

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
July 6, 2015**

The City Council of Prairie Village, Kansas, met in regular session on Monday, July 6, 2015 at 7:30 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas.

ROLL CALL

Mayor Laura Wassmer called the meeting to order and roll call was taken with the following Council members present: Ashley Weaver, Jori Nelson, Ruth Hopkins, Steve Noll, Eric Mikkelson, Andrew Wang, Sheila Myers, Brooke Morehead, David Morrison, Ted Odell and Terrence Gallagher.

Staff present was: Tim Schwartzkopf, Chief of Police; Keith Bredehoeft, Director of Public Works; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Wes Jordan, Assistant City Administrator; Nolan Sunderman, Assistant to the City Administrator, Lisa Santa Maria, Finance Director and Joyce Hagen Mundy, City Clerk.

Mayor Laura Wassmer led all present in the Pledge of Allegiance.

INTRODUCTION OF STUDENTS & SCOUTS

Mayor Wassmer welcomed six boy scouts from Troop 260 and their leaders attending the meeting to earn their "citizenship and community" badge.

Terrence Gallagher acknowledged the presence of his father, a former fire chief, in attendance.

PUBLIC PARTICIPATION

Frank Flink, 8247 Fontana, spoke on behalf of the neighbors adjacent to the Fontana/Delmar drainage project. He stressed the need for action to address the serious flooding and safety issues at this location and stated that warning signage was not sufficient action. The neighborhood still supports the proposed plan from 2008 and would like to have the City Council move this project forward.

Public Participation was closed at 7:40 p.m.

Mayor Wassmer recognized Cindy Clark, Chair of the VillageFest Committee and her committee for another hugely successful Village Fest. She acknowledged the work of the committee and city staff in coordinating the vendors, volunteers, activities and equipment to provide a wonderful community event. On behalf of the City Council and the residents of Prairie Village, Mayor Wassmer extended congratulations and thanks to those who made VillageFest 2015 a wonderful community event.

CONSENT AGENDA

Council President Brooke Morehead moved for the approval of the Consent Agenda for June 15, 2015:

1. Approve regular City Council Minutes - June 15, 2015.
2. Authorize the Mayor to execute a proclamation for Constitution Week September 17 - 23, 2015
3. Approve performance contracts for the 2015 Prairie Village Jazz Festival with the following artists at a cost of \$16,200:
 - Shawnee Mission East Blue Knights
 - Peter Schlamb Quartet
 - Tyrone Clark and True Dig
 - Horacescope
 - Matt Kane and the Kansas City Generations Sextet
 - Angela Hagenbauch
 - The McFadden Brothers with the Kansas City Jazz Orchestra

A roll call vote was taken with the following members voting “aye”: Weaver, Nelson, Hopkins, Noll, Mikkelson, Wang, Myers, Morehead, Morrison, Odell and Gallagher.

COMMITTEE REPORTS

Council Committee of the Whole

COU2015-27 Approve a Memorandum of Understanding for the development of Meadowbrook Park with Johnson County Park & Recreation District, Johnson County and VanTrust

Quinn Bennion stated the draft Memorandum of Understanding was discussed at the June 15th Council Committee of the Whole meeting. At that time some amendments were made related to the City’s role in the park plan and use restrictions which have been added and received initial agreement by JCPRD staff and VanTrust.

The MOU outlines the general structure of the redevelopment and identifies the general responsibilities for each of the four entities. It is a good faith document that furthers the discussion and considerations of each of the entities involved in the redevelopment of the Meadowbrook property. The Sources and Uses document include a range of sources of revenue and proposed uses for the public funds. The estimates of the funding will be refined as part of the development agreement.

