

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
January 7, 2013**

The City Council of Prairie Village, Kansas, met in regular session on Monday, January 7, 2013, 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: Ashley Weaver, Dale Warman, Ruth Hopkins, Steve Noll, Michael Kelly, Andrew Wang, Laura Wassmer, Brooke Morehead, Charles Clark, David Morrison, Ted Odell and David Belz.

Also present were: Wes Jordan, Chief of Police; Keith Bredehoeft, 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; Joyce Hagen Mundy, City Clerk.

Mayor Shaffer led all those present in the Pledge of Allegiance.

PUBLIC PARTICIPATION

No one was present to address the Council. However, Mayor Shaffer acknowledged the presence of a Boy Scout from Troop 284 attending the meeting for his "Citizenship in the Community" badge.

CONSENT AGENDA

Charles Clark moved the approval of the Consent Agenda for January 7, 2013:

1. Approve the Regular Council Meeting Minutes - December 17, 2012
2. Approve the contract with The New Theatre Restaurant for the annual employee appreciation event

3. Ratify the Mayor's appointment of Mary English to the Environment/Recycle Committee with her term expiring in April, 2015.

A roll call vote was taken with the following members voting "aye": Weaver, Warman, Hopkins, Noll, Kelly, Wang, Wassmer, Morehead, Clark, Morrison, Odell and Belz.

MAYOR'S REPORT

Mayor Shaffer reported he attended the following events on behalf of the City: MARC Board Meeting, Northeast Johnson County luncheon, NE Mayors' meeting and the UCS board meeting.

COMMITTEE REPORT

Council Committee of the Whole

Consider contract with Great Plains SPCA for animal care services

Over the past several months the Police Department has conducted an extensive review of Great Plains to provide animal care services. Great Plains has demonstrated their ability to provide care for impounded animals and the City should save considerable funds based on their fee-per-service structure. Great Plains specializes in pet adoption (no kill shelter) and currently has a 96% success rate.

Charles Clark moved the City Council approve the contract with Great Plains SPCA to board and dispose of dogs, cats and other animals found running at large or otherwise impounded pursuant to City ordinances. The motion was seconded by Laura Wassmer and passed unanimously.

Consider amendment to Prairie Village Municipal Code Chapter 2 entitled "Animal Control and Regulation"

With the change in animal care providers, it is necessary to amend the city's code relative to the waiting period for adoption reducing the number of days kept prior to adoption

from 10 days to 5 days. The associated fees would be paid directly to Great Plains and no longer to the City Clerk.

Charles Clark moved the City Council adopt Ordinance 2268 amending Chapter 2 of the Prairie Village Municipal Code entitled “Animal Control and Regulation” by amending Article 2-131 entitled “Seizure”. The motion was seconded by Laura Wassmer.

A roll call vote was taken with the following members voting “aye”: Weaver, Warman, Hopkins, Noll, Kelly, Wang, Wassmer, Morehead, Clark, Morrison, Odell and Belz.

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

Charles Clark moved the City Council approve the design services 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. The motion was seconded by Ted Odell and passed unanimously.

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

Quinn Bennion noted that in November of 2012 the City Council approved revised Right-of-Way and Drainage fees as recommended by the Public Works Director to better align the permit fee with the actual cost associated with providing the service. The computations for the suggested increase did not take into consideration the franchise fees received by the City from utility companies for the ability to be in city right-of-way.

Also Public Works staff was not consulted in the final development of the fees including the PW Inspector in charge of administering the process and inspections.

The 2012 fees for Right-of-Way permit and inspection as well as Drainage permit and inspection was \$70. The 2013 recommended increase was significant, almost doubling one

fee and adding more than \$100 to the other making the new fees \$175 for Right-of-Way permit and inspection and \$125 for Drainage permit and inspection fee.

Mr. Bennion advised that a communication sent out by Public Works modified the fee approved by the City Council in November reducing the Right-of-Way Permit fee from \$175 to \$110 for residential properties.

City Administrator recommended the revised fees be suspended and the 2012 rates be reestablished with the Council taking action at the January 7th meeting prior to permits being issued. Public Works staff will review, research and recommend fee changes at a future meeting.

Laura Wassmer moved the revised Right-of-Way and Drainage fees approved on November 5, 2012 be suspended and the 2012 fees be used until further review can be conducted. The motion was seconded by Brooke Morehead and passed unanimously.

STAFF REPORTS

Mayor Shaffer reported that Staff Reports had been presented at the earlier Council Committee of the Whole meeting.

OLD BUSINESS

Consider Final Plat for Prairie Village shopping Center

Dennis Enslinger noted there are four property owners reflected on this plat. The applicant is still working out details with the multiple property owners involved on the final plat for the "Prairie Village Shopping Center" as well as right-of-way issues. They have requested this item be continued until February 4, 2013.

Steve Noll moved at the applicant's request to table this item to the February 4, 2013 City Council meeting. The motion was seconded by Andrew Wang and passed unanimously.

Mayor Shaffer asked for an update on the demolition of the Waids' building. Mr. Enslinger stated they are still working to resolve a right-of-way issue and have not yet applied for a demolition permit.

NEW BUSINESS

Request by JazzFest Committee

Mayor Shaffer called upon Jack Shearer, chairman of the JazzFest Committee, who noted that 2013 will be the fourth Prairie Village Jazz Festival. Last year's festival was attended by over 6,000 people and press reviews stated it was "the best outdoor Jazz Festival in the last five years". He noted the committee has been fortunate over the years to have in-kind support from the City, from Crawford's and last year from BRGR and MarkOne Electric. In addition to \$3000 in repeat sponsorships already received for 2013, the committee also has commitments for in-kind donations for banners from Stouse and marketing from Strategic Marketing Services.

