

**COUNCIL COMMITTEE  
MONDAY, DECEMBER 3, 2012  
6:00 P.M.  
Council Chambers**

**AGENDA**

**CHARLES CLARK, ACTING COUNCIL PRESIDENT**

**AGENDA ITEMS FOR DISCUSSION**

- COU2012-55    Consider approval of Memorandum of Understanding with Johnson County for implementation of joint notification system with Johnson County, WaterOne and other cities  
Quinn Bennion
- \*COU2012-57    Consider Resolution No. 2012-02 Establishing a Tax-Exempt Financing Compliance Procedure  
Lisa Santa Maria
- \*COU2012-58    Consider Bid Award for Tree Planting Services  
Bruce McNabb

**EXECUTIVE SESSION**

**COUNCIL COMMITTEE OF THE WHOLE**  
**December 3, 2012**

The Council Committee of the Whole met on Monday, December 3, 2012 at 6:00 p.m. in the Council Chambers. The meeting was called to order by Acting Council President Charles Clark with the following members present: Mayor Ron Shaffer, Ashley Weaver, Dale Warman, Ruth Hopkins, Steve Noll, Michael Kelly, Laura Wassmer, Brooke Morehead, Charles Clark, Ted Odell and David Belz. David Morrison and Andrew Wang arrived late. Staff Members present: Wes Jordan, Chief of Police; 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 and Joyce Hagen Mundy, City Clerk.

**COU2012-55 Consider approval of Memorandum of Understanding with Johnson County for the implementation of a joint notification system with Johnson County, WaterOne and other cities**

Quinn Bennion stated the City currently utilizes the Code Red system for emergency mass notification. The system is shared with Mission Hills and has been successful in reaching a large group of residents in a short period of time to inform or alert of an emergency. The Police Department, primarily through dispatch, initiates calls as needed.

WaterOne and Johnson County Emergency Management initiated a procurement process to secure a mass notification system for multiple agencies within Johnson County. The cities of Lenexa, Olathe and Overland Park were included in the inaugural group of entities. The RFP identified several functional specifications including vendor hosted system, voluntary subscriptions, strong GIS component and group notifications. The Selection Committee reviewed the nine responses in April 2012 and interviewed three finalists. The group selected EverBridge as the preferred vendor to implement a shared system in Johnson County. The initial five entities proposed implementation of the new system by the end of 2012 with the plan of adding other interested cities later in 2013. The implementation of the system has been delayed a few months to work out customization requirements and training.

With the delay, the steering committee and Johnson County Emergency Management approved Prairie Village and Shawnee to join the initial start-up group. The joint venture has a working name of NotifyJoCo and holds the following advantages to a shared system:

- Shared software, licensing and implementation costs
- Shared training opportunities and costs
- Support of Johnson County IT resources
- Able to communicate with residents across jurisdictional boundaries for emergencies or events that impact multiple cities

- Residents only need to register with one system for notifications from their respective city, County, Sheriff and WaterOne
- Joint marketing and campaign efforts to encourage residents throughout the county to self-register

NotifyJoCo will operate similar to the City's CodeRed system. The system is a strong GIS based with the notification selections to include the whole city, neighborhood associations, trash day area, streets or other smaller areas. The system can use email, cell phone, home phone and/or text. Each resident can sign up for up to five addresses within the County and designate the type and method of communication desired. The NotifyJoCo group is planning for a mass marketing campaign in early 2013 for general public awareness and to encourage self registrations.

Each participating entity can determine the types and frequency of non-emergency notifications available. City staff anticipates possible notifications to include zoning applications, temporary no parking zones, trash day changes, reports on significant fire and police incidents, special events in a particular area, road closures and water breaks. Staff proposes that the non-emergency notifications be sent via email or text with the emergency notifications primarily through phone contacts.

Mr. Bennion stated the new system will not be implemented for several months and could be as late as May 2013; therefore, staff recommends continuing the CodeRed contract through the end of 2013 with staff continuing to use the CodeRed system in Prairie Village and Mission Hills for emergency notifications until a transition to the new system is feasible. The non-emergency communication notices can begin through NotifyJoCo once the city's customized preferences are instituted, training of staff and the internal process is formalized. Staff proposes that the police department will continue the coordination of the emergency communications and city hall staff will coordinate the non-emergency notifications. Mr. Bennion noted further discussions are needed with Mission Hills administration to determine if their participation level extends beyond the public safety emergency notifications.

