

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
November 17, 2008**

The City Council of Prairie Village, Kansas, met in regular session on Monday, November 17, 2008, 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: Al Herrera, David Voysey, Michael Kelly, Andrew Wang, Laura Wassmer, Dale Beckerman, Charles Clark and David Belz.

Also present were: Quinn Bennion, City Administrator; Katie Logan, City Attorney; Wes Jordan, Chief of Police; Bob Pryzby, Director of Public Works; Dennis Enslinger, Assistant City Administrator; Karen Kindle, Finance Director; Chris Engel, Assistant to the City Administrator and 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 City Council.

CONSENT AGENDA

David Voysey moved the approval of the Consent Agenda for Monday, November 17, 2008:

1. Approve Regular Council Meeting Minutes - November 3, 2008
2. Approve Claims Ordinance #2853
3. Approve Engineering Change Order #1 (Final) with BHC Rhodes for a decrease of \$16.50 to Project 190719: 2008 Storm Drainage Repair Program bringing the final contact amount to \$47,483.50
4. Approve Engineering Change Order #1 (Final) with BHC Rhodes for a decrease of \$27,366.74 to Project 190868: Roe Avenue (CARS) resurfacing (91st Street to Somerset Drive) bringing the final contact amount to \$20,633.26
5. Authorize the continuation of multi-year agreements for 2009
6. Authorize the continuation of on-going or auto renew agreements for 2009

7. Approve Construction Change Order #1 (Final) with O'Donnell & Sons Construction for an increase of \$13,129.60 to Project 190863: Shawnee Mission East High School Parking Expansion bringing the final contract amount to \$296,162.95.
8. Approve the agreement with Lowenthal, Singleton, Webb & Wilson to audit the City's 2008 Financial Statements.
9. Adopt the proposed revisions to the City's Record Retention Schedule and amendment to Council Policy CP036 entitled "Records Management Program".

A roll call vote was taken with the following members voting "aye": Herrera, Voysey, Kelly, Wang, Wassmer, Beckerman, Clark and Belz.

STAFF REPORTS

Finance - Karen Kindle

- Karen Kindle reported the City received nine responses to its RFP for financial software. Staff will interview and have demonstrations by seven vendors the week of December 8th.
- The recently published third quarter report showed City finances to be stable. The local sales tax revenue is holding, noting the City is not overly reliant on one source of revenue. She stated local sales tax is doing well, noting the primary source is the three grocery stores. The City has received its final property tax distribution.

Quinn Bennion stated that although the operating revenue and budget is stable, the City's pension plans have taken a large hit. The Police Pension Plan has lost \$2 million. The plan is a defined benefit plan that requires funding. The Supplemental Pension Plan, which is not as large, has also lost funds; however, it is not a defined benefit plan.

Charles Clark noted this will be a substantial moral problem for employee as, unlike the police pension, the loss does not have to be made up by the City but is incurred by the employees. The 2009 budget had \$240,000 for the police pension plan. It will be difficult for the City to make up the \$2 million loss.

David Voysey asked if the City needed to take action to address the potential lowering of appraised residential property values. Karen Kindle responded she had not had any communication from the county, noting the valuation information becomes available in February. She feels the county is trying to adjust for the changes in the housing market. Staff will be projecting zero growth in property values for the 2010 budget.

Charles Clark added the state funded employee pension plan is a defined benefit plan which the City does not control and he expects the state to increase contribution required by the City. This change will require Legislative action. Mayor Shaffer added comments he is hearing from area legislators is that funding will be a major issue during this year's legislative session. David Voysey asked about the possibility of the state stopping demand transfers. Quinn Bennion responded the only remaining demand transfer would be the highway tax.

Codes Administration - Dennis Enslinger

- Deffenbaugh is having issues with the routing software and he is uncertain when the proposed routing changes will be requested and implemented in Prairie Village.
- Building Inspection Staff will be participating in the Johnson County Licensing Program for the licensing of contractors. This program, in addition to the building certifications required, also requires the contractor to have liability insurance.
- The proposed cell tower language was finalized by the Planning Commission at its last meeting. Mr. Enslinger asked if the Council wanted to have the language presented at the next committee meeting or e-mailed to them for review and comment. Council directed staff to bring the information before them for discussion at the next committee meeting.
- The relocation of CVS to the site of the current Tippins building will appear before the Planning Commission in December for site plan and conditional use approval. The application will not be forwarded to the City Council for approval. Therefore, Mr. Enslinger asked if the Council wanted to provide written comment or direction to the Commission for its review of the application and if so what would the comment be.

Laura Wassmer stated her recommendation would be to say “no”. She stated at the recent NLC event Council members had the opportunity to visit two mixed use developments that were phenomenal. She feels this construction needs to be integrated into the center following Village Vision. Mr. Enslinger noted staff has met with the developer and representatives of Highwoods and given them that direction.

Al Herrera reconfirmed the City Council would not see the application for approval. David Beckerman asked if there was a protest procedure that could bring it to the Council. Mr. Enslinger stated the protest would not be before the Council.