Based on the success and popularity of the festival, the committee is looking to grow the festival over the next few years. Raising funds in 2012 was difficult with the economy and coming off from a shortened 2011 festival due to weather conditions. JazzFest received \$13,000 in donations (\$8000 from 5 - \$1000 to \$2000 donations; \$5000 from 30+ donors giving less than \$1000). The event itself raised \$9200 with the committee raising \$7000 from fund-raising events. As with previous years, this left the committee with little seed money with which to begin efforts for the 2013 festival.

The committee would like to request from the City seed money of \$10,000 to be repaid as funds permit to secure the services of a professional fund-raiser with metro-wide contacts and experience to put the committee in the position to grow this popular community event. It is

important to begin fund-raising early in the year as organizations review requests and to raise funds to enable contracts to be negotiated for talent. The committee's goal is to begin the festival with funding to cover all expenses and a substantial contribution to Heartland Habitat for Humanity for the Brush with Kindness program in Prairie Village. A portion of the funds raised by sales at the event would be available to cover beginning expenses for 2014.

Laura Wassmer asked if there were any guarantees from the fundraiser that the desired funds would be raised. Mr. Shearer responded there are not; however, based on the individual's experience and expertise, he is confident that more than the desired funds will be raised.

Brooke Morehead stated the funding would be a loan that would be repaid. The committee has already secured return funding from previous sponsors and significant in-kind donations for marketing services and banners. She noted the fundraiser has the expertise and the contacts that the City and committee have. She has a proven track record in raising funds.

Michael Kelly asked who the fundraiser was. Mrs. Morehead responded Brenda Pelofsky. Mr. Kelly confirmed she would be getting a flat fee for her initial services. He expressed hesitation to pay in advance and questioned the need to enter into a contract now. Mr. Shearer noted the committee cannot enter into an agreement without the available funding to cover the costs incurred in the agreement. He added she will not receive the entire \$10,000 immediately, but it will be given as established fund-raising levels are attained and the City can cancel the contract if it is not working out. Mr. Kelly stated he would like to know more about the individual. Mr. Shearer responded that he has checked her references and would be glad to provide the council with additional information.

David Morrison stated he shares some of the concerns mentioned, but does not have any issues with the requested loan. He feels the fee is unacceptable for fundraising services.

Mr. Shearer responded that Kate Fields with Heartland Habitat has been involved in the discussions and has extensive experience with fund-raising. She has reviewed contracts from several individuals and stated the requested fee is in line for such services in this area. Brooke Morehead added she has met Brenda and is very impressed with her credentials, contacts and passion. She noted the requested funds are a loan to be repaid and noted the amount possibly could be negotiated.

Michael Kelly asked how much was raised by the committee in previous years and if she would be receiving commission on funds received from established contacts. Mr. Shear replied the committee raised approximately \$35,000 in donations and that funds from previous donors would not be credited to Mrs. Pelofsky. Her commission would be based on new contacts.

Mr. Kelly confirmed that sponsorship tents would still be available and would be sold by the committee.

Mr. Kelly asked how Jazz in the Woods raised funds. Mr. Shearer responded Jazz in the Woods is organized by a group of 80+ established businessmen from companies who support the event as well as receiving \$40,000 in funding from Corporate Woods. He added they also have a 40 year history backing the event.

Quinn Bennion noted the agreement with the fundraiser would be with the City of Prairie Village with the funds raised being channeled through the Prairie Village Municipal Foundation. He has spoken with the Foundation President to make her aware that the contract is with the City and not the foundation. He noted the City Attorney has received the contract and is in the process of reviewing it. This is a new concept and Council members should consider how it may impact other organizations/events within the city such as Villagefest and the Arts Council.

Jack Shearer said the committee recognizes this is new ground and wanted to give the Council time to fully consider the request before taking action. The formal request will be made at the January 22nd City Council meeting.

ANNOUNCEMENTS

Planning Commission	01/08/2013	7:00 p.m.
Parks & Recreation Committee	01/09/2013	7:00 p.m.
Sister City Committee	01/14/2013	7:00 p.m.
Prairie Village Arts Council	01/16/2013	7:00 p.m.
JazzFest Committee	01/17/2013	7:00 p.m.
Council Committee of the Whole (Tuesday)	01/22/2013	6:00 p.m.
City Council (Tuesday)	01/22/2013	7:30 p.m.

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The Prairie Village Arts Council is pleased to announce an oil painting exhibit by Eileen McCoy in the R. G. Endres Gallery for the month of January. The reception will be held on January 11th from 6:30 to 7:30 p.m.

The 2013 State of the Cities Address will be held on January 17th at 11:00 a.m. at the Sylvester Powell Community Center.

The City offices will be closed January 21st in observance of Martin Luther King, Jr. Day. Deffenbaugh observes this holiday so pick-up will be delayed one day.

City Hall Day is February 6, 2013 in Topeka, Kansas.

The City will be offering holiday tree drop sites from December 17 through January 21 at Porter, Franklin and Taliaferro parks. Harmon Park **will not** be a drop off site this year.

The annual large item pick-up has been scheduled. Homes on 75th Street and north of 75th Street will be collected on Saturday, April 13th. Homes south of 75th Street will be collected on Saturday, April 20th.

Charles Clark moved to suspend the City Council meeting and return to the Council Committee of the Whole meeting. The motion was seconded by Andrew Wang and passed unanimously.

Mayor Shaffer reconvened the City Council meeting at 10:18 p.m. and reminded the City Council that due to the Martin Luther King, Jr. Holiday, the next Council meeting would be held on Tuesday, January 22nd.

ADJOURNMENT

With no further business to come before the City Council, the meeting was adjourned at
10:20 p.m.

Joyce Hagen Mundy
City Clerk