6.6% increase in requested funds and an 8% increase in the administrative costs he feels is excessive.

Mr. Morrison stated that just because Johnson County residents use these services, is not reason for the City of Prairie Village to fund them. He stated it would be condescending of the Council to demand its residents' money be sent to outside charitable agencies. He feels these agencies can get funding elsewhere and urged the Council to discontinue the inappropriate expenditure of taxpayer dollars on donations to charities.

Michael Kelly stated he appreciated Mr. Morrison's passion on this issue; however, not that the City is unable to provide these necessary service and thus chooses to support agencies that can provide these services to our residents. It is the City's way of providing these services.

Laura Wassmer noted funding for a number of these services has been cut back such as the Rainbow Mental Health Facility and that cutback in impact the city's residents and adding new demands to the city's police department. She expressed concern that if all communities stopped funding these programs, there will be an indirect increase to demands on cities for services and/or related costs.

Michael Kelly stated these are not charities, but are social services being provided to people in need.

Katie Logan, as a board member for UCS, advised the Council of the robust review process for agencies requesting grants. They seek to address areas where the funds can have the most impact. She stated UCS does not have a lot of other sources of revenue and noted if these services are not provided, cities will be called upon to provide them with police officers or other employees and address the other issues that may arise as a result of not having the needed services. Chief Wes Jordan agreed with Ms. Logan's comments.

Ruth Hopkins moved the Governing Body approve the recommendations of the United Community Services (UCS) Grant Review Committee as contained in the 2012 Human Services Fund Recommendation Report and a contribution to UCS in the amount of \$6,825. The motion was seconded by Dale Beckerman.

Laura Wassmer stated that as long there is due diligence in the review and identification of services provided she supports the contribution.

David Morrison stated the Council is dancing around the issue. Yes, the agencies provide valuable services; however, it is not the job of government to appropriate taxpayer funds to outside charities. He requested a roll call vote and noted he would be publishing the names of those supporting the motion.

Laura Wassmer asked if there was any way to get information of the number of Prairie Village residents served by the agencies. Katie Logan responded that information would be difficult to get as health related care and many of the services offered fall under protected information that cannot be disclosed.

A roll call vote was taken with the following members voting “aye”: Herrera, Warman, Hopkins, Noll, Kelly, Wang, Wassmer, Beckerman, Clark, Ewy Sharp and Belz; and voting “nay” Morrison. The motion passed by a vote of 11 to 1.

MAYOR'S REPORT

Mayor Shaffer noted at the recent Johnson/Wyandotte Mayors' reception hosted by Prairie Village area legislative representatives shared their thoughts on a number of issues that will be considered in the next session including mental health services, school funding and state tax increases. He urged council member be become involved with the Chamber and to stay aware of what is being discussed and considered.

The Johnson County Charter Commission had its first substantial vote at an earlier meeting and will be continuing with non-partisan elections. He noted more information would be available in the newspaper coverage of the meeting and that votes on other important issues will be held at future meetings.

Mayor Shaffer called upon Ruth Hopkins to report on her recent trip to Washington, D.C. Mrs. Hopkins reported that as a member of the advisory board for NLC she had received an invitation to participate in a meeting of local government representatives with President Obama, White House Staff and Cabinet Members regarding the issues and concerns of local governments. The meetings were valuable and there is discussion of repeating them next year.

COMMITTEE REPORTS

Council Committee of the Whole

COU2011-50 Authorization to Public Amendment to 2012 Budget

On behalf of the Council Committee of the Whole, Dale Beckerman moved the Governing Body authorize the publication of a public hearing on an amendment to the

2012 budget for the City of Prairie Village. The motion was seconded by Dale Beckerman and passed Laura Wassmer.

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

On behalf of the Council Committee of the Whole, Dale Beckerman moved 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. The motion was seconded by Al Herrera.

City Attorney Katie Logan confirmed the ordinance was the same as the one discussed at the last Council Committee of the Whole meeting with the inclusion of a 9 month timeframe.

Quinn Bennion added that staff has talked with the three property owners making them aware of the proposed moratorium. RED is not supporting the ordinance.

Diana Ewy Sharp stated she felt the process was in place to ensure enough public participation and is not supportive of moving forward with the expenditure of \$75,000 on conducting a study for the Comprehensive Plan. She expressed concern that the participants may be upset if their desire for the development of the property is not followed.

Mrs. Ewy Sharp stated she had talked with Dan Lowe of RED regarding why they were not doing the study and Mr. Lowe stated they felt it would be perceived as them paying the City to approve how they wanted to develop the property. She asked for a progress report and was informed they would be having their final negotiations with Kansas City Christian School on the purchase of the property on November 8th.

She does not see any reason for the moratorium as RED has stated they would not move forward until the City was ready.

Mayor Shaffer noted the motion on the floor addresses only the moratorium, not the process for the amendment of the comprehensive plan. He also reminded Council that the moratorium can be repealed by the Council at any time.

A roll call vote was taken with the following members voting "aye": Herrera, Warman, Hopkins, Noll, Kelly, Wang, Wassmer, Beckerman, Clark, Morrison and Belz; voting "nay" Ewy Sharp. Mayor Shaffer declared the ordinance adopted by a vote of 11 to 1.

Finance Committee

David Belz stated he wanted to provide an update on the recent Finance Committee meeting. He noted one of the items of discussion was discussed in the earlier Council Committee of the Whole meeting regarding the proposed changes to the City's purchasing policy. He noted the other agenda item discussed was a possible ½ cent dedicated sales tax for on-going park maintenance as well as park enhancements. The committee looked at different ways to get an on-going revenue source discussing both a sales tax increase as well as an increase in the mill levy. He noted this will be discussed in detail at the Council Committee of the Whole meeting on November 21, 2011.

Michael Kelly questioned if park maintenance is not currently funded in the budget. Mr. Belz noted money has been allocated for maintenance, but not for CIP Improvements. Mr. Kelly noted the on-going improvements to Weltner Park with the use of general funds from the city budget. Mr. Belz responded there is a lack of guaranteed funding in the future and without a dedicated source of revenue it is easy to ignore improvements. Mr. Kelly noted there is no guaranteed future funding for any programs. It is the job of the Council each year to establish priorities and prepare a budget accordingly. He feels this is going against the primary function of the Governing Body.

