

**COUNCIL COMMITTEE OF THE WHOLE**  
**June 17, 2013**

The Council Committee of the Whole met on Monday, June 17, 2013 at 6:00 p.m. in the Council Chambers. The meeting was called to order by Council President Dale Warman with the following members present: Mayor Ron Shaffer, Ashley Weaver, Ruth Hopkins, Steve Noll, Michael Kelly, Andrew Wang, Laura Wassmer, Brooke Morehead, David Morrison, Charles Clark, Ted Odell and David Belz. Staff Members present: Wes Jordan, Chief of Police; Captain Tim Schwartzkopf; Keith Bredehoeft, Interim Public Works Director; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Dennis Enslinger, Assistant City Administrator; Lisa Santa Maria, Finance Director; Danielle Dunn, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

**Update on Geothermal HVAC System**

Dennis Enslinger gave an update on the effectiveness of the geothermal HVAC System that was installed in the Municipal facilities in 2011 by Energy Solutions Professionals, LLC. This \$1,290,924 project was funded with \$510,000 in bonds, state grants and city funds.

The Geothermal System Project for Municipal Complex provided for the replacement of the existing HVAC systems in the Municipal Complex (Police Building, City Hall and the Community Center). Energy measures included lighting retrofits, water efficiency improvements, vending machine controls, building infiltration improvements, and energy management system improvements at the Municipal Complex and at the Public Works facility.

One other unique provisions of the Energy Performance Contract Agreement, was that ESP guaranteed energy savings as a result of the installation of the Energy Measures and Geothermal system. Schedule C of the agreement ESP is guaranteed an annual energy savings and operations and maintenance of at least \$39,876 for the first year.

Per the original agreement, ESP has completed a Measurement & Verification Report. The Measurement and Verification Plan can be found on pages 7-12 with a summary of the analysis shown in Table 8 (page 13). Based upon the model analysis plan the Geothermal and the energy conservation measures saved \$43,932 over the first year. Please note that because several of the items being measured do not have individual meters modeling was necessary to calculate the energy savings under the Measurement and Verification Plan.

Based on the modeling analysis, the annual energy savings were 235,561 kWh of electricity, 2,479 MCF of natural gas, and 226 kgals of water.

Mr. Enslinger noted that with the installation of the geothermal system the use of natural gas was also reduced because the previous HVAC system used natural gas in the winter. However, because KGS had billing errors in 2010 which resulted in overpayments, staff was not able to conduct an exact dollar comparison between 2011

and 2012. However, staff was able to compare the actual usage of Mcf billed for the facilities. Between the two years there was a 90% reduction in the gas usage.

To estimate of the cost savings on natural gas, staff has used a 2011 rate of Mcf of \$5.5111 plus the associated fees and taxes and a 2012 rate of Mcf of \$5.0340 plus associated fees and taxes. Based on this assumption, the estimated cost savings between 2011 and 2012 is \$16,088.44

It was also anticipated that the City would also save on the operations and maintenance expenses related with the installation of a new geothermal system. The following chart shows the operation and maintenance costs for contract services used to maintain and repair the previous HVAC system in 2011 and the maintenance costs in 2012 for the new geothermal system.

Facility	O&M 2011	O&M in 2012	Difference
Police/City Hall	\$21,277.21	\$3,790.46	\$17,486.75
Community Center	\$979.04	\$338.54	\$640.50

Based on the above calculations the total estimated savings related to the installation of the geothermal systems is \$45,912.98. Mr. Enslinger noted these savings are sufficient to pay off the bonds that were issued for this project.

**COU2913-22 Consider 2014-2018 CARS Application**

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, 2014-2018. 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.

Program Year	Street Segment	From	To	CARS Eligible Costs	County CARS Funds
2014 *	Somerset Dr	Stateline Rd	Belinder Ave	\$938,000	\$469,000
2015	Roe Avenue	75th Street	83rd Street	\$1,166,000	\$583,000
2016	Roe Avenue	63rd Street	67th Street	\$882,000	\$441,000
2017	Roe Avenue	67 <sup>th</sup> Street	71 <sup>st</sup> Street	\$888,000	\$444,000
2018	Roe Avenue	71 Street	75 <sup>th</sup> Street	\$664,000	\$332,000

\* Joint project with the City of Leawood

Mr. Bredehoeft noted that the City submits an application annually and can revise future year requests. 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 2014 Project on Somerset Drive and is included in the CIP. Future year's projects will be funded with each year's budget.

Laura Wassmer asked how long the residents on Roe would not be able to get into their driveways. Mr. Bredehoeft responded that it depended on the amount of concrete repair needed in the driveway apron. Charles Clark responded based on his experience with a recent similar project in his neighborhood, it would be very quickly. He estimated a half a day. Mr. Bredehoeft added the roadway would be closed during the day while the contractor was working, but would be open during the evening.

