

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

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

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

By Staff:

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

VI. MAYOR'S REPORT

VII. COMMITTEE REPORTS

Council Committee of the Whole

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

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

VIII. STAFF REPORTS

IX. OLD BUSINESS

X. NEW BUSINESS

XI. ANNOUNCEMENTS

XII. ADJOURNMENT

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

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

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