

****AMENDED****
COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, October 15, 2007
7:30 p.m.

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC PARTICIPATION

V. CONSENT AGENDA

All items listed below are considered to be routine by the Governing Body and will be enacted by one motion (Roll Call Vote). There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the regular agenda.

By Staff:

1. Approve **Amended** Council Meeting Minutes - October 1, 2007
2. Claims Ordinance 2643
3. Pass a resolution in support of a National EMS Memorial in Kansas City.
4. Approve authorizing ADP, Inc., to prepare and file Kansas Unemployment Tax forms and make deposits.
5. Approve the frequency reconfiguration agreement between the City of Prairie Village and Nextel.
6. Approve Construction Change Order #5 with J. M. Fahey Construction Company in the amount of \$1,379.16.
7. Ratify the Mayor's appointment of Sally Holmes to the City's Park and Recreation Committee.
8. Designate Jeanne Koontz as Deputy City Clerk for the City of Prairie Village.

VI. STAFF REPORTS

VII. COMMITTEE REPORTS

VIII. OLD BUSINESS

Consider Resolution in support of Mayors Climate Protection Agreement

IX. NEW BUSINESS

Appointment of City Administrator

X. ANNOUNCEMENTS

XI. ADJOURNMENT

If any individual requires special accommodations -- for example, qualified interpreter, large print, reader, hearing assistance -- in order to attend the meeting, please notify the City Clerk at 381-6464, Extension 4616, no later than 48 hours prior to the beginning of the meeting.

If you are unable to attend this meeting, comments may be received by e-mail at cityclerk@PVKANSAS.COM

**COUNCIL
CITY OF PRAIRIE VILLAGE
October 15, 2007
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, October 15, 2007, at 7:30 p.m. in the Council Chambers of the Municipal Building.

ROLL CALL

Mayor Ron Shaffer called the meeting to order with the following Council members present: Al Herrera, Bill Griffith, Ruth Hopkins, David Voysey, Michael Kelly, Andrew Wang, Laura Wassmer, Pat Daniels, Charles Clark, Wayne Vennard, Diana Ewy Sharp and David Belz.

Also present were: Barbara Vernon, City Administrator; Charles Wetzler, City Attorney; Police Chief Wes Jordan; Bob Pryzby, Public Works Director; Karen Kindle, Finance Director and Joyce Hagen Mundy, City Clerk.

Mayor Shaffer led all present in the Pledge of Allegiance.

PUBLIC PARTICIPATION

No one was present to address the Council.

CONSENT AGENDA

Andrew Wang moved the approval of the Consent Agenda for Monday, October 15, 2007:

1. Approve Council Meeting Minutes - October 1, 2007
2. Approve Claims Ordinance 2643
3. Pass a resolution in support of a National EMS Memorial in Kansas City.
4. Approve authorizing ADP, Inc. to prepare and file Kansas Unemployment Tax forms and make deposits.
5. Approve the frequency reconfiguration agreement between the City of Prairie Village and Nextel.

6. Approve Construction Change Order #5 with J.M. Fahey Construction Company in the amount of \$1,379.16
7. Ratify the Mayor's appointment of Sally Holmes to the City's Park & Recreation Committee as student representative.
8. Designate Jeanne Koontz as Deputy City Clerk for the City of Prairie Village.

A roll call vote was taken with the following members voting "aye": Herrera, Griffith, Hopkins, Voysey, Kelly, Wang, Wassmer, Daniels, Clark, Vennard, Ewy Sharp and Belz.

STAFF REPORTS

Director of Public Works

- Bob Pryzby, Charles Clark and David Voysey met with the City Administrator of Mission Hills to present the proposal for Prairie Village to provide Public Works Services to the City of Mission Hills.
- Construction on the Tomahawk Bridge is progressing well. The barrier walls are scheduled to be poured by the end of the week.
- WaterOne is looking at replacing a 14" water main in this area - no schedule has been set for the work at this time
- Mr. Pryzby represented MARC discussion on traffic signals. Nationally traffic signals received a "C" rating, but noted the "Operation Green Light" program was recognized as a leader in this area.

City Administrator

- Barbara Vernon reported on the recent League of Kansas Municipalities she attended. She attended sessions on revenue sources and telecommunications.
- A recent FTC ruling requires telecommunications providers to have backup systems in place for all their systems. This will impact both the city's communications towers. Zoning regulations may have to be changed to allow for additional equipment in other areas of the City.
- Mrs. Vernon also attended a session on the use of e-mail and open meeting regulations as they relate to Council members. The leader stressed the need for Council members to execute caution in this area. Meetings of more than four Councilmembers are required to be announced in advance of the meeting. The only exclusion allowed is for public education.
- The Legislature is considering legislation that would require tape recording executive sessions. The League is working against this proposed legislation.