Ruth Hopkins cautioned that there is talk about the state increasing sales tax significantly to offset proposed changes to income tax and feels a sales tax increase is the wrong way to go forward. She noted the City has always maintained its parks and noted the \$2 million taken from the general fund in the past years for park improvements giving them a priority to maintenance of existing parks. She does not believe a new dedicated revenue source is required.

Diana Ewy Sharp gave a history of park capital improvement funds stating that the former Public Works Director Bob Pryzby would reallocate unused funds from other projects to fund capital improvements to parks. He would create from those funds a five year CIP plan for parks. When the parks master plan was created its focus was for enhancements and improvements to the city's park system. She stated the money for park capital improvements/maintenance has been taken by street projects.

Steve Noll stated park maintenance is funded in the City's budget.

Dale Beckerman stated the growth in the city's operating budget is taking away from the city's capital improvement budget. He stated that there is money for general maintenance, but not for major CIP type maintenance such as replacement/repair of tennis courts or trails. Charles Clark added the city's revenues are flat while its operating costs are increasing and this is resulting in decreasing CIP funds.

Michael Kelly raised the question as to why operating expenses are increasing. Charles Clark responded the increasing costs of staff and related benefits noting people cost money. Mr. Kelly asked if there was no money for sidewalk repair in the parks. Mr. Clark responded there are limited funds for this year. Discussion continued and Mayor Shaffer reminded the Council that this item would be discussed at the next committee meeting.

STAFF REPORTS

Public Safety

- Chief Jordan advised the Council that his department is mandated to use the services of Marillac, Sunflower House and Safehome who all receiving funding from UCS.
- Chief advised crime trends generally increase during the holidays.
- The successful prescription drug drop-off program was reviewed.
- Dispatch did receive about 10 calls in response to the recent Oklahoma earthquake.
- Prosecution of the bank robbery at US Bank is being handled in Federal Court.
- The Police Department raised more than \$20,000 during the past year for Special Olympics. Chief Jordan commended Officer Adam Taylor for his work for the program.

Public Works

- Bruce McNabb reported street projects are wrapping up and crews are preparing for the winter months.

Administration

- Lisa Santa Marie distributed and reviewed the financial report for the third quarter. In the report she identified areas for concern. One of the areas was the interest received on investments.
- The City received its final tax levy from the County at 19.491. The estimated tax levy calculated for the budget was 19.477.
- Ms Santa Maria presented an update on Liquor Tax revenue and comparison of the past six years. Although revenue has increased with the new drinking establishments in the City, she cautioned that can quickly change if any of them were to close.
- The closing on the recent sale of bonds will be held on Wednesday, October 19th.
- Quinn Bennion announced the City's mobile application is being beta tested and can be downloaded at the Android market.
- The partnership with Habitat for Humanity, Municipal Foundation and the City has scheduled its first two homes. 7204 Booth Drive will be serviced on Wednesday, November 9th; the second home at the corner of 75th & Nall will be worked on November 19th.
- The Geothermal Installation for the Municipal Building is substantially completed.
- The RFP for consulting services for the Comprehensive Plan Amendment has been sent out and published.
- The Sister City Committee will recognize SME foreign exchange students on Monday, November 21st. The students will be introduced at the Council meeting followed by a reception.
- The Sewer Service Line Warranty Program has over 1000 participants or 14% of Prairie Village residents. Mr. Bennion stressed this is a warranty program, not an insurance program.

Al Herrera suggested the 10% premium that is returned to the City be placed in a special fund for residents who need assistance with utility payments or other house maintenance needs.

OLD BUSINESS

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

NEW BUSINESS

David Morrison asked if Mrs. Hopkins' trip to Washington, D.C. was paid for with City funds. Mayor Shaffer responded it was. Mr. Morrison stated he wanted to see expenditures for the trip and asked at what dollar amount was Council approval required. Mayor Shaffer responded the Council approves a travel budget and no other Council authorization is needed.

Mrs. Hopkins responded that she and staff worked diligently to secure government rates for her hotel, which are not generally given to local government representatives, saving a significant amount of money.

ANNOUNCEMENTS

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.

Mayor Shaffer reminded those present of the Prairie Village glass recycle challenge taking place during the month of November and encouraged all to participate.

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.

ADJOURNMENT

With no further business to come before the City Council, the meeting was adjourned at 8:45 p.m.

Joyce Hagen Mundy
City Clerk



MAYOR

**Council Meeting Date: November 21, 2011
CONSENT AGENDA**

Consider appointment to Parks & Recreation Committee

RECOMMENDATION

Mayor Shaffer requests Council ratification of the appointment of Kevin Letourneau and Eric Blevins to the Prairie Village Parks & Recreation Committee filling unexpired terms expiring in April, 2012 and April, 2014 respectively.

BACKGROUND

Kevin Letourneau has been actively involved with the Prairie Village Swim Team and other recreational programs. He has been a resident of Prairie Village for more than 20 years. Eric Blevins is an attorney with Shook, Hardy & Bacon and brings extensive volunteer experience to the committee.

ATTACHMENTS

Volunteer applications

PREPARED BY

Joyce Hagen Mundy
City Clerk

Date: November 9, 2011



City of Prairie Village APPLICATION TO VOLUNTEER

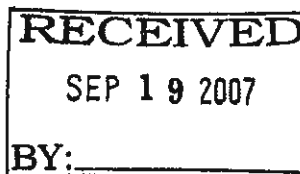
Please complete this form and return it to the City Clerk's Office, 7700 Mission Road, Prairie Village, Kansas 66208. If you have any questions, please contact the City Clerk's Office at 913-381-6464 or send an e-mail to cityclerk@pvkansas.com.

Name Kevin Lafaynes Spouse's Name Deanne
 Address 8224 Tanahawk Rd Zip 66208 Ward 4
 Telephone: Home 913-648-8839 Work 816-421-8404 Fax 816-410-8054
 E-mail GOALS@KC.MU.com Other Number(s): Cell - 816-215-4433
 Business Affiliation Wishin Extralite
 Business Address 1470 Liberty, KC, MO 64102
 What Committee(s) interests you? Park & Rec Committee

Please tell us about yourself, listing any special skills or experiences you have which would qualify you for a volunteer with the City of Prairie Village.