In summary, the City of Prairie Village agrees to pursue:

- 1) Drafting of a development agreement with Van Trust that further outlines the details of the commitments of both parties
- 2) Creating a Tax Increment Financing (TIF) district, district plan, project area and project plan
- 3) Issuing TIF bonds for identified public project uses (general obligation and special obligation)
- 4) Considering rezoning of the property to Mixed Used Development
- 5) Purchase the parkland property (approximately 88 acres)
- 6) Transfer the parkland property to JCPRD
- 7) Issue industrial revenue bonds (IRBs) with the sole purpose of providing a sales tax exemption for construction of the three largest components with the funds contributed to the public project
- 8) Consideration of implementing a transient guest tax, in part, to benefit the project

Mr. Bennion stated the next steps for the City include the drafting of the development agreement, establishing a TIF district & plan, and the planning / zoning process.

Terrence Gallagher asked if this was the time to continue dialogue on the 60/40 split. City Attorney Katie Logan responded that this is a concept that will be worked out in the preparation of the development agreement. Mr. Bennion stated the city representatives working on the development agreement include the City Attorney, City Administrator, Mayor and Councilmen Odell and Runion.

David Morrison read the following letter from Councilman Dan Runion to the Council for inclusion in the Minutes:

“To my fellow council members:

I have asked my fellow Ward V Council Member David Morrison to read the following to you this evening and to submit a hard copy of it for inclusion in the meeting minutes.

I believe it is too early to vote on the MOU. Our residents have been advised there will be no tax increases in connection with the park. There are at least three material terms absent from the MOU that could impact the city’s repayment obligations. The council cannot evaluate those obligations without knowledge of the definitive price of the parkland, the allocation between the principal amounts of the GO and SO bonds, respectively, and the SO bond interest rate. The council needs to be provided this information and a reasonable time period to evaluate how it would affect the city’s repayment obligations. While the draft MOU provides it is non-binding it would be inadvisable to agree to terms and then have to negotiate our way out of these terms. Doing so risks subjecting our taxpayers to increased taxes. It will be difficult to negotiate terms, including in the Development Agreement, that are more favorable for the city if the council agrees in the MOU to terms that are less favorable. Whatever the city agrees upon now will probably be the best it will ever get. I think it is better that we get this right the first time than to do it quickly.

Respectfully submitted this 6th day of July 2015 Dan Runion Ward 5

David Morrison noted that he shared Mr. Runion’s concerns.

Quinn Bennion responded the purpose of the Memorandum of Understanding recognizes the magnitude of the project and the number of resources and time that will be required to bring the project to fruition and is written in conceptual terms with the knowledge that specific details will be addressed in the development agreement and through other mechanisms such as covenants.

Katie Logan added the Memorandum of Understanding is an opportunity to provide a general outline with the knowledge that additional issues and potential changes will be addressed through public hearings and public meetings, updated financial information and creation of a final development plan. It is necessary to have an outline workable document to follow in the development of the project and creation of a finalized development agreement. Staff strongly recommends the Council approve this document to allow the project to proceed.

Jori Nelson asked who would be representing the city. Mr. Bennion responded that the committee he identified earlier, along with input received from the Governing Body in earlier executive sessions discussing this project.

Eric Mikkelson agreed it is a non-binding document but it creates a presumption making it more difficult to remove or change conditions. If there is something in the MOU that Council does not like, it should not be in the MOU. He believes that if there has been any communication that this project will never result in a tax increase that needs to be rebutted. Although the risk is minimal, there is a chance that a tax increase may be necessary for bond repayment.

Mr. Mikkelson expressed concern with Section 12 of the MOU which references a 50/50 split on the bonds, although this does not reflect a 50/50 split on the value of the bonds as the GO bonds are financing 60% while the SO bonds are financing 40%. However, he is inclined to approve the MOU as the intent is in reality the maximum purchase price for the parkland will be the appraised value with a possible discounting of the bonds. However, if the discount disappears he would like to reopen discussion on Section 12.

Sheila Myers thanked staff for the informational meeting held on the financing of

this project. She noted that this is a non-binding agreement and a revenue split of 50/50 seems like a detail.

Katie Logan stated the MOU provides a guideline. The final decision will come after significant additional financial information becomes available and public hearings determine the final project plan.

Sheila Myers suggested that the website feature a “FAQ” section on the project to more clearly address questions raised. Mr. Bennion responded that Nolan Sunderman is working on this based on the discussion from the informational meeting.

