

COUNCIL COMMITTEE
October 1, 2012
6:00 P.M.
Council Chambers

AGENDA

DAVID MORRISON, COUNCIL PRESIDENT

AGENDA ITEMS FOR DISCUSSION

Presentation on Village Volunteer Project with Heartland Habitat for
Humanity
Marcia Gradinger

Presentation and Feedback on Phase 1: Mission Lane Improvements
(CID Project) in the Prairie Village Shopping Center
Dennis Enslinger

*COU2012-43 Consider Audit Services Contract
Lisa Santa Maria

*COU2012-45 Consider adoption of the 2012 Standard Traffic Ordinance for Kansas
Cities and the 2012 Uniform Public Offense Code for Kansas Cities
Sgt. James Carney

COU2012-46 Consider renewing City's health, dental and vision insurance providers
as recommended by City Staff
Nicholas Sanders

COUNCIL COMMITTEE OF THE WHOLE
October 1, 2012

The Council Committee of the Whole met on Monday, October 1, 2012 at 6:00 p.m. in the Council Chambers. The meeting was called to order by Mayor Ron Shaffer with the following members present: Ashley Weaver, Dale Warman, Ruth Hopkins, Steve Noll, Michael Kelly, Laura Wassmer, Brooke Morehead, Charles Clark, David Morrison, Ted Odell and David Belz. Staff Members present: Captain Wes Lovett; Bruce McNabb, Director of Public Works; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Dennis Enslinger, Assistant City Administrator; Chris Engel, Assistant to the City Administrator; Lisa Santa Maria, Finance Director; Nicholas Sanders, Human Resource Specialist and Joyce Hagen Mundy, City Clerk.

Presentation on Village Volunteer Project with Heartland Habitat for Humanity

Marcia Gradinger presented an update on the Prairie Village volunteer project with Heartland Habitat for Humanity called "A Brush with Kindness". During the past year the following five homes received assistance through the program:

- 7204 Booth
- 5801 West 75th Street
- 2308 West 76th Street
- 4200 West 68th Terrace
- 2100 West 71st Terrace

Ms Gradinger presented before and after photographs of the properties reflecting the work completed under the program. Quinn Bennion stated the homes are identified by the Code Enforcement Officer, then go through a qualifying process with Heartland, who if approved coordinates the volunteers and the work to be done with funding received from the Prairie Village Municipal Foundation.

Kate Fields with Heartland Habitat for Humanity expressed their appreciation for the program. They cover a five county area and noted this program has been modeled in other communities such as Olathe, Gladstone and Raytown. She acknowledged Marcia's involvement as the point person making it happen.

Laura Wassmer asked what criteria were used for qualifying. Ms Fields responded several criteria are considered including need, financial constraints, income, etc. Quinn Bennion stated the foundation has provided \$9,200 in funding for the projects. Marcia Gradinger reported the average cost of the five projects completed was \$2,083. Several committee members expressed appreciation for the work being done under this program.

Presentation and Feedback on Phase 1: Mission Lane Improvements (CID Project) in the Prairie Village Shopping Center

Dennis Enslinger stated under the terms of the CID agreement work needs to be started by November 1st on Mission Lane, Project A for the Prairie Village Shopping Center. The Planning Commission will consider approval of a portion of the site plan to allow them to be in compliance with the agreement. Sufficient documentation has not been submitted for action on the entire site plan.

Mr. Enslinger reviewed the areas to be considered for approval identified as Phase 1 and involve the intersections at Mission Lane & Mission Road and Tomahawk Road & Mission Road. It includes landscaping and concrete work at both ends of the street. The architects have attempted to introduce elements that are seen in the surrounding neighborhoods such as fountains, rock walls and plantings. Other elements include additional lighting and brick crosswalks. The amount of landscaping along Tomahawk is scaled back due to limited property owned by the developer.

The Commission will also be considering the replatting of the shopping center in order to vacate Mission Lane and Prairie Lane as required by the CID agreement. The Master Trail Plan shows a trail along Mission Road and staff has requested that the property owner provide an easement to be shown on the face of the plat. However, because the development will not be relocating the US Bank Building, there is not sufficient room to provide the necessary trail easement; therefore, staff has suggested an easement be provided along Mission Lane as an alternative to the Mission Road alignment. Mr. Enslinger noted this is the optimal opportunity for the City to secure such an easement as outlined in the Master Trail Plan and in the CID agreement.

Brooke Morehead confirmed the CID agreement covers enhancement and not maintenance. Mr. Enslinger responded the CID would pay for the initial work, but it will be the property owner's responsibility to maintain the site improvements.

Charles Clark asked what affect the city's decision to no longer construct trails has. Mr. Enslinger stated the Tomahawk Trail is a City project and funds are being put aside within the CID. Mr. Enslinger noted that while this Council has placed trail construction on hold, staff believes securing the easement at this time is important. Mr. Clark agreed that now is the time to ensure the possibility of the future construction of trails at this location as required by the agreement.

