

COUNCIL COMMITTEE
MAY 7, 2012
6:00 P.M.
Council Chambers

AGENDA

DAVID MORRISON, COUNCIL PRESIDENT

AGENDA ITEMS FOR DISCUSSION

Citizen's Academy Graduation
Wes Jordan

2013 Budget Outlook & Calendar
Quinn Bennion and Lisa Santa Maria

Discussion regarding Council laptop replacements
Dennis Enslinger

- COU2012-21 Consider renaming Meadowlake Park in honor of Mayor Taliaferro
- COU2012-22 Consider an Ordinance amending Chapter 11 Article 2 to allow for a waiver process to Operate Work Machinery outside of approved hours of operation allowed by City Ordinance 11-202
Dennis Enslinger
- *COU2012-23 Consider Construction Administration Agreement with TranSystems for 2012 Construction Projects
Keith Bredehoeft
- COU2012-24 Consider 2013-2017 CARS Program
Keith Bredehoeft

COUNCIL COMMITTEE OF THE WHOLE May 7, 2012

The Council Committee of the Whole met on Monday, May 7, 2012 at 6:00 p.m. in the Council Chambers. The meeting was called to order by Council President David Morrison with the following members present: Mayor Ron Shaffer, Ashley Weaver, Dale Warman, Steve Noll, Andrew Wang, Laura Wassmer, Brooke Morehead, Charles Clark, Ted Odell and David Belz. Staff Members present: Wes Jordan, Chief of Police; Bruce McNabb, Director of Public Works; Keith Bredehoeft, Project Manager for Public Works; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Dennis Enslinger, Assistant City Administrator; Lisa Santa Maria, Finance Director, Chris Engel, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

2013 Budget Outlook & Calendar

Quinn Bennion stated the budget is the most important document produced and approved by the City. It illustrates the community's values and priorities and grants authority for expenditures. Although the 2013 budget will be presented as the City Administrator's recommended budget, it is a collaborative staff process. Department heads have already presented their 2013 budget requests which have been reviewed and discussed, in some cases multiple times. The Department Heads will present their budgets to the Council in June. At that time any items that were eliminated from the final budget will be noted.

Mr. Bennion noted the environment approaching the 2013 budget is good due to sound financial decisions of staff and Council for the past several years. The City has maintained its AAA bond rating from Moody's and has a very healthy fund balance with a low debt level. The City has been good stewards of its taxpayers' monies. In 2011, the City spent 93% of its budgeted expenditures. Mr. Bennion noted he would like to see that gap narrowed to 97% of budget by reducing the budget.

Prairie Village enjoys a residential charm and character with a tax base that is primarily residential with some neighborhood retail. 87% of the city's property taxes are paid by homeowners. Although housing values have declined nationwide during the past three years, Prairie Village ranks 2nd to Mission Hills in percentage increase of mean appraised value over that time. Property appraisals are anticipated to rise 0.32% per the Johnson County Appraiser's Office, which is essentially flat after appeals and non-payments.

Mr. Bennion noted the 2013 budget will be prepared supporting the following objectives:

- Provide good quality services, very similar to or identical to current levels
- Embrace efficiencies and reductions in cost
- Use conservative revenue and expenditure estimates
- Maintain reserve level at 25% of operating costs. Fund balance above 25% will be transferred to equipment reserve or infrastructure projects
- Employee benefits - anticipate a 2% or more for employee merit pool (noted there was no base salary adjustment in 2012) Hold current FTE count.

- Examine and review two services - tree trimming service - significant increase; crossing guard - contract out

Quinn Bennion stated the administrator's budget will be balanced without a mill levy increase and no increase in storm water fee. He hopes to submit no increase in solid waste fees; however, noted still waiting for Deffenbaugh's estimated cost. He will not be recommending debt issuance or temporary notes as part of the budget.

On May 21, a budget overview will be presented with numbers and trends. He noted again that the numbers presented are preliminary based on the current information available and will probably change before the adoption of the budget in July. If the Council desires to add services, enhance a service or add funds to the existing infrastructure fund, a corresponding revenue source is needed or a decrease made in another account/project.

Finance Director Lisa Santa Maria reviewed the proposed budget calendar noting a possible budget meeting on Monday, June 25th if needed.

The top five sources of revenue in 2011 accounted for 84% of the city's total revenue. They are Property Tax (25%); Sales Tax (29%); Franchise Fees (12%); Charges for Services (11%) and Fines and Fees (7%). The US economy continues to grow but at a slower rate. The financial services sector appears to be improving. Nationally, housing prices continue to go down and are not likely to rise for some time. The expectation is that the Federal Reserve Bank will continue holding interest rates at current levels and inflation, without considering food or fuel, will likely remain under control.