Chief of Police

- Chief Wes Jordan introduced Sgt. Greg Hudson for a presentation on the Department's Traffic Unit. The current traffic unit is the result of a reorganization done in 2004 based on studies completed by Tim Schwartzkopf while attending Northwestern University of Staff and Command School and Wes Jordan in conjunction with his Master's program at Baker University.

- Sgt. Hudson introduced the current traffic unit of Chad Loughman, Travis Gray and Adam Taylor and commended them for their excellent work. He noted the traffic unit is about safety and education.
- Reasons for Implementation
 - Improve selective enforcement in school zones
 - Improve ability to provide selective enforcement in response to citizen complaints
 - Improve enforcement at high accident locations and deter accident causing violations
 - Deploy manpower to aid in traffic studies
 - Improve selective enforcement by use of motorcycles
 - Augment patrol officers to assist in DUI saturation patrols
 - Improve quality and clearance rate on hit and run accidents
 - Increase public awareness through education
 - Lead accident investigations covering serious injury accidents.
- In 2006, 46 complaints were received from residents and all were investigated leading to the issuance of 214 summons for traffic violations alone.
- Thus far in 2007, 40 complaints have been received and investigated.
- In addition to traffic enforcement, the traffic unit performs several other services for the community including:
 - School zone enforcement
 - School programs on car seat and booster seat compliance
 - Car seat installations - all three officers are certified installation technicians
 - Bicycle safety programs & “Headstrong for Jake” program with more than 1081 bicycle helmets given out thus far in 2007.
 - Distribution of Public Service Information Cards
- The use of the speed trailer has increased. The trailer has been on the road for 20 weeks so far in 2007
- Sgt. Hudson stated the Traffic Unit isn’t about revenue, but revenue figures show the program to be self-sustaining with over \$400,000 collected in 2006.
- The Traffic unit is committed to providing safe roadways and addressing traffic congestions in and around schools. It provides safety programs, selective enforcement assignments, assists patrol with advanced accident investigation analysis as well as distribution of safety equipment to the public.

David Belz asked how a resident would go about requesting the speed trailer.

Sgt. Hudson responded they simply need to contact him, then he reviewed the process followed once a request is made.

Council members expressed appreciation for the presentation and the services the officers are providing residents.

Mayor Shaffer acknowledged Sgt. Hudson's 23rd anniversary of service with the City with a proclamation swearing him in as an honorary "Texas Ranger" and presentation of badge and autographed picture.

COMMITTEE REPORTS

Communications Committee

Andrew Wang reported the Communications Committee met and discussed the concerns raised by the Council regarding the city's website. The committee will be sending out requests for proposals to firms for redoing the city's website.

Park & Recreation Committee

Al Herrera reported the earlier vandalism that was occurring at the city's parks had decreased considerably. Pat Daniels added that Friday evening he talked with skateboarders at the park who felt the City's facility was the best in the area.

Prairie Village Arts Council

Barbara Vernon reported the artist reception for the State of the Arts Exhibit on Friday, October 12th was attended by more than 250 persons and both the exhibit and the event were well received.

Finance Committee

David Voysey reported the Finance Committee met and selected the financial advisor from the five proposals received. They will bring forward a recommendation for approval of a financial consulting services agreement at the next Council meeting.

OLD BUSINESS

Consider Resolution in support of Mayors Climate Protection Agreement

Mayor Shaffer called upon Margaret Thomas, Chairman of the city's Environment/Recycle Committee, to address the Council on this issue.

Margaret Thomas, 8401 Roe Avenue, stated two of the most powerful tools for economic development are renewable energy development and energy efficiency investment. Mrs. Thomas acknowledged committee members present and thanked the "climate protection subcommittee" which has already spent over 164 hours evaluating a number of strategies that are not only fiscally responsible but will actually generate income. The plan is still preliminary, but when the Council adopts the resolution to support climate protection, the committee stands ready to help accomplish this goal. Possible actions that can be taken to meet this goal are reduce the use of energy in heating, cooling and lighting citywide, encourage home renovating for higher efficiency standards, reduce auto use in the city overall, achieve more walking, biking, carpooling etc. In addition to reducing greenhouse gases, these actions will have other benefits such as conserve limited resources, improve air quality, reduce water pollution and stimulate economic development. Some level of warming, perhaps 2 degrees by mid century, is inevitable but warming beyond that will be determined by our response now.