Mayor Shaffer asked about the new surface material that was being used on Nall Avenue. Mr. Bredehoeft responded it is a new formula that was previously unavailable to the public which has in testing lasted longer and is a better product than others on the market.

Charles Clark made the following motion, which was seconded by Laura Wassmer and passed unanimously:

**RECOMMEND THE CITY COUNCIL APPROVE THE 2014-2018  
COUNTY ASSISTANCE ROADS SYSTEMS (CARS) PROGRAM  
COUNCIL ACTION TAKEN  
06/17/2013**

### **Presentation of the 2014 Capital Improvement Budget**

Keith Bredehoeft began his presentation reviewing the 2013 capital improvement projects. There are two projects covering 24 streets for an estimated \$5.1M worth of work. The McAnany contract uses the balance of the street bond funds for \$2M, O'Donnell & Sons project is valued at \$3.1M. The 2013 CIP also includes two drainage projects, the 2013 Concrete Repair Program, 2013 Asphalt Repairs and 2013 Crack Seal and Micro Surface.

Mr. Bredehoeft reviewed the condition ratings for the city's infrastructure. Ratings are completed every five years. He noted there have been double digit drops in street ratings since the last evaluation. The drainage infrastructure condition ratings have over 75% of the infrastructure rated good to excellent. Drainage work is funded by the stormwater drainage fee. 92% of city curbs and 51% of city ramps are rated excellent. He noted the difference between a "fair" and "excellent" rating for ramps is if they meet ADA requirements.

Laura Wassmer asked if ideally street repair should be done at the "fair" rating and if at that level the work could be done by a mill and overlay treatment. Mr. Bredehoeft replied it is best to address streets at the "fair" rating, and often at that level the repairs can be made with mill and overlay, but stressed the true street condition is not known

until actual work begins. However, in the past 2 years only one mill and overlay street needed a deeper level repair.

Mr. Bredehoeft also reviewed a map of the city reflecting the location of streets with a “fair” or “poor” rating and charts reflecting the residential and arterial/collector street segment ratings.

The proposed General Fund Transfer to CIP for 2014 is \$2.5M. This is the same level of funding as 2013. Previous years CIP funding was as follows:

2012 - \$1.6M	2011 - \$816,650	2010 - \$1.89M	2009 - \$2.14M
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### **Recommended CIP Program**

Keith Bredehoeft stated the CIP Program reflects the current year and the four upcoming years for planning purposes. The items that need Council action are only those listed for 2014.

### **Parks**

There is a Park Infrastructure Reserve that was established years ago primarily for pool improvements. The reserve contains \$347,267 and subsequent CIP budgets call for an annual contribution to that reserve of \$120,000. Park Programs for 2014 include \$550,000 for Harmon Park Tennis courts. Mr. Bredehoeft noted repair of these 10 courts was split between 2013 and 2014 to reduce the budget impact. Additional park projects proposed are:

- McCrum Park \$181,000
- Prairie Park \$8,000
- Taliaferro Park \$35,000
- Harmon Park \$26,000

The total proposed for 2014 Parks CIP is \$920,000.

### **Drainage**

The Water Discharge Program has a reserve balance of \$23,885. These funds are available to assist residents with discharge problems. The proposed CIP has \$10,000 going into this reserve in 2015 & 2017. Mr. Bredehoeft noted that he, Mark Gilmore and Bill Cunningham have reviewed all city drainage infrastructures and set a prioritization for the work needed to be done. The priority project is the “Delmar & Fontana Drainage Channel”. Due to the anticipated high cost, this program has been budgeted over both 2014 and 2015. Mr. Bredehoeft noted the reflected costs do not reflect anticipated SMAC funding for the area as a result of flooding issues.

Laura Wassmer asked if the \$47,300 in the 2013 budget was for the study discussed and if that study was still being done. Mr. Bredehoeft responded staff has already done some of the work required by the study. He will bring back more information at a future meeting.

Staff identified the following Drainage Priorities:

- No significant flooding areas similar to Delmar/Fontana drainage channel.
- Mission Road at Schlifke Park flooding is due to Brush Creek. Problem cannot be addressed by Prairie Village alone.

- Projects in future are mainly rebuilding the existing drainage system. Pipes, drainage inlets, concrete channels, etc.
- Future projects can also include installing new drainage pipes and inlets or redesigning the old systems when reconstruction occurs such as was done at Prairie Lane and Alhambra.

The total proposed for 2014 Drainage CIP is \$590,000.