Laura Wassmer asked how a trail would work along Mission Lane. Mr. Enslinger noted that along the east side there is not as much parking or they could provide an easement along Mission Lane noting that a ten foot section of sidewalk already exists along the bank.

Ted Odell asked what size easement is being requested. Mr. Enslinger stated it would vary - it could be six to eight feet. Dale Warman asked if the crosswalk would experience the same problems as crosswalks installed by the city. Mr. Enslinger stated they are following the Plaza model and it would depend on the construction; however,

he added, these crosswalks would not have the heavy traffic experienced at the city's crosswalks.

Michael Kelly confirmed that Lane4 had a legal obligation to provide the easement. Laura Wassmer confirmed the pedestrian crosswalks would be going north/south Charles Clark asked if it would be a breach of contract not to provide the easement. Mr. Enslinger replied it does not have to be done now but this is the best time to do so.

Dale Warman stated that he and Mrs. Weaver have had several residents express their concerns with the amount of parking on this site.

Dennis Enslinger stated the plat would come back to the Governing Body for the acceptance of easements and vacation of rights-of-way. The site plan and proposed conditional use permit require only Planning Commission action. The general consensus of the Council was to secure the necessary trail easements at this time.

COU2012-43 Consider Audit Services Contract

KSA 75-1124 requires the City to have an annual audit. In 2004, the City issued a Request for Proposals for auditing services and selected Mize Houser & Company, P.A. (formally Lowenthal, Singleton, Webb & Wilson). The firm performed the audits of 2004 - 2011 financial statements.

In August of this year, staff issued a Request for Proposals for the Profession Audit Services for the City. Although the Selection Committee found Mize Houser & Company services to be of high quality, they also felt that after seven years it was important to have a new audit firm. The Selection Committee evaluated five proposals and interviewed two firms. The committee felt that the Berberich Trahan & Company proposal best fit the needs and philosophy of the City. The contract is a three year contract with two one year options to renew. Renewal is subject to an annual review and concurrence of the City Council.

The proposed fee for the 2012 audit is \$21,975, a \$75.00 increase over the cost of the 2011 audit. Funding for the financial statement audit is included in the 2012 budget for the Financial Management Program.

Charles Clark made the following motion, which was seconded by Steve Noll and passed unanimously:

**RECOMMEND THE GOVERNING BODY APPROVE THE AUDIT SERVICES AGREEMENT WITH BERBERICH TRAHAN & COMPANY, P.A. FOR THE CITY'S 2012 FINANCIAL STATEMENTS
COUNCIL ACTION TAKEN
10/01/2012**

**COU2012-45 Consider adoption of the 2012 Standard Traffic Ordinance for Kansas Cities and the 2012 Uniform Public Offense Code for Kansas Cities
Construction Contract from Project SARD0001: 2012 CDBG Project on Sagamore Drive from 75th street to 76th Street with Linaweaver Construction**

City Attorney Katie Logan noted that recently the City of Overland Park changed their code to allow for the open carry of weapons based on an opinion given by the Attorney General. She has reviewed the opinion and talked with others who disagree with the opinion. It is her professional opinion that Prairie Village can still prohibit the open carry of weapons. She does not believe the Attorney General's opinion is binding on cities based on the current state statutes.

Charles Clark noted there is division on the opinion with several cities sharing Ms Logan's opinion. He feels the only downside to remaining with our existing code is the possibility of a legal challenge.

Sgt. Carney stated the police department supports the proposed changes. New language was added requiring driver's license holders to notify the Kansas Department of Revenue - Motor Vehicles of a name or address change within 10 days of such change. Brooke Morehead questioned the short length of time. Sgt. Carney stated the 10 days is what is required by the state. He added he would expect officers to use this as an opportunity to educate and would use discretion in issuing any tickets. He stated this type of citation would be rarely used.

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

**MOVE THE GOVERNING BODY ADOPT ORDINANCE NO. 2263
INCORPORATING THE UNIFORM PUBLIC OFFENSE CODE, (UPOC),
AND ORDINANCE NO. 2264 INCORPORATING THE STANDARD
TRAFFIC ORDINANCE, (STO), 2012 EDITION, PREPARED
AND PUBLISHED BY THE LEAGUE OF KANSAS MUNICIPALITIES
WITH CERTAIN SECTIONS DELETED AND WITH ADDITIONAL
AND SUPPLEMENTAL SECTIONS**

**COUNCIL ACTION TAKEN
10/01/2012**

COU2012-46 Consider renewing City's health, dental and vision insurance providers as recommended by City Staff

Nic Sanders reported that for the second year in a row, the City received a 0% increase in its employee health, dental and vision insurance premiums. Staff attributes a portion of the plan's outstanding performance to the on-going wellness campaign and the health risk assessment. The City will continue to implement the premium differential for participation in the Health Risk Assessment (HRA) and for tobacco users.

