

COUNCIL COMMITTEE
MONDAY, JANUARY 7, 2013
6:00 P.M.
Council Chambers

AGENDA

CHARLES CLARK, COUNCIL PRESIDENT

AGENDA ITEMS FOR DISCUSSION

- *COU2013-01 Consider Design Agreement with Affinis Corporation for the Design of the 2013 CARS Project, the 2013 Paving Program and the 2012 Drainage Project
Keith Bredehoeft
 - COU2013-02 Consider Overland Park request to Microsurface and Chip Seal additional border streets in 2013
Keith Bredehoeft
 - *COU2013-03 Discussion regarding recently revised Right-of-Way Permit & Inspection Fees and Drainage Permit & Inspection Fees
Quinn Bennion
- Discussion regarding naming of public facilities

EXECUTIVE SESSION

COUNCIL COMMITTEE OF THE WHOLE
January 7, 2013

The Council Committee of the Whole met on Monday, January 7, 2013 at 6:00 p.m. in the Council Chambers. The meeting was called to order by 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. Andrew Wang and David Morrison arrived late. Staff Members present: Wes Jordan, Chief of Police; Captain Wes Lovett, Captain Tim Schwartzkopf, Sgt. Bryon Roberson; Keith Bredehoeft, Public Works Project Manager; 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.

Executive Session

Michael Kelly moved pursuant to KSA 75-4319 (b) (1) that the Governing Body, recess into Executive Session for twenty (20) 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 Steve Noll and passed unanimously.

Council President Charles Clark reconvened the Council Committee of the Whole meeting at 6:20 p.m.

COU2013-01 Consider Design Agreement with Affinis Corporation for the Design of the 2013 CARS Project, the 2013 Paving Program and the 2012 Drainage Project

Keith Bredehoeft noted Affinis Corporation is the City's current design consultant and this agreement is for the design of the 2013 CARS Project, the 2013 Paving program, and the 2013 Drainage Project. Affinis has been our design consultant for the last few years and has performed very well. They have already completed preliminary design for six streets under the 2011 Bond Project that did not end up being a part of that construction project, but will be part of the 2013 Paving Program. Public Works plans to request proposals for our drainage design consultant in 2013 and for our street design consultant in 2014.

Mr. Bredehoeft noted the drainage work is being done on one of the streets in the Paving Program so it makes sense to include the work in the design contract. Laura Wassmer asked when the construction would begin. Mr. Bredehoeft responded the work would begin in May. Ms Wassmer asked if the drainage work would affect the traffic on Roe. Mr. Bredehoeft responded it would not.

Funding amounts for the above projects is as follows and in the City's CIP budget:

2013 CARS Project(SODR0003)-	\$879,000.00
2013 Paving Program(PAVP2013)-	\$2,036,355.00
2012 Drainage Project(DRAIN12x)-	\$526,870.00
Total-	\$3,442,225.00

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

**MOVED THE CITY COUNCIL APPROVE THE DESIGN AGREEMENT WITH AFFINIS CORPORATION FOR THE DESIGN OF THE 2013 CARS PROJECT, THE 2013 PAVING PROGRAM AND THE 2012 DRAINAGE PROJECT IN THE AMOUNT OF \$135,765.00
COUNCIL ACTION TAKEN
01/07/2013**

COU2013-02 Consider Overland Park request to Microsurface and Chip Seal additional border streets in 2013

Just prior to the end of 2012, the City of Overland Park approached Public Works to see if the City wanted to add additional Microsurfacing and Chip Seals on border streets in 2013. As Overland Park was preparing bid documents for their 2013 Microsurface and Chip Seal project the border streets listed below were selected as streets in need of this preventative maintenance. There are two streets where it made logical sense to extend the work to past the City boundary to an ending point where it would be 100% a Prairie Village cost. Below is a summary of these streets and approximate costs.

<u>List of streets</u>	<u>Shared Cost (50% PV)</u>	<u>Cost to Extend in PV (100% PV)</u>
Nall Avenue(Micro- 67 th to 75 th)	\$35,000	\$24,000(69 th to 71 st)
95 th Street(Micro- Mission to Nall)	\$51,000	
Lamar Avenue(Chip- 75 th to 83 rd)	\$13,000	\$26,000(75 th to 78 th)
83 rd Street(Chip- Nall to Lamar)	\$10,000	

Total Approximate Cost to Prairie Village- \$159,000

Public Works agrees that these streets are good candidates for preventative maintenance but the city did not plan for this work in 2013. It is proposed that the funds to pay for the cost of this work come from the 2013 City Contingency Fund. If all these streets were completed then all but a few residential border streets with Overland Park would have been worked on the last few years and would therefore not need additional work in the near future.

If approved, the actual transfer of funds and the interlocal agreement with Overland Park, with costs based on bid quantities, will be brought back to Council for approval. Keith Bredehoeft noted other options for funding would be 1) using funds from the 2013 Paving Program which is currently funded at \$2,036,355 resulting in fewer streets being fully rehabilitated in 2013 or 2) defer the work until 2014 and budget for it in the 2014 budget.

Laura Wassmer asked if it would be less expensive to go forward with Overland Park. Mr. Bredehoeft responded the materials would be bid as part of a much larger contract in huge quantities and therefore would be expected to be bid at much lower cost.

Ruth Hopkins asked if the proposed streets were on the City's list for repair. Mr. Bredehoeft noted the proposed work is not rehabilitation but preventative maintenance. Laura Wassmer asked if the area was on the City's maintenance list. Mr. Bredehoeft replied the City generally uses micro-seal only on residential roadways, not on the major roadways of Nall, Mission, 83rd and 95th Street.