Al Pugsley, 9029 Rosewood, addressed the Council as a member of Village Presbyterian Church encouraging the signing of the agreement. His church supports this goal and has done several things to support these efforts. For example, in April, they distributed 1500 fluorescent light bulbs. If everyone in the United States would change five light bulbs, we could take 21 coal-fired power plants off line as they would not be needed.

Eric Hamilton, 4503 West 93rd Terrace, senior at Shawnee Mission East and member of environment club, expressed the support of the Shawnee Mission East club and of the East Community.

Kristin Riott, 4411 West 64th Terrace, stated over 630 United States cities have signed this document with only Portland, Oregon meeting the goal. She acknowledged the goal is huge, but stated it should not impede the City from taking action to improve the environment by whatever means it feels is appropriate.

Mayor Shaffer closed the public participation and called upon the City Council to give him direction on the signing of this resolution. He stated several cities' Mayors will be gathering on November 2nd to sign this resolution on behalf of their cities and several have already signed. He is seeking the direction of the Council.

Al Herrera noted the City has already taken steps to improve the environment. He is against signing this resolution. He feels it will be costly to implement this program and does not see a reason to enter into the program at this time. As a small city, he does not feel the actions of Prairie Village will impact the environment as a whole.

Wayne Vennard moved the City Council authorize Mayor Shaffer to sign a resolution in support of the Mayors Climate Protection Agreement and the Cities for Climate Protection Campaign on November 2, 2007. The motion was seconded by Ruth Hopkins.

Ruth Hopkins stated she is strongly in favor of this resolution. She feels it sets a tone and is something the City can begin to incorporate into all the areas of the City and fits into Village Vision. She does not feel it will be cost prohibitive to implement and acknowledged that individually several Council members are taking steps to improve the environment.

Al Herrera stated in the SUN newspaper the 11 points of the resolution were reviewed. He noted the student from Shawnee Mission East expressed East's support of this, yet they will not implement restrictions to reduce the number of vehicles at East.

David Belz supports the environment but has some concerns with some of the items listed in the resolution as far as what they mean and what the cost will be to implement. He is concerned about the language of commitment and resolve. He sees signing this as stating these actions become a priority for the City. He would be ok if it said the city would consider these items where reasonable. He feels our signing is a commitment to action and although these items are important they need to be considered among everything else the City is doing and not become an overarching commitment.

Mayor Shaffer responded the Environment committee is supportive of this and will provide answers to some of the questions of "what does this mean".

Diana Ewy Sharp echoed Mr. Belz's statements. She felt if the City is taking steps to urge the Federal and State government to support these policies, the City needs to be following them. She has no idea what it would cost residents in tax dollars to do these things. There are numerous unanswered questions. Her preference would be to put something together at the local level that can be done and where there are firm costs and the impact of such actions can be determined.

Laura Wassmer agreed, noting that she is pro-environment, but she would like to take the items the environment committee is working on and ensure that they make sense for the City and fit in with other things happening in the City. She sees this as another unfunded mandate with insufficient information on which to act. Ms Wassmer feels the City can still make a difference and does not need to sign this resolution to do so.

Michael Kelly urged the Mayor not to sign, restating advice given to him when he came on Council - to ask what it costs, what are the risks, what are the alternatives and are you willing to raise the residents' taxes to do this. There has not even been a

baseline established making it impossible to determine costs to achieve the desired goal.

Andrew Wang stated he sees similarities between this and the earlier discussion regarding Shawnee Mission East parking expansion with the unknown costs and impact and lack of control. He feels a lot is being read into the agreement that is not there. There are lofty goals to strive for, but it does not commit to anything specific. The Environment Committee will develop a plan, but the City has no idea of the costs or impact, yet it is being asked to make a blind commitment.

Ruth Hopkins stated Johnson County has picked up the commitment to do the baseline study and is setting up a sustainability office to serve as a resource to cities. Karen Riott confirmed Ms. Hopkins statement and added the Johnson County Climate Control is already underway in building this baseline with the cooperation of KCP&L and county to determine current emissions.

Michael Kelly stated he was pleased to see Johnson County's support, but noted this has been in the works for two years and the questions raised at that time still have not been answered. He doesn't see this issue to be about whether global warming is real or not, but it is about "do we know the costs" and we do not.

Wayne Vennard stressed that this is a resolution and does not involve the appropriation of any money.