Based on the revenue trends over the past few years, staff is forecasting a nominal growth of 1% in 2012 and 1.5% in 2013. She noted sales tax receipts in 2011 were 8.8% above 2010; however, the first quarter of 2012 reflects a 2.33% decrease from the same period in 2011. The forecast for both 2012 and 2013 is for a conservative growth rate of 1%.

First quarter 2012 revenues have come in strong at 6.09% above the same period in 2011. Reappraisal growth in Prairie Village is estimated to be at 0.32% for all Prairie Village properties for the 2013 budget with residential properties increasing 0.28% . Based on the reappraisal data provided by the county, staff is forecasting property tax to be essentially flat (0.3%) in 2013.

The City charges franchise fees on the major utilities within the City. The fee is 5% of gross receipts as defined and permitted by state statutes. Telephone franchise fees have been decreasing with the replacement of land lines with cell phone coverage only. Electric and gas fees are affected more by weather conditions and are difficult to predict. Franchise fees received in 2011 were 1.7% less than received in 2010; however, the first quarter of 2012 came in strong at 14.51% over the same period in 2011. The staff is forecasting a slight decrease or flat revenue for the 2013 budget.

Budget discussion will continue at the May 21st meeting with the presentation of the big picture or budget overview.

Citizen's Academy Graduation

Sgt. Myron Ward, Professional Standards Officer for the Police Department, reviewed the City's 10 week Citizen's Police Academy Program. The 2013 class began in February meeting for three hours weekly on Wednesday evenings. Nine residents completed the course and received their certificates of completion from Chief Wes Jordan and Mayor Shaffer.

Tom McMahon, speaking on behalf of the class, stated initially he questioned that there would be enough information to cover the 30 hours of class time. He noted there was more than enough information covering everything from the hiring and training of officers, the work of each division within the department, off site trips to the Johnson County Community College Police Academy and the Johnson County Crime Lab and the opportunity to ride along with an officer. He stated he was unaware of the breadth and depth of police operations in the City and the passion the entire staff has for their work. He thanked Sgt. Ward for his work in coordinating the academy and urged any council members who have not participated to strongly consider joining the 2014 class.

Discussion regarding Council laptop replacements

Dennis Enslinger noted when the City decided to migrate to a paperless Council Packet, it began issuing laptops to the City Council members to access the packet information and communicate with residents. The 2012 budget contains funds to replace the current laptops which are on a three-year replacement schedule.

In recent years, the market has begun to offer options other than laptops for internet and limited computer needs. These options include the use of a tablet or iPad device. Mr. Enslinger reviewed the pros and cons for the use of both the traditional laptop and an iPad3 wifi 64GB in terms of cost, keyboard options, printing, Office Suite Documents, PDF documents and USB or other ports. He asked for direction from the Council as staff looks to replace existing laptops. Staff prefers that all council members use the same type of device in order to minimize the amount of IT support necessary for this function.

Andrew Wang asked if this was part of the council chamber technology upgrade. Mr. Enslinger responded that it was not, however, he noted that after the upgrade staff will be running presentations from an iPad.

Laura Wassmer stated she has used both devices. She feels the laptop offers more capabilities with its larger screen and ability to print. Laura Wassmer views the iPad as a toy and a larger version of a cell phone. She uses both her laptop and iPad. Dennis Enslinger noted iPads are not meant to be computers.

Andrew Wang stated the iPad would be easier to transport noting current laptops are heavy. If the council member has access to other computer technology, he feels an

iPad would be able to provide the necessary services during Council meetings and for communication with residents.

Ted Odell noted the iPads are more expensive. Mr. Enslinger noted Microsoft Office would be purchased for the iPads increasing the cost \$300 to \$400 making the two comparable. Mr. Odell stated that iPads are more susceptible to viruses. He confirmed the iPads would include a keyboard option.

David Belz asked what the computer rotation was. Mr. Enslinger responded three years. Laura Wassmer asked if she could keep her laptop. Mr. Enslinger stated that the city's IT staff would transfer all the information from their existing units to the new units. He also noted if laptops were purchased, they would have a newer windows version than the existing units.

Council President David Morrison asked for an indication of Council whether they preferred an iPad or a laptop. Five preferred laptops to 4 for iPads. Mr. Enslinger noted that unless given other direction, staff would be purchasing replacement laptops.