The Memorandum of Understanding (MOU) provides for contract administration and general coordination of usage of the system by the county on behalf of the participating agencies which are the local government agencies who enter into the MOU and agree to fund an equal part of the system's costs. Each Participating Agency would have a system administrator. The MOU establishes a Steering Committee which has a voting member from each Participating Agency and which can establish general policies for multi-agency use of the system.

The cost for participation in the NotifyJoCo system is \$5,000 for a city with a population below 25,000. Currently, the CodeRed annual subscription is approximately \$10,000 and is split with Mission Hills. The annual amount is included within the 2013 Police Department budget. The cost of the first year of NotifyJoCo will be taken from the IT fund as a budgeted project (notification system). Starting in 2014, the cost of NotifyJoCo will be part of the annual operating budget and it is anticipated to be similar to current

costs. It is anticipated that the annual cost will be less in future years as other entities join.

Ruth Hopkins asked if the County expected all cities to participate. Mr. Bennion responded the county is currently looking only at major cities; however, many smaller cities have expressed an interest. He noted the county already provides dispatch services for many of the smaller cities in the county. The only larger city that has not expressed an interest is Leawood.

Laura Wassmer asked if they had a similar program in place. Katie Logan replied she is a resident of Leawood and has received similar notifications from the city. (It was later discovered that Leawood no longer has a system.)

David Morrison arrived at 6:07 p.m.

Laura Wassmer made the following motion, which was seconded by Brooke Morehead and passed unanimously:

**RECOMMEND THE CITY COUNCIL APPROVE THE MEMORANDUM  
OF UNDERSTANDING WITH JOHNSON COUNTY FOR PARTICIPATION  
IN THE COUNTY'S JOINT MASS NOTIFICATION SYSTEM  
COUNCIL ACTION REQUIRED  
CONSENT AGENDA**

**COU2012-57      Consider Resolution No. 2012-02 Establishing a Tax-Exempt  
Financing Compliance Procedure**

Lisa Santa Maria noted that in response to recent guidance from the IRS, our bond counsel now requires issuers to adopt and implement a post-issuance compliance policy. This policy addresses the following six areas of on-going compliance identified by the IRS:

- Due diligence review at regular intervals
- Identifying the official or employee responsible for review
- Training of the official or employee
- Retention of adequate records to substantiate compliance
- Procedures reasonably expected to identify noncompliance in a timely manner, and
- Procedures to ensure the issuer will take steps to correct any non-compliance in a timely manner.

Mrs. Santa Maria stated that issuers have historically been required to provide regular monitoring of their tax-exempt bonds, but the new post-issuance compliance policies formalize these responsibilities. This action is not required until the city issues new or refinances existing bonds, but she would like to have the procedure prior to the city's next financial audit.

Dale Warman made the following motion, which was seconded by Steve Noll and passed unanimously:

**MOVE THE CITY COUNCIL ADOPT RESOLUTION NO. 2012-02  
ESTABLISHING A TAX-EXEMPT FINANCING COMPLIANCE  
PROCEDURE**

**COUNCIL ACTION TAKEN  
12/03/2012**

**\*COU2012-58 Consider Bid Award for Tree Planting Services**

On Friday, November 9, 2012, the City Clerk received bids for a three year contract to provide Tree Planting Services. This contract is to provide tree planting services for City replacement trees. Bids were received from Arbor Masters and Rosehill Gardens.

Bruce McNabb reviewed the proposals which ask for both a price for the planting of the trees and a price for the trees. He noted Rosehill Gardens pricing included the cost of the trees as they grow their own trees. Mr. McNabb reviewed the process followed to analyze the bids to make a comparable comparison. From the analysis it was determined that Rosehill Gardens was the low bid. Public Works staff checked references given receiving positive comments.

Funding is available in the 2013 Grounds Operating Budget.

Ted Odell questioned the receipt of only two bids. Mr. McNabb stated that is customary for this service, unlike tree trimming.

Brooke Morehead confirmed that a variety of trees will be planted and that Green Ash trees will not be planted. Dale Warman noted that one of the steps advised to address the Emerald Ash Bore is the planting of a variety of tree species.