I have lived in Prairie Village for the last 22 years
I volunteered with the P.V. Soccer team for 10 years
I volunteered with the Johnson County Girls football program for 9 years
I am coaching in the Cyo basketball program
I am an empty nester with plenty of time to volunteer.

Thank you for your interest in serving our community.



**City of Prairie Village
APPLICATION TO VOLUNTEER**

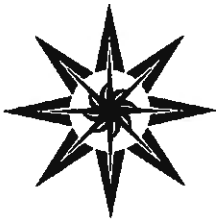
Please complete this form and return it to the City Clerk's Office, 7700 Mission Road, Prairie Village, Kansas 66208. If you have any questions, please contact the City Clerk's Office at 913-381-6464 or send an e-mail to cityclerk@pvkansas.com.

Name Eric R. Blevins Spouse's Name Alison
Address 4700 W. 78th St. Prairie Village Zip 66208 Ward IV
Telephone: Home 785-633-2226 Work _____ Fax _____
E-mail blevinse1@msn.com Other Number(s): _____
Business Affiliation Shook, Hardy, & Bacon, LLP
Business Address 2555 Grand Blvd, Kansas City, Mo 64108
What Committee(s) interests you? Animal Control, Sister City, Planning, Zoning

Please tell us about yourself, listing any special skills or experiences you have which would qualify you for a volunteer with the City of Prairie Village.

I volunteered a great deal while in college, everything from the Race Against Breast Cancer, Childrens Miracle Network, to Big Brothers and Big Sisters. While in Law School I tried to keep involved in as many activities both political and non-political, and since graduating in May 2006, I have missed being involved. I have a very diverse work experience and educational background which I feel would be of great value to any committee which I was given the chance to serve on.

Thank you for your interest in serving our community.



**COUNCIL COMMITTEE
CONSENT AGENDA**

Council Meeting Date: November 21, 2011

Consider approving the calendar designating 2012 City holidays.

SUGGESTED MOTION

Move that the Governing Body approve the following as designated City holidays pursuant to Personnel Policy 1006: *Holidays*.

New Year's Day	Monday, January 2
Martin Luther King, Jr. Day	Monday, January 16
President's Day	Monday, February 20
Memorial Day	Monday, May 28
Independence Day	Wednesday, July 4
Labor Day	Monday, September 3
Thanksgiving Day	Thursday, November 22 and Friday, November 23
Christmas Day	Tuesday, December 25

BACKGROUND

Pursuant to Personnel Policy 1006: *Holidays*, the City has designated days to be recognized as official City Holidays with City offices being closed for holiday observation.

FUNDING SOURCE

Not applicable

PUBLIC NOTICE

Not applicable.

Prepared By:
Nicholas Sanders, PHR, IPMA-CP
Human Resources Specialist
Date: November 15, 2011



CITY CLERK DEPARTMENT

Council Meeting Date: November 19, 2011
Consent Agenda

Consider authorization to continue multi-year agreements in 2012

RECOMMENDATION

City Council approves the continuation of the following multi-year agreements for 2012:

- Ace House Painting - Painting Services - expires 2012
- Arbor Masters - Tree Planting Services - expires 2012
- City of Westwood - Building Inspector Services - expires 2012
- Columbia Capital Management - Financial Advisor - expires 2013
- DataMax - Public Works Copier - expires 2014
- Deffenbaugh Industries - Refuse Container Services - expires 2013
- Deffenbaugh Industries - Solid Waste Services - expires 2012
- FP Mailing Solutions - Postage Meters - expires 2012
- Great American Leasing - Postage meter lease - expires 2013
- ImageQuest - Administration copiers - 2013
- K & G Stripping - Pavement Marking Services - expires 2012
- Kansas City Power & Light - M-Power Agreement - expires 2013
- Midwest Office Technology - PD Copier - expires 2012
- Pitney Bowes - PW Postage Meter - expires 2013
- Silverstone Group - Police Pension Actuarial Services - expires 2012
- Southwestern Bell - T1 Line Lease - expires 2013
- Shawnee Mission Tree - Tree Planting - expires 2012
- Teague Electric - Electrical Services - expires 2012

BACKGROUND

The City has agreements that have been previously approved by the City Council for multiple years. Since the City can only make commitments for one year, the City Attorney has advised that although, by contract, the agreements are current; they should have Council action each year accepting the continuation of these agreements for 2012 funds have been budgeted, when needed, in the appropriate departments operating budgets for 2012.

ATTACHMENTS

Copies of the agreements are available upon request.

PREPARED BY

Joyce Hagen Mundy
City Clerk

Date: November 15, 2011



PUBLIC WORKS DEPARTMENT

Council Meeting Date: November 21, 2011

CONSIDER INTERLOCAL AGREEMENT WITH LEAWOOD, KANSAS FOR PROJECT 190723- MISSION ROAD CULVERT REPLACEMENT.

RECOMMENDATION

Move to approve the interlocal agreement with Leawood, Kansas for project 190723- Mission Road Culvert Replacement.

BACKGROUND

This project will be administered by the City of Leawood and it will replace the box culvert that runs under Mission Road at 87th Street. In 2008 there was a settlement issue on Mission Road above this culvert. During the street repair it was discovered that the condition of the culvert was worse than thought. Since that time Leawood and Prairie Village have added this culvert replacement project to their capital improvements programs for construction in 2012.

This project is a part of the 2012 Capital Improvements Program and Prairie Village will fund 50% of the project or \$270,600.00. The \$270,600.00 includes all project costs including design, construction, and inspection services. The construction is anticipated to begin in the summer of 2012.

FUNDING SOURCE

Funding is available under, Project 1907223- Mission Road Culvert Replacement for the City's portion of the project.

RELATION TO VILLAGE VISION

- TR1a. *Ensure that infrastructure improvements meet the needs of all transportation users.*

ATTACHMENTS

1. Interlocal Agreement with Leawood, Kansas

PREPARED BY

Keith Bredehoeft

November 16, 2011

AGREEMENT BETWEEN THE CITY OF LEAWOOD, KANSAS AND PRAIRIE VILLAGE, KANSAS, FOR THE PUBLIC IMPROVEMENT REPLACING AN EXISTING BOX CULVERT UNDER MISSION ROAD AT 87TH STREET.