Mayor Shaffer stated this is a subject that is in all the publications and, being supportive of leaders everywhere whether you like it or not, the world is going green.

Pat Daniels went on record stating his personal support and noted as a representative of his ward, he is comfortable with being part of a public effort to bring this sizeable issue to the forefront in our metropolitan area and stated he would be disappointed if the City of Prairie Village did not sign this resolution recognizing the need

for action. He does not feel this forces the City to do anything. What it does is places the city as a leader in this important movement to improve our environment.

Pat Daniels asked the City Attorney if he saw any language in this resolution that would commit the City to any legal exposure. Mr. Wetzler stated, as he reads the resolution, the City is resolving that this is a problem and they commit to work to alleviate the problem.

Pat Daniels asked for input from Bob Pryzby, Director of Public Works. Mr. Pryzby responded he feels the test is to look at what you want to do, to determine the reasonableness of it, is it cost effective and is now the time to do it. He noted changes in technology are reducing the costs of implementation. He reads the resolution as a resolution and does not see it as a commitment to specific action but a commitment to look at the issue and do something. He noted every year the City has taken some action to improve energy effectiveness. He feels it is a reasonable approach and that some goals can be accomplished. Mr. Daniels noted this is not a black and white issue and there will be changes along the way. He sees this as the City committing to reduce energy consumption.

Laura Wassmer does feel that if the City does not sign, it is a statement that the City is not environmentally friendly. The City is doing things and she wants to see this continue, but on its own resolution, not through signing a resolution that is unclear. She can not support signing a resolution she doesn't understand.

Charles Clark stated this is a resolution of good intention noting that specific actions with costs will be brought back to the City by the Environment Committee and he supports signing the Resolution.

Diana Ewy Sharp stated as she listens to discussion this appears to be one of the biggest decisions the Council will be asked to make and being so, she questioned the

urgency. She needs to know the financial implications before voting, she doesn't feel the City needs to rush into this.

Mayor Shaffer noted a number of people look at this City as a progressive city. He restated Mr. Clark's comment that any expenditure of funds will be dealt with on a case by case basis.

David Belz stated if the Environmental Committee is going to bring forward recommendations with costs then let's do it. He does not feel comfortable signing something when he does not know exactly what it means and has concerns with the language just so Prairie Village can be among those cities signing on November 2nd. He suggested not signing the resolution, but publishing what the City is doing to address this issue.

Al Herrera agreed with Mr. Belz. He stated by not signing this we are not saying the City is not environmentally friendly. He sees this like signing a contract without any cost figures included. He does not see the need to sign tonight and would like to see the discussion continued.

Mayor Shaffer stated there are several other cities that have already signed

David Voysey stated his concern is if the City is going to be prepared to do what it may be asked to do. For example, we just commended a police officer for driving up and down streets to find a broken license plate, which is probably not environmentally friendly. Are we prepared to do what it takes to reduce emissions from motorcycles and patrol cars. The Council has a certain level of commitment to the City and the residents and he is not sure it can be maintained if the City is asked to take some of these actions.

Mayor Shaffer responded the City's services and commitment to residents will not diminish. We will not let that happen.

Michael Kelly echoed Mrs. Ewy Sharp's question, "Why Tonight" He feels the Council is saying they are open to the resolution, but need more information, more facts, the risks, the costs, etc.

Ruth Hopkins stated action does not have to be taken tonight. She sees Prairie Village as a very public city with people and press watching what happens in the City. The Johnson County Commission has voted to go forward with the resolution as a whole, noting individual cities may opt away. She noted the respect Ron carries as Mayor and feels the Council is placing him in a very awkward position if it does not give him support to sign the resolution. This is an issue bigger than the City. She feels not signing will reflect badly on the City. She fails to see any the downside. It is not committing funds, this is not an unfunded mandate, and it is a resolution that says the City agrees to work to move forward. Mrs. Hopkins stated she is hearing councilmember's say the City is already doing this. If so, this would simply be a statement of our commitment to continue to do so.

Bill Griffith noted the City will do all of the things mentioned eventually. He sees the question being does the City want to lead the way or let it come as it comes. He does not see any huge downside to making the statement.

Andrew Wang does not feel the City is rushing this - this is simply the time for action and there is no reason to put it off. He is confident the City would never approve action that would jeopardize public safety or safe streets to save a couple kilowatts of power or barrels of oil.

Pat Daniels stated this is about Prairie Village adding its voice to a movement that is critical to this society.

Wayne Vennard called the question and requested a roll call vote be taken, the motion was seconded by Ruth Hopkins. The motion was voted on and passed unanimously.