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

**MOVE THE CITY COUNCIL AWARD THE CONTRACT FOR TREE  
PLANTING SERVICES TO ROSEHILL GARDENS FOR 2013 AND  
RENEWAL IN 2014 AND 2015.**

**COUNCIL ACTION TAKEN  
12/31/2012**

**Executive Session**

Michael Kelly moved pursuant to KSA 75-4319 (b) (1) that the Governing Body, recess into Executive Session for fifteen (15) minutes for the purpose of consulting with the City Attorney on personnel matters of nonelected personnel. Present will be the Mayor, City

Council, City Administrator and City Attorney. The motion was seconded by Andrew Wang and passed unanimously.

Acting Council President Charles Clark reconvened the meeting at 6:30 p.m.

Michael Kelly moved pursuant to KSA 75-4319 (b) (2) that the Governing Body, recess into Executive Session for fifteen (15) 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; Assistant City Administrator, Chief of Police and City Attorney. The motion was seconded by Andrew Wang and passed unanimously.

Acting Council President Charles Clark reconvened the meeting at 6:45 p.m.

## **STAFF REPORTS**

### **Public Safety**

- Chief Wes Jordan reported the department will be offering “Shop with a Cop” for the second year in conjunction with the Prairie Village Municipal Foundation. They are looking to increase the number of children participating to fourteen.
- During the 2013 budget discussions, the Council approved going with an outside vendor to provide school crossing guard services with the thought of beginning in January. Chief Jordan reported that he did not want to rush into an agreement and has decided to complete the school year under the existing city program. He will bring an agreement for contracted services in the spring to begin with the 2013-2014 school year.

### **Public Works**

- Bruce McNabb reported the CDBG project on Sagamore from 75<sup>th</sup> to 76<sup>th</sup> Street has been completed and the City will be filing for reimbursement of cost through the Community Development Block Grant Program.
- The project on Somerset between Roe and Nall is nearing completion and appears to be within budget. He noted the city used CARS funding for this project and was able to add the realignment of intersection at Somerset and Nall to the project.

### **Administration**

- Lisa Santa Maria reported that the 2 auditors will be on site doing preparatory work for the 2012 audit. She has also received confirmation that the City’s 2011 audit has received the GFOA Award of Excellence.
- Dennis Enslinger reported the glass recycling bin has been moved from the Municipal Campus parking lot to Corinth Square. It is now located south of the entrance to the shopping center in the parking lot.
- Chris Engel reported that Wednesday, February 6<sup>th</sup> is Capital Day in Topeka. More information would be forthcoming, but Council members were encouraged to mark the date on their calendars.

- Mr. Engel reported the Community Center Feasibility study has been received in draft form and will be considered by the committee next week.
- Katie Logan reported she had a telephone conversation with Johnson County District Attorney Steve Howe acknowledging the receipt of the letter from Mayor Shaffer regarding the governing body's actions on the code of ethics complaint against David Morrison. The review which is expected to take a couple of weeks.
- Ms Logan was also advised that a formal complaint had been filed with the District Attorney regarding the executive session held by the Governing Body to consider the code of ethics complaint.
- Quinn Bennion stated he visited with a representative of SureWest earlier in the day and has been advised that they will not be doing any residential build out in the Kansas City metro area in 2013. He will continue to keep in touch with them. Brooke Morehead asked why Ward 4 is not included in the AT&T U-verse service area. Mr. Bennion stated he would talk with Chris Carroll to find out.

### **Mayors Report**

On Saturday, November 10<sup>th</sup>, Mayor Shaffer was pleased to attend "Some Enchanted Evening" at Johnson Community College recognizing Senator Audrey Langworthy as the 2012 Johnson County Person of the Year. On November 17<sup>th</sup> he attended the Northeast Johnson County Annual Holiday Dinner, on Tuesday, November 20<sup>th</sup> he attended the Greater Kansas City Chamber Annual Dinner, on November 29<sup>th</sup> he participated in the Prairie Village Mayors Holiday Tree Lighting and attended the City of Mission Tree Lighting on Friday, November 30<sup>th</sup>.

### **NLC Reports**

Council members Ruth Hopkins, Ted Odell and David Morrison reported on the National League of Cities Conference they attended the past week in Boston. All agreed the conference was a valuable experience.

### **Adjournment**

With no further business to come before the Council Committee of the Whole, Acting Council President Charles Clark adjourned the meeting at 7:00 p.m.

Charles Clark  
Acting Council President