THIS AGREEMENT, made and entered into this _____ day of _____, 2011 by and between the CITY OF LEAWOOD, KANSAS, and the CITY OF PRAIRIE VILLAGE, KANSAS, each party having been organized and now existing under the laws of the State of Kansas,

WITNESSETH:

WHEREAS, the parties hereto have determined it is in their best interest to make the public improvement to Mission Road at 87th Street, replacing the existing stormwater box culvert under Mission Road, such improvement is hereinafter described; and

WHEREAS, K.S.A. 12-2908 authorizes the parties hereto to cooperate in making the public improvement; and

WHEREAS, the governing bodies of each of the parties hereto have determined to enter into this Agreement for the aforesaid public improvement, as authorized and provided by K.S.A. 12-2908 and K.S.A. 68-169; and

WHEREAS, the governing body of the CITY OF LEAWOOD, KANSAS, did approve and authorize its mayor to execute this Agreement by official vote of the body on the _____ day of _____, 2011.

WHEREAS, the governing body of the CITY OF PRAIRIE VILLAGE, did approve and authorize its Mayor to execute this Agreement by official vote of the body on the _____ day of _____, 2011; and

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

1. PURPOSE OF AGREEMENT. The parties hereto enter into this Agreement for the purpose of constructing the public improvement on Mission Road as heretofore described by performing the following work:

- a) Replace the existing 10 X 10 box culvert running under Mission Road at the intersection of 87th Street with a new concrete box structure;
- b) Replace the existing corrugated stormsewer pipes that tie into the existing box with concrete pipe, and make improvements at the upstream and downstream end of the box to improve the flow of water;
- c) Restore the existing asphalt surface and existing striping with new for the section of roadway removed for the box culvert replacement; and,
- d) Construct other incidental items associated and integral with the above referenced construction.

2. ESTIMATED COST OF PROJECT.

A. The estimated cost of design and construction for the public improvement covered by this agreement is FIVE HUNDRED FORTY ONE THOUSAND TWO HUNDRED DOLLARS (\$541,200.00).

B. The cost of making the public improvement shall include:

- (1) Make all design and construction contracts for public improvements;
- (2) Labor and material used in the making the public improvements; and
- (3) Such other expenses which are necessary in making the public improvement,

exclusive of the cost of acquiring real property and any improvement thereon for the location of the public improvement. These costs include but are not limited to project administration, construction, construction inspection and material testing.

C. The cost for the local share of the cost of making the public improvements shall be distributed between each City as follows:

(1) The CITY OF LEAWOOD, KANSAS shall pay 50.0% of the cost of said public improvement (estimated to be \$270,600.00).

(2) The CITY OF PRAIRIE VILLAGE, KANSAS shall pay 50.0% of the cost of said public improvement (estimated to be \$270,600.00).

3. FINANCING. THE CITIES OF LEAWOOD, KANSAS and PRAIRIE VILLAGE, KANSAS, shall pay their portion of the cost with monies budgeted and appropriated funds.

4. LEAWOOD ADMINISTRATION OF PROJECT. It is acknowledged and understood between the parties that since there are two separate cities included within the proposed improvement, one of the cities should be designated as being “in charge” of the project to provide for its orderly design and construction. However, both cities shall have the right of review and comment on project decisions at any time throughout duration of this Agreement, and any subsequent agreements hereto. The public improvement shall be designed, constructed and the job administered by the CITY OF LEAWOOD, KANSAS, acting by and through the Director of Public Works for Leawood, Kansas, who shall be the principal public official designated to administer the public improvement; provided, that the Director of Public Works shall, among his several duties and responsibilities, assume and perform the following:

A. Make all contracts for the public improvement, including the responsibility to solicit construction bids by publication in the official newspaper of Leawood, Kansas. In

the solicitation of bids, the appropriate combination of best bids shall be determined by the aforesaid governing body administering the project, except that the governing body of the CITY OF PRAIRIE VILLAGE, KANSAS reserves the right to reject the successful bidder in the event that the bid price exceeds the engineer's estimate. If all bids exceed the estimated cost of the public improvement, then either CITY shall have the right to reject the bid. In such case, the project shall rebid at a later date.

- B. Submit to the CITY OF PRAIRIE VILLAGE on or before the 10th day of each month, or as received, estimates of accrued costs of design and constructing the public improvement for the month immediately preceding the month the statement of costs is received; provided that the CITY OF PRAIRIE VILLAGE shall within thirty (30) days after receipt of a statement of costs as aforesaid, remit their portion of the accrued costs to the CITY OF LEAWOOD as herein agreed.
- C. Upon completion of the public improvement, the Director of Public Works shall submit to the CITY OF PRAIRIE VILLAGE a final accounting of all costs incurred in making the public improvement for the purpose of apportioning the same among the parties as provided herein.
- D. The CITY OF PRAIRIE VILLAGE shall be named as additional insured on all applicable certificates of insurance issued by the contractor for this project.
- E. The CITY OF LEAWOOD shall require performance bonds for the improvement from all contractors and require that all contractors discharge and satisfy any mechanics or materialman's liens that may be filed.
- F. The CITY OF LEAWOOD shall require that any contractor provide a two-year performance and maintenance bond for the Improvement. As Administrator, the

CITY OF LEAWOOD will, upon request of the CITY OF PRAIRIE VILLAGE, make any claim upon the maintenance bond or performance bond and require that the contractor fully perform all obligations under the performance and maintenance bonds.

G. The CITY OF LEAWOOD shall include in contracts for design and construction a requirement that the contractor defend, indemnify and save the CITY OF LEAWOOD and the CITY OF PRAIRIE VILLAGE harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit or action for injuries or damages sustained to persons or property by reason of the act or omissions of the contractor and the performance of his or her contract.

5. DURATION AND TERMINATION OF AGREEMENT. The parties hereto agree that this Agreement shall exist until the completion of the aforesaid public improvement, which shall be deemed completed upon certification to each of the parties hereto by the Director of Public Works advising that the public improvement has been accepted by him as constructed; provided that upon the occurrence of such certification by the Director of Public Works, this Agreement shall be deemed terminated and of no further force or effect.
6. PLACING AGREEMENT IN FORCE. The attorney for the administering body described in paragraph 4 hereof shall cause this Agreement to be executed in triplicate. Each party hereto shall receive a duly executed copy of this Agreement for their official records.
7. AMENDMENTS. This Agreement cannot be modified or changed by any verbal statement, promise or agreement, and no modification, change nor amendment shall be binding on the parties unless it shall have been agreed to in writing and signed by both parties.