COU2012-21 Consider renaming Meadowlake Park in honor of Mayor Taliaferro

Laura Wassmer reported the Park & Recreation Committee is recommending the City Council rename Meadowlake Park in honor of former Mayor Roe Taliaferro per Council Policy 501 entitled "Naming City Parks" which was adopted in 2003 and allows parks to be renamed for mayors who have served at least a four-year term of office. Mayor Taliaferro served as Mayor of Prairie Village for ten years.

Ms. Wassmer noted the associated costs would be for a new park sign at a cost of approximately \$2,750.

On behalf of the Park and Recreation Committee, Laura Wassmer made the following motion, which was seconded by Dale Warman and passed unanimously:

**RECOMMEND THE CITY COUNCIL AUTHORIZE THE
RENAMING OF MEADOWLAKE PARK IN HONOR OF
FORMER MAYOR MONROE TALIAFERRO**

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2012-22 Consider ordinance amending Chapter 11, Article 2 to allow for a waiver process for the operation of work machinery outside the approved hours of operation allowed by City Ordinance 11-202

Dennis Enslinger stated from time to time, the City Council receives a request to operate work machinery outside the approved hours of operation allowed by City Ordinance 11-202. The current code is as follows:

SAME; PRIMA FACIE VIOLATION. It shall be prima facie evidence of a violation of this section for the operation of any tool, equipment, vehicle, electronic device, instrument,

television, phonograph, machine or other noise or sound device at any time in such a manner as to be plainly audible at any adjacent property line, or for 50 or more feet in the case of a multiple-family dwelling, to start before or continue after the following hours:

- *Weekdays: 7:00 a.m. until 10:00 p.m. (except Fridays, which will be until midnight.)*
- *Weekends: 8:00 a.m. until midnight (except Sundays, which will be until 10:00 p.m.).*

Section 11-202 currently does not contain a provision allowing the City Council to grant a waiver from this ordinance provision. Based on previous City Council direction, staff has drafted an ordinance provision which provide the authority to the City Council grant a waiver to this section of the Municipal Code by adding the following language:

The City Council, may approve a waiver from the hours listed above if it is determined that the public good would be better served by allowing a contractor to work beyond the hours listed to reduce the impact on residents surrounding or visiting the construction project area.

No criteria have been included. Requests will be considered on an individual basis.

David Belz asked how this differs from the past. Mr. Enslinger responded this language change would provide the Council the ability to grant a waiver. Although this has been done in the past, the code does not give the Council the authority to do so. If complaints had been received, the City would not have had any option other than retract the waiver and close down the work. The last waiver was granted in 2010. The process would be the same as what was followed in the past with the contractor making a formal request to the City and coming before the City Council to ask for the waiver.

Laura Wassmer felt the language was too open. Mr. Enslinger stated the Council would have the ability to place restrictions on the approval on an individual case such as the affect of complaints.

Steve Noll stated this would be a better way to address restrictions as there may be a variety of requests with differing circumstances. Mr. Enslinger noted the language does limit the waivers to contractors.

Dale Warman confirmed this is not applicable to utilities working in emergency situations.

Ted Odell asked if the waiver could be applied to other noise producing events such as a concert or party. Mr. Enslinger replied the waiver would only apply to construction activities that serve a public good.

David Belz made the following motion, which was seconded by Laura Wassmer and passed unanimously:

**RECOMMEND THE GOVERNING BODY ADOPT ORDINANCE 2255
AMENDING SECTION 11-202, ENTITLED "SAME; PRIMA FACIE
VIOLATION", OF ARTICLE 2, ENTITLED "LOCAL REGULATIONS,"
OF CHAPTER 11, ENTITLED "PUBLIC OFFENSES & TRAFFIC" OF
THE MUNICIPAL CODE OF THE CITY OF PRAIRIE VILLAGE, KANSAS
COUNCIL ACTION REQUIRED
CONSENT AGENDA**

***COU2012-23 Consider Construction Administration Agreement with TranSystems for 2012 Construction Projects.**

Keith Bredehoeft stated the City recently requested proposals from firms to provide construction administration services for Prairie Village for the next three years. Nine firms submit proposals and a committee consisted of Dale Warman, Andrew Wang, Quinn Bennion, Bruce McNabb, and Keith Bredehoeft interviewed TranSystems, Olsson and Associates, and BHC Rhodes. Based on their original proposals and the interviews the selection committee chose TranSystems to be the City's construction administration consultant for 2012, 2013, and 2014. TranSystems has been working for the City for the last few years and has performed very well.