The motion was restated as follows: The City Council authorizes Mayor Shaffer to sign a resolution in support of the Mayors Climate Protection Agreement and the Cities for Climate Protection Campaign on November 2, 2007.

A roll call vote was taken with the following votes cast: “aye” Griffith, Hopkins, Voysey, Wang, Daniels, Clark and Vennard and “nay” Herrera, Kelly, Wassmer, Ewy Sharp and Belz. The motion was declared passed by a vote of 7 to 5.

NEW BUSINESS

Appointment of City Administrator

Ruth Hopkins stated the selection was one of the most difficult decisions she has made as there were incredibly qualified candidates. There was intense discussion among the selection committee and she feels very good about their decision.

Michael Kelly echoed the high level of qualifications and experience among the candidates. He feels the City came out ahead with the candidate selected.

David Belz thanked the selection committee for their efforts on behalf of the Council and noted his appreciation for the time they expended. He feels the committee did an excellent job.

Diana Ewy Sharp stated it is difficult for her to make a decision on the recommendation without having any knowledge of the other final candidates. She

supports the process of having a selection committee that brings forth a recommendation, but feels there is room to have the entire Council more involved in the final process. Mrs. Hopkins stated the candidates in this process included several local candidates who really begged for confidentiality during the committee interview. She noted any discussion with a larger group of Council members brings the discussion under "open meeting" and "public record" regulation and prevents the confidentiality sought by the candidates. Mrs. Ewy Sharp stated personnel matters can be discussed in executive session allowing other Council members the opportunity to receive more information.

Bill Griffith supported both the process and the selection. The selection of senior level management positions in any environment normally is done by a small group. The Council has to be very sensitive to the sensitivity to the selection process.

Andrew Wang agreed with Mr. Griffith, except when the process includes the consent or ratification of that selection. Under those circumstances, he feels the voting body needs information on which to base their vote. He does not want to be on the selection committee, but would like access to more information and feels it would be appropriate for a Council member to be trusted with confidential information. He does not agree that this process went better than the last one. Finding out 24 hours ahead of time is a difference without distinction.

Pat Daniels stated this is a matter of delegated authority. He feels the process is healthy, that it worked and the City has a great new City Administrator. Michael Kelly stated there are always ways a process can be improved, but he feels it worked and noted the City Council was notified immediately after the decision was made.

Wayne Vennard stated he felt the process was excellent. A national selection firm secured qualified applications, reviewed them and made initial recommendations.

A group including one third of the Council, the Mayor and citizens interviewed candidates and made a recommendation. It is the process followed in cities across the country.

Charles Clark stated if the concern is with not knowing who the candidates were that were not selected, that is not the emphasis of the search process. The committee did not reject someone else, it selected the most qualified candidate.

Al Herrera expressed his support of the process and agreed with the need for a high level of confidentiality for the candidates. David Voysey stated with the infrequency of this high level hiring, he can handle not knowing everything and appreciated the time and effort expended by the committee to make this difficult decision for the City.

Andrew Wang enthusiastically moved the City Council appoint Quinn Bennion as City Administrator for the City of Prairie Village to assume those duties after he becomes duly-qualified by formally taking the oath of office; and authorize the Mayor to negotiate and sign an employment agreement which will be ratified by the Council. The motion was seconded by Diana Ewy Sharp and passed unanimously.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Prairie Village Arts Council	10/17/2007	7:00 p.m.
Environment/Recycle Committee	10/24/2007	7:00 p.m.
Municipal Foundation	10/25/2007	5:30 p.m.
Council Committee of the Whole	11/05/2007	6:00 p.m.
City Council	11/05/2007	7:30 p.m.

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The Prairie Village Arts Council is pleased to feature the State of the Arts Exhibit in the R.G. Endres Gallery during the month of October. It will be a juried show featuring 31 entries from local artists.

Reminder - Flu shots for City employees and Council members are scheduled to be given on Monday, October 15th from 8:30 a.m. to 10 a.m. at Public Works and from 1 to 3 p.m. in the Multi-Purpose room at City Hall. They will be \$8.50, to be deducted through payroll.

Mayor Shaffer announced Charles Clark will be a featured speaker at the Plaza Library on Sunday, October 21st regarding Kansas/Missouri history.

The Employee Appreciation Dinner will be held February 2, 2008 at the New Dinner Theatre. Please RSVP by October 26, 2007 to Jeanne Koontz at jkoontz@pvkansas.com

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 9:25 p.m.

Joyce Hagen Mundy
City Clerk