As part of the Affordable Care Act (ACA), amendments were made to Internal Revenue Code (IRC) Section 125(i) which covers the City's Flexible Spending Account benefit. This amendment set a maximum of \$2,500 for medical expenses for these accounts; the City currently has a maximum of \$2,600 and will be required to reduce the maximum allowed to \$2,500.

The employee insurance premiums are funded with General Fund. The 2013 budget anticipated an increase in City premium contributions of 10%. The renewal rates with a 0% increase fit within the budgeted funds.

Mr. Sanders introduced Kristin Grace with CBIZ, the city's insurance broker. He noted CBIZ will go out for bid on the city's behalf for 2013 coverages.

Quinn Bennion noted the City's proactive approach to health care over the past few years setting a positive culture for with employees participating in several programs designed to improve their health.

Charles Clark made the following motion, which was seconded by Ted Odell and passed unanimously:

MOVE THE GOVERNING BODY APPROVE 1) BLUE CROSS BLUE SHIELD OF KANSAS CITY AS THE CITY'S HEALTH INSURANCE PROVIDER FOR THE 2013 PLAN YEAR WITH A 0% INCREASE IN PREMIUMS; 2) DELTA DENTAL OF KANSAS AS THE CITY'S DENTAL INSURANCE PROVIDER FOR THE 2013 PLAN YEAR WITH A 0% INCREASE IN PREMIUMS; 3) SUPERIOR VISION AS THE CITY'S VISION INSURANCE PROVIDER FOR THE 2013 PLAN YEAR WITH A 0% INCREASE IN PREMIUMS; 4) APPROVE A CHANGE TO THE SECTION 125 MEDICAL EXPENSE ANNUAL MAXIMUM TO \$2,500 ANNUALLY, AS REQUIRED BY THE AFFORDABLE CARE ACT (ACA)

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

STAFF REPORTS

Administration

- Dennis Enslinger announced the annual Community Forum sponsored by the Environment/Recycle Committee will be Thursday, October 4th at City Hall
- The State of the Arts reception will be held on Friday, October 12th from 6 to 8 p.m. with the awards being announced at 7:30
- Corinth Square is hosting a kick-off event for the newly renovated center on Thursday, October 18th from 5 to 7 p.m. Ribbon Cutting ceremonies will take place at 5:45 p.m.
- Both interior and exterior renovations have begun at the Hen House at Corinth Square

- Standee dinner theatre representatives met with staff. They are expected on the Planning Commission agenda for November
- Staff also met with representatives of Tutera regarding the development of the Mission Valley site. They will be submitting to the Planning Commission by the end of the year with probable Council action at the second meeting in January. SME has been reserved for these meetings.

Brooke Morehead confirmed that Tutera was the sole applicant without RED. She asked if the application included any retail. Mr. Enslinger responded only those incidental to the Senior Living Center such as hair salon, etc.

Michael Kelly asked the size of the development. Mr. Enslinger responded it would be the largest senior living center in the City. He reminded the Council that the request for a Special Use Permit would come to the Council for approval.

- The City has received LED lights as part of the MARC grant, 33 of these lights are being replaced due to warranty problems.

Public Works

- Bruce McNabb reported snow and ice control preparations are underway.
- The vote petition for 69th Terrace is complete and the sidewalk will be constructed based on a vote of 69 with 10 in support. However, he noted that due to subsequent work in the area by WaterOne the work will not be undertaken until next spring

Public Safety

- Captain Lovett reported last Saturday the department participated in a very successful “Drug Drop-Off” program. Six large containers were filled with unused and expired medications.
- The Shawnee Mission East Fireworks on Friday evening went well.
- A physical agility test was conducted for 57 police officer candidates.
- The HyVee gas station had an armed robbery this afternoon. No money was taken and the police have received good surveillance tapes for review.

Administration

- Quinn Bennion announced that he would be out next week at a national City Managers Conference
- Coldwell Banker conducted a rating of Kansas suburban areas and ranked Prairie Village #3 for the state behind Mission Hills and Leawood.

Mayor’s Report

Mayor Shaffer reported he missed the last Council meeting to be with his youngest daughter on her 21st birthday. During the past weeks he represented the City at the following events: Culver’s ribbon cutting in Mission, Johnson/Wyandotte Mayors meeting (noting it was his final meeting as chair), Mission Art Show, First Suburbs Coalition meeting, Mission Hills police appreciation luncheon, Prairie Village Jazz

Festival, Shawnee Mission Educational Foundation breakfast, Meadowbrook golf charity event, KCADC breakfast, Kansas City Chamber Leadership Exchange in Austin, Texas, NARC Board meeting in Boise, Idaho.

Adjournment

With no further business to come before the Council Committee of the Whole, Council President David Morrison adjourned the meeting at 7:20 p.m.

David Morrison
Council President