Construction Administration of the following projects is included in this contract:

- BOND0002- 2011 BOND Project
- PAVP2012- 2012 Paving Program
- SODR0002- Somerset Drive- Roe Ave. to Nall Ave.
- 190725- 2011 Drainage Project

The total construction cost for all the above projects will be about \$5,500,000.00. The fee was negotiated with TranSystems to be \$490,932.00 or 8.9% of construction costs. This percentage is similar to the percentage that was spent on construction administration for our recently completed 2009 Bond Project. Funding is available under the Capital Infrastructure Program under these projects.

The Somerset Dive Project, the 2011 Drainage Project, and 2012 Paving Program will be complete this year while the 2011 BOND Project will be completed in 2012 and 2013.

It is anticipated that additional construction administration contracts with TranSystems will be presented to the City Council between now and 2014 as additional projects are constructed.

Ted Odell asked if the contract was for a not to exceed amount. Mr. Bredehoeft responded it was and the final amount could be less.

Mr. Odell asked for an explanation of the selection process. Mr. Bredehoeft stated requests for qualifications were requests and nine proposals were received. Each proposal was ranked on specific criteria by members of the committee. The top three firms were invited to interview with the committee. Based on the presentations and the ability of the firms to answer questions, the committee selected TranSystems.

Laura Wassmer confirmed references were checked. Mr. Bredehoeft replied that they were and that all three of the firms interviewed had recently done work within Prairie Village.

Andrew Wang, as a member of the selection committee, stated that TranSystems had the best prepared presentation and answers to questions from committee members. Dale Warman agreed with Mr. Wang and noted for him the deciding factor was their presentation and the city's good working relationship with this organization.

Ted Odell asked with there is any checks and balances process in place for the fees charged. Mr. Bredehoeft stated all requests for payment are carefully reviewed by staff and the company rates submitted in the contract are within the industry standards.

Charles Clark made the following motion, which was seconded by David Belz and passed unanimously:

**RECOMMEND THE CITY COUNCIL APPROVE A CONSTRUCTION
ADMINISTRATION AGREEMENT WITH TRANSYSTEMS FOR 2012
CITY CONSTRUCTION PROJECTS**

**COUNCIL ACTION TAKEN
05/07/2012**

COU2012-24 Consider 2013-2017 CARS Program

Keith Bredehoeft stated in order to receive CARS funds, the City must annually submit an application containing a list of streets and the estimated costs. The following streets are recommended for the five-year CARS program, 2013-2017. The Public Works Department compiled the list based on the pavement condition. The work will include where necessary full depth pavement repair, curb and gutter replacement, sidewalk repair, new sidewalk and milling/overlaying the pavement. These projects do NOT include an 8 foot wide trail.

Program Year	Street Segment	From	To	CARS Eligible Costs	County CARS Funds
2013 *	Somerset Dr	Belinder Ave	Mission Rd	\$737,000	\$368,500
2014 **	Somerset Dr	Stateline Rd	Belinder Ave	\$682,000	\$341,000
2015	Roe Avenue	79th Street	83rd Street	\$515,000	\$257,500
2016	Roe Avenue	63rd Street	67th Street	\$882,000	\$441,000
2017	Roe Avenue	67 th Street	71 st Street	\$888,000	\$444,000

* Joint project with the City of Leawood

** Joint project with the City of Leawood

Mr. Bredehoeft noted that the City submits an application annually and can revise future year requests. The only projects that cannot be changed are those for 2013. The costs include construction and construction administration. Design costs are not included, as the CARS program does not fund design.

Funding is planned for the 2013 Project on Somerset Drive and is included in the current approved CIP. Future year's projects will be funded with each year's budget.

Laura Wassmer made the following motion, which was seconded by Steve Noll and passed unanimously:

**RECOMMEND THE CITY COUNCIL APPROVE THE 2013-2017
COUNTY ASSISTANCE ROADS SYSTEM (CARS) PROGRAM
COUNCIL ACTION REQUIRED
CONSENT AGENDA**

Executive Session

Charles Clark moved pursuant to K.S.A. 74-4319 (b)(2), that the Governing Body recess into executive session for a period not to exceed fifteen 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, City Attorney, Assistant City Administrator and Chief of Police. The motion was seconded by Andrew Wang and passed unanimously. The meeting will reconvene at 7:20 p.m.

Council President David Morrison reconvened the meeting.

Adjournment

With no further business to come before the committee, Council President David Morrison adjourned the meeting at 7:22 p.m.

David Morrison
Council President