Jori Nelson expressed agreement with Mr. Runion. She noted there are too many unknown moving parts, including the sale price of the park, the interest rates and the division of the TIF bonds. Although this is non-binding, she does not support it and feels that it is not the “best the city can do”.

Mayor Wassmer restated it is the development agreement where negotiations take place, not the Memorandum of Understanding. She noted that representatives of VanTrust are present and hearing the Council’s concerns. She urged the Council to approve the MOU and get this project moving.

Ted Odell moved the City Council approve a Memorandum of Understanding (MOU) with Van Trust Real Estate, Johnson County Park & Recreation District and Johnson County Wastewater for the redevelopment of the Meadowbrook property. The motion was seconded by Ruth Hopkins and passed unanimously.

COU2015-28 Consider approval of Communications Remodel Project Bids

On behalf of the Council Committee of the Whole, Council President Brooke Morehead moved the City Council approve the bid from Xybix Systems in the amount of \$30,194.19 and from Commenco for \$14,300.00 with a total project cost not to exceed

\$50,000.00. The motion was seconded by Terrence Gallagher and passed unanimously.

COU2015-29 Consider Construction Contract for the 2015 Parks Projects

On behalf of the Council Committee of the Whole, Council President Brooke Morehead moved the City Council authorize the Mayor to sign the construction contract with PRIMETIME Contracting Corporation for the 2015 Parks Projects in the amount of \$205,200. The motion was seconded by Andrew Wang and passed unanimously.

Mayor's Report

Mayor Wassmer reported on her recent activities attended on behalf of the City including the 2015 VillageFest Celebration, the informational meetings on the 71st/75th Street Project and informational meeting on Meadowbrook Redevelopment financing. She noted there will be a reception at 6 p.m. July 7th before the Planning Commission meeting to acknowledge the retirements of City Planning Consultant Ron Williamson and Planning Commissioner Randy Kronblad.

STAFF REPORTS

Public Safety

- Chief Schwartzkopf noted a community engagement initiative “coffee with cops” will begin on July 31 at 8 a.m. at Latte Land on State Line Road

Public Works

- Keith Bredehoeft provided an update on the Harmon Park bathroom repair which should be completed this week.
- WaterOne work is taking longer than expected delaying work on Roe Avenue 79th to 75th Street

Administration

- Wes Jordan reported the fence in front of the commercial property at 75th & Mission is down and talks are underway with the owner about their plans for the property.
- Quinn Bennion noted that Council photos were distributed on the dais.

OLD BUSINESS

Sheila Myers reported that she had put items out for Team Thrift that were picked up without any problems.

NEW BUSINESS

Brooke Morehead encouraged the Council members to attending the JazzFest Beer Tasting fundraiser at Johnny’s on Friday evening July 10th between 5 and 9 p.m.

Committee meetings scheduled for the next two weeks:

Board of Zoning Appeals	07/06/2015	6:30 p.m.
Planning Commission	07/06/2015	7:00 p.m.
Prairie Village Arts Council	07/08/2015	5:30 p.m.
Council Committee of the Whole	07/20/2015	6:00 p.m.
City Council	07/20/2015	7:30 p.m.

The Prairie Village Arts Council is pleased to present a mixed media exhibit by the Senior Arts Council in the R. G. Endres Gallery during the month of July. The artist reception will be Friday, July 10th, from 6:30 - 8:00 p.m.

Prairie Village will host a Dive Meeting on Tuesday, July 7th with the Slide and Diving Well closing at 5 p.m. and host a Swim meet on Thursday, July 9th with the pool closing at 5 p.m.

Moonlight Swims will be held on Friday, July 10th and Friday, July 17th with the pool remaining open until 10 p.m.

The JazzFest Committee will hold a Beer-Tasting Fund Raiser at Johnny’s on Friday, July 10th from 5 p.m. to 9 p.m. for the 2015 Prairie Village Jazz Festival.

ADJOURNMENT

With no further business to come before the City Council the meeting was adjourned at 8:10 p.m.

Joyce Hagen Mundy

City Clerk