8. JURISDICTION. This Agreement shall be construed according to the laws of the State of Kansas and may be enforced in any court of competent jurisdiction.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed in triplicate by each of the parties hereto on the day and year first above written.

CITY OF LEAWOOD, KANSAS

By _____
PEGGY J. DUNN, MAYOR

ATTEST:

DEBRA HARPER, CITY CLERK

APPROVED AS TO FORM:

PATRICIA A. BENNETT, CITY ATTORNEY

CITY OF PRAIRIE VILLAGE, KANSAS

By _____
RON SHAFFER, MAYOR

ATTEST:

Joyce Hagen-Mundy, City Clerk

APPROVED AS TO FORM:

Catherine Logan, City Attorney

COUNCIL COMMITTEE OF THE WHOLE
November 7, 2011

The Council Committee of the Whole met on Monday, November 7, 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, Laura Wassmer, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz. Mayor Ron Shaffer arrived late. 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; Lisa Santa Maria, Finance Director, Emily Kotay, Administrative Intern and Joyce Hagen Mundy, City Clerk.

***COU2011-52 Request Permission to Publish Amendment to 2012 Budget**

Lisa Santa Maria stated that in October 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 street projects in the CIP to take advantage of lower construction prices. The City adopted its 2012 budget in August of this year prior to the bond issue. Because of the bond issue, the expenditures in the Bond and 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.

Funding for the additional expenditure of \$68,736.68 in the Bond & Interest Fund comes from the existing tax that was levied and budgeted transfer from the Stormwater Utility Fund. Mrs. Santa Maria stress there will not be a change to the tax levy that was originally approved in the 2012 budget.

State statues 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 regular City Council meeting on Monday, November 21, 2011. With authorization to publish the Notice of Budget Hearing will be published on Tuesday, November 8th meeting this requirement.

Charles Clark made the following motion, which was seconded by David Belz and passed by a majority vote with Michael Kelly voting in opposition:

**MOVE THE GOVERNING BODY AUTHORIZE THE PUBLICATION
OF A PUBLIC HEARING ON AN AMENDMENT TO THE 2012 BUDGET
COUNCIL ACTION TAKEN
11/07/2011**

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

Bruce McNabb reported that for the past several years the City has been providing maintenance to the recreation fields at St. Ann's Church adjacent to Windsor Park as part of an informal agreement established in exchange for the City's scheduled use of the fields for recreational purposes on a limited basis. The agreement was initiated when Porter Park was unable to be used resulting in the loss of 2 baseball fields and two soccer fields. As the property owner, the Church first reserved the fields for their use and the available fields were then given to the City for use in addition to city fields that are made available for area teams. These fields have not been reserved by the City recently and with the new additional park maintenance responsibilities for city crews, staff is recommending the discontinuation of this practice. The approximate cost of providing this service is \$4,000 annually. If this service were discontinued, the current resources will be reassigned to other park maintenance responsibilities. This item was taken before the Park & Recreation Committee and has its support.

Mr. McNabb reported that he has spoken with representatives of the church regarding this service. They were appreciative of the past service, but understood the budget concerns of the City.

Michael Kelly noted the frequent use of this area by residents and feels the maintenance of the area should continue noting the minimal cost.

Diana Ewy Sharp stated the change was not initiated by the Park Committee. St. Ann's has had 15 years of free maintenance and they recognize that the City has done more than their fair share. Dale Beckerman confirmed that St. Ann's will be maintaining the fields.

David Morrison stated it is not the city's responsibility to maintain private property.

Al Herrera noted the frequent use of the fields and felt the expenditure of \$4,000 to maintain the fields was a better expenditure of City funds than trails to nowhere. He feels this service should continue for the benefit of the community. He stated St. Ann's does not have the money to maintain the fields, they were maintained by the Men's Club.

Laura Wassmer stated the city does not have enough money to do the maintenance that is needed in our parks. If the city secures additional money for parks, perhaps then the service could be provided.

Diana Ewy Sharp stated that St. Ann's did not indicate that they had any problems with the city discontinuing providing maintenance of the fields.

Michael Kelly stated he felt it was important for the City to continue to this service to the community that uses these facilities regularly. Mr. Kelly asked if there were future development plans for Windsor Park that would include St. Ann's property. Mrs. Ewy Sharp responded they did not.

Ruth Hopkins stated she has little doubt that St. Ann's will maintain the fields and that they will continue to be used by the community. She sees this as the same as the fields at the public schools that are used by residents and maintained by the school district.

Diana Ewy Sharp made the following motion, which was seconded by Ruth Hopkins:

**MOVE THE CITY DISCONTINUE THE MAINTENANCE OF
RECREATION FIELDS AT ST. ANN'S CHURCH EFFECTIVE
DECEMBER 31, 2011.**

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

Andrew Wang responded as a member of St. Ann's noting that they were happy to be able to assist the City when it needed additional fields and is appreciative of the maintenance provided by the public works staff over the past years. He agrees with Mrs. Hopkins that the fields will continue to be maintained and used by St. Ann's and available to the community. He feels St. Ann's should be responsible for the field maintenance.

The motion was voted on and passed by a vote of 9 to 3 with Herrera, Warman, and Kelly voting "nay".

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

Quinn Bennion noted that 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. Mr. Bennion noted the City is not required to select the lowest bidder. In response to the Council's actions, staff initiated a review of the procurement process and purchase policy.

At the Finance Committee on November 2, 2011, recommended an additional step be added to the procurement process of Council review prior to bidding. This pre-bid review would typically take place in September or October on consent agenda. During this process, a Councilmember can remove a bid item for discussion and vote. If removed, 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.

Mr. Bennion noted that due to timing, the expiring 2011 contracts are currently published and out to bid and can be withdrawn if Council takes action to do so.

Dale Beckerman stated this provides the Council with the opportunity to direct staff not to go out for bid.

Ruth Hopkins stated she approved the new process.

Andrew Wang expressed concern that without bidding, there is no guarantee that the city is getting the best price. Laura Wassmer responded that in some instances the relationship with the service provider is as important as the cost of the service. She supports the new process.

