

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

AGENDA

DALE BECKERMAN, COUNCIL PRESIDENT

AGENDA ITEMS FOR DISCUSSION

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

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

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

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

Presentation of 2010 Census numbers relating to Prairie Village  
Emily Kotay

Presentation regarding DDACTS Crime Prevention Results  
Captain Tim Schwartzkopf

Executive Session

**COUNCIL 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 8<sup>th</sup> 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