Charles Clark recommended staff negotiate for a more favorable building. Michael Kelly stated he would like the City to be able to provide building directions. He noted the use of form based codes and “planned unit development” used by other cities to impact the form of the building, not the use. He would like staff to provide more information on these options, which he believes would have a greater impact on developments.

Laura Wassmer stated she has several photographs from their visits to mixed use developments that she would like to present in a slide show at a future meeting. They depict many excellent examples of successful mixed use district development.

Mr. Enslinger noted he could provide the proposed site plan at the December 1st meeting.

Al Herrera asked the status of the proposed Walgreen’s development at 95th Street. Mr. Enslinger responded staff would be meeting with them this week and expect an application to be filed for January. He noted this is the same situation where the appropriate zoning is in place and the only approval is that of the Planning Commission on the site plan and drive-thru. Mr. Enslinger added Village Vision does not clearly address the development of this area as it does Corinth Square. David Belz asked if the City could determine how it would look. Mr. Enslinger noted the degree the zoning

regulations address compatibility. He added the Council could also address this area in their statement, stating the development should support the Village Vision.

Dale Beckerman asked what would happen if CVS were not approved, noting the south side of that center is nearly vacant. Mr. Enslinger stated Corinth Square is a viable center and one of the most profitable centers in the City. Staff have made several suggestions as to how the project could be better integrated into the center in compliance with Village Vision; however, neither CVS nor Highwoods have been responsive.

Charles Clark asked if staff would recommend against the project. Mr. Enslinger stated staff have not seen the revised plans. He stated staff did recommend against the application based on the initial plan. He anticipates staff would either recommend denial or approval subject to several conditions to address the City's concerns.

Laura Wassmer stated she would like to see the building closer to the street with parking on the inside of the site. Michael Kelly stated Village Vision presents a specific plan for Corinth Square. Mr. Enslinger responded Highwoods states they were not a part of the plan and do not support it. Mr. Belz stated it was hard to influence one building when there is not a specific plan for the entire complex. Mr. Enslinger responded Village Vision spells out fairly clearly the City's goals for this piece of property and sets the tone for future development.

Mayor Shaffer directed staff to return to the December 1st committee meeting with additional information on the two proposed developments and suggestions for Council. Michael Kelly would also like to see information on "form based codes" and "Planned Unit Development". Staff agreed to prepare a summary memo regarding both topics.

Administration - Quinn Bennion

- HNTB responded immediately to the letter he sent and he will be meeting with them this week.
- After two months without any communication, staff met last week with representatives of OPUS regarding Meadowbrook. They are looking at using "Neighborhood Redevelopment District" funding. Katie Logan and staff are researching what is required and applicable at this location.
- He, Dennis Enslinger and five Council members recently attended the National League of Cities Conference in Orlando, Florida. The conference was an excellent educational and networking experience. As Ms. Wassmer noted, council members were able to visit other mixed use development projects and have come back with many ideas.

Michael Kelly added the Baldwin Park Development they visited is nationally recognized as a new urbanism area and encouraged Council to visit their website.

COMMITTEE REPORTS

Council Committee of the Whole

COU2007-27 Consider Project 190864: 2008 Street Resurfacing Program Engineering Change Order #1

On behalf of the Council Committee of the Whole, David Voysey moved the City Council approve Engineering Change Order #1 with BHC Rhodes for an increase of \$12,172.17 to Project 190864: 2008 Street Resurfacing Program and a transfer of \$27,172.17 from Project 190868: Roe Avenue Resurfacing (CARS), 91st Street to Somerset Drive to Project: 190864. The motion was seconded by Al Herrera and passed unanimously.

OLD BUSINESS

Transportation

David Belz announced while at the NLC conference he attended two workshops on transportation and nationally the focus is turning to connectivity and economic growth. Different criteria are being investigated but this is only the beginning of a very long-term changing of the paradigms.

NEW BUSINESS

Al Herrera reported that he spent time this past weekend with individuals visiting from Katrina stricken New Orleans communities. They were very complimentary of Prairie Village and hope to be able to visit again.

Committee meetings scheduled for the next two weeks include:

Environmental/Recycle	11/19/2008	7:00 p.m.
Prairie Village Arts Council	11/19/2008	7:00 p.m.
Council Committee	12/01/2008	6:00 p.m.
Council	12/01/2008	7:30 p.m.

The Prairie Village Arts Council is pleased to announce an exhibit by the Mid-America Pastels Society during the month of November.

The Northeast Johnson County Chamber of Commerce Annual dinner is November 22nd.

Please remember to RSVP to Joyce by November 24th for the Mayor's Holiday Party. It is December 5th at Homestead Country Club.

The Municipal Foundation will be hosting the annual Mayor's Holiday Tree lighting on Monday, November 24th at Corinth Square from 6:30 - 8:00 p.m.

The Employee Holiday Luncheon will be held December 12th from 12:00 - 2:00 p.m. The Mayor will be handing out promotion certificates and Anniversary Awards.

Prairie Village Gift Cards are on sale at the Municipal Building. This is a great way to encourage others to "Shop Prairie Village."

The 50th Anniversary books, Prairie Village Our Story, and Prairie Village Gift Cards continue to be sold to the public.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:20 p.m.

Joyce Hagen Mundy
City Clerk