Charles Clark noted at one time the existing provider was the low bidder to provide the services. The process has the existing provider agreeing to continue services with the rate increases presented in their current agreement. If this is not acceptable, the city will then go out to bid. Mr. Clark stated the purchasing policy is worded that the bid be awarded to the lowest competent bid. Staff can recommend against the bid with grounds; however, not if both bidders were competent. Mr. Warman noted the qualifications of the incumbent are known, the low bidder's qualifications may be unknown.

Ruth Hopkins stated she felt the new process was a good way to address those few instances where the relationship of the provider should be considered.

Michael Kelly expressed concern with the perception of giving the incumbent an unfair advantage. Mr. Belz noted that even if a contract is pulled off for discussion, a majority of the council must agree not to go out to bid on the service.

Mr. Clark stated he preferred going out to bid; however, this process allows Council to address those situations where it feels it is important to retain the services of a provider.

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 Jordan stated that he and Fire Chief Phil Hodgdon recently reviewed the current regulations for the issuance of a public fireworks permit. They agreed the regulations should be amended in order to improve/strengthen liability insurance coverage, site plans and the 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 reviewed and approved the proposed revisions.

Charles Clark made the following motion, which was seconded by Dale Warman and passed unanimously:

**MOVED THE GOVERNING BODY ADOPT 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 REQUIRED
CONSENT AGENDA**

Presentation of Prairie Village Demographic Data in 2000 and 2010

Quinn Bennion introduced Emily Kotay the current administrative intern, a student at the University of Kansas.

Emily Kotay presented an analysis of Prairie Village demographic information from the 2010 census and the 2000 census. The data reflected a 2.8% decrease in population from 22,072 in 2000 to 21,447 in 2010.

Ward populations were within 10% of each other Ward 1 being the largest and Ward 2 the smallest. As Ward population remains comparable throughout the city, staff does not recommend any change to ward boundaries. Other data analyzed and presented by Ms Kotay included race and ethnicity, age distribution, employment status, income and housing.

The following data was highlighted:

- Total population in the workforce increased from 11,704 to 12,519.
- Median income increased from \$76,810 to \$78,542.
- Number of housing units increased from 10,126 to 10,227.
- The number of owner occupied dwellings decreased from 8,242 to 7,958.

David Belz noted a drop in school age children as reflected in recent elementary and middle school closings.

Ruth Hopkins asked for clarification on the employment data. Ms Kotay responded and stated she would prepare revised charts showing the data more clearly.

Dale Warman thanked Ms Kotay for her presentation and noted it is good to have this information.

Presentation on DDACTS Crime Prevention Program Results

Captain Tim Schwartzkopf presented a six month review of the Police Department's Data Driven Approach to Crime and Traffic Safety (DDACTS). The program identifies high crime and accident areas and responds with more visible patrols in those areas.

In April, 2011, more than 400 hours were spent in patrol of DDACT areas. These hours decreased during the summer months as vacations limited the number of officers on patrol and the road construction at Cambridge impacted the patrol in that area. The burglaries in the identified areas decreased significantly. During the first quarter, prior to the beginning of the program, there were 26 burglaries with the current year-to-date total of 55.

Captain Schwartzkopf stated there was very little change in the accident data. He was also pleased to report that there was no negative impact on the services provided to the other areas of the City. The department feels the program was successful and plans to continue its use in the future.

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 25 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, outside legal counsel 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 7:27 p.m. The motion was seconded by Andrew Wang and passed unanimously.

Adjournment

With no further business to come before the Committee, Council President Dale Beckerman adjourned the Council Committee of the Whole meeting at 7:27 p.m.

Dale Beckerman
Council President



ADMINISTRATION

Council Meeting Date: November 21, 2011

Adoption of the 2012 Budget Amendment

SUGGESTED MOTION

Move to adopt the 2012 Budget Amendment as published.

BACKGROUND

State statutes require that the City publish the budget amendment in the official newspaper of the City and hold a public hearing on the budget amendment prior to adoption. The budget amendment was published in the Legal Record on Tuesday, November 8, 2011. The public hearing was held earlier this evening.

ATTACHMENTS:

None.

Prepared By:

Lisa Santa Maria
Finance Director

Date: November 16, 2011

2012

**Amended
Certificate
For Calendar Year 2012**

To the Clerk of Johnson, State of Kansas
We, the undersigned, duly elected, qualified, and acting officers of
City of Prairie Village
certify that: (1) the hearing mentioned in the attached publication was held;(2) after the Budget Hearing this Budget was duly approved and adopted as the maximum expenditure for the various funds for the year.

			2012 Amended Budget		
Table of Contents:			Amount of 2011 Tax that was Levied	Adopted 2012 Expenditures	Proposed Amended 2012 Expenditures
Fund	<u>K.S.A.</u>	Page No.			
Bond & Interest Fund	10-113	2	1,331,203	1,970,475	2,039,212
0					
0					
0					
0					
Totals		xxxxxxxxx	1,331,203	1,970,475	2,039,212
Summary of Amendments		3			

Attested date: _____

County Clerk

Assisted by:

Address:

Governing Body

MAYOR'S ANNOUNCEMENTS

November 21, 2011

Committee meetings scheduled for the next two weeks include:

Council Committee of the Whole	12/05/2011	6:00 p.m.
City Council	12/05/2011	7:30 p.m.

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 November.

The City offices will be closed November 24th and November 25th in observance of the Thanksgiving holiday. Deffenbaugh only observes the 24th, so Thursday and Friday pick-up will be delayed one day.

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.

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 21, 2011

1. Tree Board Minutes - November 2, 2011
2. Park and Recreation Committee Minutes - September 14, 2011
3. Park and Recreation Committee Minutes - October 19, 2011
4. Sister City Committee Minutes - October 10, 2011
5. Mark Your Calendars

TREE BOARD

City of Prairie Village, Kansas

MINUTES (DRAFT)

Wednesday November 2, 2011
Public Works Conference Room
3535 Somerset Drive

Board Members: Cliff Wormcke, Jack Lewis, Greg VanBooven, Deborah Nixon, Luci Mitchell and Chris Herring

Other Attendees: Suzanne Lownes, Alan Mackey and Alejandro Aguirre

Jack Lewis called the meeting to order at 6:05 p.m. with a quorum present.