### Streets

The major project for 2014 is “75<sup>th</sup> Street - State Line Road to Mission Road” at a projected cost of \$2,525,900. However, this is a federally funded program with anticipated funding of \$1,250,000. Traffic Calming Program has \$65,384 in reserve. The 2014 program includes the addition to that reserve of \$25,000 in 2014 and 2016. Mr. Bredehoeft noted the program is being reviewed and modifications will be presented to the Council.

Ruth Hopkins noted there is a reserve because the Council directed staff to stop the program and she does not want it restarted. Neighborhoods do not want speed bumps. Mr. Wang and Ms Wassmer agreed with Mrs. Hopkins. Michael Kelly spoke in support of continuing the program with modifications. He noted neighborhoods are not guaranteed acceptance into the Traffic Calming program and the traffic calming solution has to be approved by both the Director of Public Works and the City Council to be implemented.

Laura Wassmer questioned the effectiveness of the program. From her experience the speed bumps constructed on Rosewood have not slowed traffic. Mr. Kelly noted that part of the process is a testing after the implementation. Ms Wassmer stated she would be interested in hearing from residents now, several years after their installation, if they felt the speed bumps were still effective.

Ruth Hopkins moved the Council remove funding of the Traffic Calming Program from the 2014 CIP. The motion was seconded by Andrew Wang.

Michael Kelly stated he felt it was short-sighted to kill a program that has been proven to work in several areas. Ted Odell stated he would like more information before taking action and asked if it could be delayed. Mr. Bennion reviewed the budget schedule and noted the later action is taken the more difficult to modify the budget. He would like to see a decision made this evening. Andrew Wang stated he supports removal and further discussion. He supports the concept but not the funding at this time.

Council President Dale Warman called for a vote. The motion was defeated by a vote of 5 to 7. Mr. Warman stated Traffic Calming funding will remain in the 2014 CIP Program.

The remainder of the 2014 Street CIP included the following:

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|---|-------------|
| • 2014 Paving Program                               | \$721,694   |
| • Somerset - Stateline to Belinder (CARS)           | \$1,023,000 |
| • Roe - 75 <sup>th</sup> to 83 <sup>rd</sup> (CARS) | 75,000      |
| • CDBG  | 75,000      |

The total proposed for 2014 Streets CIP is \$4,595,594.

### **Buildings**

The proposed 2014 Buildings CIP includes \$76,500 for City Hall Roof Repairs and Siding.

### **Other**

The proposed 2014 Other CIP includes \$700,000 for the 2014 Concrete Repair Program and \$25,000 for ADA Compliance Program. Some of the concrete work includes the upgrading of ADA ramps and is funded through that account. The city is divided into ten areas with concrete repairs done in one area each year. Mayor Shaffer questioned if all existing city ramps were ADA compliant. Mr. Bredehoeft responded they are not, but most are.

Ted Odell confirmed that the concrete work was outsourced and not done by public works staff.

Quinn Bennion stated the CIP as proposed will be brought forward as part of the 2014 budget.

Charles Clark thanked the residents present from the Fontana area who are supportive of the proposed drainage channel work proposed in the 2014 Capital Improvement Program.

## **STAFF REPORTS**

### **Public Works**

- Keith Bredehoeft provided an update on the 87<sup>th</sup> & Mission Road Project. He is hopeful that Mission Road will be able to be open with one lane of traffic soon.
- 63<sup>rd</sup> Street work begins next week and will be closed until August
- Delmar - 75<sup>th</sup> to 79<sup>th</sup> work is progressing well. Dale Warman asked if it would be done by VillageFest. Keith thought it would.
- 75<sup>th</sup> Street Mission Road to State Line Road plans have been submitted to KDOT
- Four workers came in on Saturday to assist with limb clean-up after the storm.
- Porter Park paving has been complete. Steve Noll expressed thanks on behalf of the neighborhood and noted the parking lot looks great.

### **Public Safety**

Chief Jordan reviewed the new conceal carry law passed this last legislative session and its requirement that cities implement a security plan. However, there is no defined scope of "Security Plan". The language in the bill is ambiguous and Chief sought direction from the Council. One of the issues is conflicting interpretations on the ability of employees to conceal carry under the new law.

Chief reviewed the challenges providing security at multiple buildings with multiple entrances (Police Department has 6; City Hall has 3) and differing operating hours. There is no central point for controlled entry.

The City has the following choices:

1. Do nothing and let the law take effect in January, 2014.
2. Enhance our own security plan in preparation for concealed carry.
3. Develop a security plan in accordance with HB 2052 to restrict concealed carry.

The plan must be in place January, 2014. However, the City does not have to implement equipment or procedures under the plan for four years.

The Council directed Chief Jordan to continue to work with his staff on developing a plan during the next several months and encouraged him to take the pulse of other cities regarding this new law.

### **Adjournment**

With no further business to come before the Committee, Council President Dale Warman adjourned the meeting at 7:26 p.m.

Dale Warman  
Council President