Brooke Morehead asked if only part of the work could be completed. Mr. Bredehoeft recommended the proposed work with the street extensions be completed to provide for complete roadway maintenance at the same time.

Ruth Hopkins noted the proposed motion does not mention funding and stated she was not comfortable making a motion for work which the city does not have funding to complete. Keith Bredehoeft stated if approved, it is staff's intent to have the work funded by 2013 contingency. Laura Wassmer asked how much was available in the contingency fund. Lisa Santa Maria responded the balance is approximately \$500,000.

Ruth Hopkins made the following motion, which was seconded by Laura Wassmer and passed unanimously:

**MOVE THE CITY COUNCIL APPROVE THE REQUEST FROM
THE CITY OF OVERLAND PARK TO ADD MICROSURFACE
AND CHIP SEAL STREETS IN 2013**

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

***COU2013-03 Discussion regarding recently revised Right-of-Way Permit & Inspection Fees and Drainage Permit & Inspection Fees**

Due to the shortness of time, Council President Charles Clark asked for a motion to move COU2013-03 to the City Council agenda without recommendation for discussion and action. Michael Kelly moved that COU2013-03 be moved to the City Council agenda without recommendation for discussion and action. The motion was seconded by Steve Noll and passed unanimously.

STAFF REPORTS

Chief Wes Jordan reported that in response a growing number of questions city staff has received regarding open carry and current weapon laws his staff has prepared an overview of the weapons on city streets and the laws that govern them. He thanked Representatives Bollier, Rooker and Clayton for their interest and attendance.

Sgt. Byron Roberson noted that Federal firearm law prohibits the sale of a handgun or ammunition to anyone under the age of 18. States set further restrictions on gun use and sales. Cities can adopt regulations more restrictive than those set by the state. Prairie Village regulations prohibit the open carrying of any weapons on public property within the city and requires that when transporting weapons, they must be in a closed container and unloaded.

Sgt. Roberson provided information on the Kansas Concealed Carry Law adopted in 2006 and the process required to secure a concealed carry permit as well as who was prohibited from securing a permit. He noted that while city, county or political subdivisions are able to post signs restricting concealed weapons; they may only post their buildings. Parks, parking lots and other open public property is no longer able to be restricted through signage. He added that Kansas concealed carry licensees have an exception to the general rule keeping firearms outside of 1000 feet of a school. Schools can obtain signage to place on its buildings prohibiting all guns in the school, but this signage does not apply to the parking lot of the school if a person has a Kansas Conceal Carry License.

Sgt. Roberson reviewed the process for purchasing a gun in Kansas and had several weapon types on display that were discussed from revolvers and pistols to assault rifles.

Council member David Morrison arrived.

Chief Jordan stated there is no firearm registration required in Kansas. The City does receive a list of individuals who have concealed carry permits, but that information does not identify the type of weapon they will carry.

Mayor Shaffer thanked Sgt. Roberson for the presentation and information.

Public Safety

- Chief Jordan reported “48 Hours” would be on-site filming on Tuesday, January 8th for the feature to be shown on Saturday, February 2nd.

Public Works

- Keith Bredehoeft noted the surprise snow event on New Year’s Eve and expressed appreciation to the crews for working the holiday.
- After further discussions the City of Leawood regarding the sidewalk along 83rd Street decided not to immediately pursue grant money as discussed at the previous meeting for sidewalk improvements along 83rd Street on the south side from Corinth Elementary into Leawood. Mr. Bredehoeft noted the City will look at taking action independently on that issue.

Administration

- Chris Engel reported the 2013 Legislative Program had been distributed to the Council. The Legislative Breakfast will be held on Saturday, February 2nd at Homestead Country Club.
- City Hall Day at the Capitol is Wednesday, February 6th. The following Councilmembers have expressed an interest in attending: Hopkins, Morehead and Odell.
- He has not received the schedule for the Legislative Breakfasts. He will forward it to Council when it is received.
- Dennis Enslinger announced the Tutera Group will be holding a neighborhood meeting on the proposed development of Mission Valley on Thursday, January 24th at Shawnee Mission East,

- Benton House has received their certification from the State and a certificate of occupancy from the City.
- As of last Friday, traffic tickets can be paid on-line as part of the technology upgrade for the Municipal Court software. The first tickets were processed over the weekend.
- Lisa Santa Maria announced that the City received the GFOA Certificate of Achievement for its 2013 budget. She is currently working on closing out 2012.
- Quinn Bennion announced that Jeanne Koontz recently received her Masters' Degree in Public Administration from the University of Kansas and congratulated her on this accomplishment.

Council President Charles Clark suspended the Council Committee of the Whole Meeting at 7:25 p.m. until the conclusion of the City Council Meeting.

Council President Charles Clark reconvened the Council Committee of the Whole meeting at 8:07 p.m.

Executive Session

Michael Kelly moved pursuant to KSA 75-4319 (b) (1) that the Governing Body, recess into Executive Session for one hour & twenty (80) 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 Steve Noll and passed unanimously.

Council President Charles Clark reconvened the Council Committee of the Whole meeting at 9:27 p.m.

Michael Kelly moved pursuant to KSA 75-4319 (b) (1) that the Governing Body, recess into Executive Session for 1 hour (60) 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 Steve Noll and passed unanimously.

Council President Charles Clark reconvened the Council Committee of the Whole meeting at 10:16 p.m. and stated no action will be taken by the Committee. The City Administrator's position regarding the personnel matter was upheld.

Adjournment

With no further business to come before the Council Committee of the Whole, Council President Charles Clark adjourned the meeting at 10:17 p.m.

Charles Clark
Council President