1) Review and Approve Minutes of September 7, 2011- Motion by Jack Lewis, second by Luci Mitchell; **Approved unanimously.**

2) Approve recommendations of plans

2.1) Indian Hills Middle School –

Jack Lewis said that after reviewing the plans he only saw a couple of issues. He felt that the trees that had been chosen for the compound area were not appropriate for that space. He suggested that the Pink Crabapples be replaced with Malice Red Baron Crabapples and that the Shantung Maples be replaced with Amelanchier Canadances Serviceberry-Autumn Brilliance Tree form. Also he stated that the hameln ornamental grass that they have chosen for the beds won't grow in the shade so he suggested that they plant Lairiope-Big Blue instead. After discussion of these items Jack Lewis made the motion to accept the Indian Hills Middle School plan with the above changes, second by Deborah Nixon; **Approved unanimously.**

2.2) CVS at Corinth –

Alan Mackey with Landplan Engineering was in attendance to discuss the landscape plan for the CVS project at Corinth Shopping Center. After discussion with the board about the plan and discussion issues that the board had with the plan the following changes were requested on the CVS landscape plan: that the Gold Flame on the Mission Road side be replaced with Seagreen Juniper, that the Gold Flame on the north side be replaced with Magic Carpet Spirea.

The following changes were requested on the Lane 4 landscape plan: that the Gold Flame would be replaced with Magic Carpet, that the Spring Snow Crabapples would be replaced with Japanese Lilac, that the Prairie Fire would be replaced with Red Baron Crabapple.

After discussion of these items Jack Lewis made the motion to accept the CVS and Lane 4 plans with the above changes, second by Greg VanBooven; **Approved unanimously.**

3) Fall Seminar -

Luci Mitchell and Greg VanBooven thought that the presentation went well. Suzanne Lownes said that those that signed up on the attendance sheet were previous Fall Seminar attendees.

Jack Lewis brought up the idea of the walking tour of champion trees. It was suggested to place the list of trees on the website and maybe provide a map. It was suggested to talk about this at the next meeting.

4) Old Business -

Deborah Nixon said that she was interested in heading up the Arboretum Committee. She said that she would talk with Art Kennedy on his thoughts about what she could do to help.

5) New Business -

5.1) Alejandro Aguirre the owner of 2000 W. 73rd Street was in attendance to request that he remove a right-of-way tree on his property. It is a complete house rebuild and he is wanting to widen the one car driveway to a two car driveway and there is a tree in the way to accomplish this. Jack Lewis proposed that the Tree Board allow him to either transplant the tree if it is possible. Mr. Aguirre said that he had a tree company coming out that week to see if it could be transplanted. Jack Lewis suggested that if the tree was not transplantable that if Mr. Aguirre would be willing to plant a new tree in the right-of-way with a minimum caliper of 2 ½" then the Tree Board would approve the removal of the existing tree.

After discussion Jack Lewis made the motion to allow Mr. Aguirre at 2000 W 73rd Street to transplant the right-of-way tree to widen his driveway or remove it if not transplantable and replace in the right-of-way a tree of a minimum 2 ½" caliper, second by Luci Mitchell; **Approved unanimously.**

5.2) The Tree Board welcomed new member Chris Herring.

6) Next Meeting-

The next meeting will be February 1, 2012.

The meeting adjourned at 7:05 p.m.

Minutes prepared by Suzanne Lownes.

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

PARK AND RECREATION COMMITTEE

October 19, 2011

Multi-Purpose Room

The Park and Recreation Committee met at 7.00pm. Presiding: Diana Ewy Sharp, Chair, Diane Mares, Max Rieper, Dan Searles, Joe Nolke and Tim O'Toole. Staff: Bruce McNabb and Chris Engel. Also present: Ruth Hopkins, Gordon Grohman, Thomas O'Brien & members of Environmental Committee.

PUBLIC PARTICIPATION

Windsor Park Trails

Gordon Grohman of Normandy Court shared the Windsor trails were in need of repair or replacement. They are a potential liability and some elderly residents won't walk them anymore. Bruce reported the trails have been repaired to the point of requiring replacement but there is no funding available for non-maintenance items in any parks. Diana informed Gordon she was meeting with staff soon to discuss how to fund capital repairs in the parks.

Community Garden

Thomas O'Brien reported a 95' x 40' plot has been marked in Harmon Park between the tennis courts and Delmar. There will be 20 individual plots and indications are they will be a mix of some self-grown food plots, a few plots for the food pantry and some ornamental plants. Thomas stated people will sign an agreement to maintain the plot. They are still seeking water but plan to till the ground soon so winter can ready the soil for spring. There is much interest and should be a waiting list. Dan asked if residents will receive priority. Thomas shared that could be worked into the agreement.

CONSENT AGENDA

Minutes from September 14, 2011 were approved in form but held over for lack of quorum.

REPORTS

Public Works Report

Bruce reported the dead trees in Franklin have been replaced. Also, the problem with the stream is no longer sand, but mulch and silt. Some actions have been taken to remedy the problem that will hopefully prove successful next spring. Carroll Plaza fountain is now functional and should be ready to open in spring. Weltner Park shelter is about a month delayed at the manufacturer but all other improvements should be completed by November 1. Tomahawk Trail from Porter to 71st is progressing and should be complete December 1.

Recreation Program Report

Chris shared the annual recreation report. He summarized the year as successful in terms of attendance and sales. Aside from closing early due to the cryptosporidium outbreak there were no problems or incidents. Diane asked if it was possible for city volunteers to get discounted pool memberships. Chris will research and report back. JoCo recreation managers were putting together a plan to present to the Health Department to address potential future outbreaks. The YMCA will be handling all lifeguard certifications in 2012 at the same cost as the Red Cross did

prior to raising their rates. This will allow guards to recertify for free and not increase the city share of the costs.

Parks Master Plan Report

Diane and Dan shared the Weltner ribbon-cutting will be in spring and is still a work in progress. They are also looking into a series of 'movie in the park' events in Franklin.

Chairperson's Report

Diana shared the Finance Committee would be meeting in the weeks to come to discuss parks funding. Also, the McCrum water tower is coming down after the first of the year. It will be a little disruptive to the neighbors for the week it takes to remove and haul away. WaterOne will return the area to parkland and do a few additional improvements before they are complete. There will be public meetings beforehand with mail, web, and newsletter notifications while the immediate neighbors will be personally notified by WaterOne. Diana has asked Mayor Shaffer to approve two recent applicants to fill the current Ward 4 and At-large vacancies.

NEW BUSINESS

Mayor's Christmas Light Display

The Doerr Christmas Light Display traditionally located on 79th Street will be moving inside the pool fence this year for viewing from SME parking lot. Last year a neighbor asked Mr. Dorr to stop the display because the traffic was disruptive. Mr. Dorr asked the City if it would be possible to use city property. After research and discussion, Mayor decided to issue a special-use permit to Mr. Dorr to keep the display in Prairie Village. The chosen location should have minimal impact of the surrounding neighborhood. Donations will be accepted onsite to benefit the Municipal Foundation and Habitat for Humanity.

St. Ann's / Windsor Park Mowing

Bruce reported Public Works will no longer be cutting the St. Ann's ball fields. In an effort to reduce costs it was determined to conclude an informal arrangement made 15 years ago with the church. The church was notified and very understanding of the city's position and thankful for the years of assistance.

INFORMATIONAL ITEMS

The next meeting will be November 9, 2011.

Diana Ewy Sharp
Chairperson

SISTER CITY COMMITTEE
10 October 2011
MINUTES

Call to Order

Chair Jim Hohensee called the meeting to order. Present: Vera Glywa, Bob Glywa, Bob McGowan, Ivan Novikov, Yulia Matskevych, and Cindy Dwigans. Also present: AJ Hoyt
Staff: Chris Engel and Emily Kotay

Minutes

Minutes from September 12, 2011 were approved.

Exchange Student Reception

The reception is scheduled for Monday, November 7 at 7:00PM in the Multi-Purpose Room. Set-up is at 6:30PM. The students will be introduced to the City Council at 7:30PM at the Council meeting. (The Multi-Purpose Room has been reserved from 5PM – 10PM).

We are expecting 7 to 10 students. Carole has been authorized money for the event and Chris will be providing PV items to Cindy for 10 students. Cindy is in charge of picking up 10 gift cards.

Exchange Student Update

Ivan reported Vira has been living with a new permanent host-family for the last two weeks.

Budget

Cindy suggested funding a trip to the Sister Cities International Conference in Jacksonville, FL that is July 12 – 14, 2012. Early registration is until January 13 and costs \$475. After January 13, registration is \$628. The committee nominated Carole to attend. If she is unavailable, Bob McGowan or Jim Hohensee will attend. **Cindy moved to approve round-trip airfare and \$475 for early registration. Bob seconded, and the motion carried.**

Banner

Vera found a banner for \$52.50. The banner is 6' long by 15". It has grommets on the ends for hanging.

Jim is looking for a banner graphic of crossed Ukrainian and American flags. Bob Glywa volunteered to take photos of the flags and edit the photos with Photoshop so they will look more like a graphic rather than photos. Jim is envisioning a banner with the Sister City logo on one corner, and the crossed flags graphic on the opposite corner, with "Prairie Village Sister Cities" in the center. Cindy suggested printing a short statement to clarify what Sister Cities is. Bob suggested that members should create "buzz-phrases," similar to "Promoting cultural and educational exchange." Members should e-mail their "buzz-phrases" to Jim, and he'll send them to the members for selection.

Farewell Gift to Peace Corps Volunteers in Dolyna

The gift suggestions were to buy a Wal-Mart gift card, and a few pieces of Ukrainian art leftover from the previous art show, such as two of Yuriy's photos. Jim is asking the Mayor the amount for the gift card.

2012 Art Show

The possibility of putting on another art show to coincide with JazzFest in September 2012 was suggested. There was a discussion of the art that could be displayed. **Vera motioned to have the art show in September 2012. Bob seconded and the motion carried.**

Delegation to Dolyna

Jim suggested that members brainstorm gifts to take to Dolyna, and present their ideas at the next meeting.

Cindy's dentist has been asked to join the delegation.

There is an idea to ask Michael to come to the next meeting and share about his last visit to Ukraine.

Other Topics Discussed

Sister Cities International requests a summary of Prairie Village's partnership with Dolyna. In relation to this request, it was suggested the committee should make a scrapbook of all events and activities, along with an "archives." Members will round-up pictures and articles for the next meeting.

The next meeting will be Monday, November 14, 2011.

Jim Hohensee
Chair

**Council Members
Mark Your Calendars
November 21, 2011**

November 2011 Greater KC Art Association mixed medium exhibit in the R. G. Endres Gallery
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

January 2012 City owned art in the R. G. Endres Gallery
January 2 City offices closed in observance of New Years
January 3 (Tues.) City Council Meeting
January 13 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
January 16 City offices closed in observance of Martin Luther King Day
January 17 (Tues.) City Council Meeting

February 2012
February 6 City Council Meeting
February 10 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
February 20 City offices closed in observance of Presidents' Day
February 21 (Tues.) City Council Meeting

March 2012 Fred Mullett printmaking exhibit in the R. G. Endres Gallery
March 5 City Council Meeting
March 9 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
March 19 City Council Meeting

April 2012
April 2 City Council Meeting
April 14 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
April 16 City Council Meeting

May 2012
May 7 City Council Meeting
May 11 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
May 21 City Council Meeting
May 28 City offices closed in observance of Memorial Day

June 2012 Senior Arts Council exhibit in the R. G. Endres Gallery
June 4 City Council Meeting
June 8 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
June 18 City Council Meeting

July 2012
July 2 Dorrance / Higgins / Nye exhibit in the R. G. Endres Gallery
City Council Meeting
July 4 VillageFest
July 4 City offices closed in observance of Independence Day
July 13 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
July 16 City Council Meeting

August 2012
August 6 City Council Meeting
August 10 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
August 20 City Council Meeting

September 2012
September 3 Ukrainian - Sister City exhibit in the R. G. Endres Gallery
City offices closed in observance of Labor Day
September 4(Tues.) City Council Meeting
September 14 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.

October 2012
October 1 State of the Arts Exhibit in the R. G. Endres Gallery
City Council Meeting
October 12 Artist reception in the R. G. Endres Gallery
October 15 City Council Meeting

November 2012
November 5 City Council Meeting
November 9 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
November 19 City Council Meeting
November 22 City offices closed in observance of Thanksgiving
November 23 City offices closed in observance of Thanksgiving

December 2012
December 3 City Council Meeting
December 14 Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
December 17 City Council Meeting
December 25 City offices closed in observance of Christmas