

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Tuesday, September 7, 2004
7:30 p.m.**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PUBLIC PARTICIPATION**
- IV. 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 Regular Council Meeting Minutes – August 16, 2004
- 2. Approve Claims Ordinances #2541 through #2545
- 3. Approve a short-term special use permit for St. Ann’s Church annual Fallfest fund-raiser at 7231 Mission Road on October 9th and 10th with authorization for a promotional sign to be placed in front of the church facing Mission Road
- 4. Approve a short-term special use permit for Shawnee Mission East Share Organization for a garage sale fund-raiser in the school parking lot on Saturday, October 2nd from 8 a.m. to 3 p.m. with permission for promotional signs from September 1st to October 2nd and the application fee waived.
- 5. Approve a short-term special use permit for Asbury United Methodist Church for their annual Community Fall Festival at 5400 West 75th Street on Saturday, October 16th from 8 a.m. to 7 p.m. with the application fee waived.
- 6. Approve the disposal by auction of the following public works equipment: Fixed Asset # 0456, 0459, 0554, 0561, 0565, 0612, 0712 and 1300
- 7. Adopt Resolution 2004-03 proclaiming the week of September 20-24, 2004 as Prairie Village Peanut Butter Week.
- 8. Adopt Resolution 2004-04 declaring the City’s commitment to resurrecting access to the American Dream for all.
- 9. Adopt Resolution 2004-05 declaring the cancellation of the regularly scheduled October 4, 2004 meeting of the Prairie Village City Council.
- 10. Ratify the Mayor’s appointment of Carole Mosher to the Prairie Village Sister City Committee completing the unexpired term of Kenn Ashcroft ending April, 2007
- 11. Ratify the following proclamations:
 - Constitution Week – September 17-23, 2004
 - Northeast Johnson County Chamber Week – October 4-8, 2004
 - Recognizing Dale Warman’s service to the City

By Change Order:

- 12. Approve Construction Change Order #3 to D. F. Freeman for Project 190834: 2003 Paving Program in the amount of \$6,201.50 bringing the contract total to \$181,052.35 and the transfer of \$6,201.50 from Capital Infrastructure Program Street Unallocated to Project 190834.
- 13. Approve Construction Change Order #5 for Project 190714: 2004 Storm Drainage Improvements to Radmacher Brothers Excavating in the amount of \$3,795.00 bringing the new contract total to \$810,205.02 and the transfer of \$3,795 from Capital Infrastructure Program Unallocated to Project 190714.
- 14. Approve Construction Change Order #1 for Project 190836: 71st Street, Nall Avenue to Roe Avenue to Miles Excavating, Inc. in the amount of \$2,200.00 bringing the new contract total to \$348,858.65 and the transfer of \$2,200.00 from Capital Infrastructure Program Unallocated Funds to Project 190836.

- V. COMMITTEE REPORTS**

Policy/Services Committee - Al Herrera

POL2004-15 Consider Project 190707: Somerset Drive Delmar to Fontana

POL2004-16 Consider Project 190708: Tomahawk Road – Nall to Roe

Insurance Committee - Steve Noll

Consider the renewal of Workers Compensation Insurance Coverage with Continental Western

VI. OLD BUSINESS

VII. NEW BUSINESS

VIII. ANNOUNCEMENTS

IX. 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
September 7, 2004
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, September 7, 2004, 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 responding to roll call: Al Herrera, Bill Griffith, Ruth Hopkins, Steve Noll, Greg Colston, Andrew Wang, Laura Wassmer, Pat Daniels, Jeff Anthony, Kay Wolf, Diana Ewy Sharp and David Belz.

Also present were: Barbara Vernon, City Administrator; Charles Wetzler, City Attorney; Lt. John Walters; Robert Pryzby, Director of Public Works; Jamie Shell, Finance Director; and Lori Franke, Administrative Assistant.

PUBLIC PARTICIPATION

Mayor Shaffer acknowledged the presence of Boy Scouts from Troop 91 who were working towards their "Citizenship in the Community" merit badge.

No one was present to address the Council.

CONSENT AGENDA

Diana Ewy Sharp requested that items 3, 4 & 5 be removed from the Consent Agenda.

Al Herrera moved the approval of the Consent Agenda for Tuesday, September 7, 2004 as amended:

1. Approve Regular Council Meeting Minutes – August 16, 2004
2. Approve Claims Ordinances #2541 through #2545
3. (Removed for discussion)
4. (Removed for discussion)
5. (Removed for discussion)
6. Approve the disposal by auction of the following public works equipment: Fixed Asset #0456, 0459, 0554, 0561, 0565, 0612, 0712 and 1300
7. Adopt Resolution 2004-03 proclaiming the week of September 20-24, 2004 as Prairie Village Peanut Butter Week
8. Adopt Resolution 2004-04 declaring the City's commitment to resurrecting access to the American Dream for all
9. Adopt Resolution 2004-05 declaring the cancellation of the regularly scheduled October 4, 2004 meeting the Prairie Village City Council
10. Ratify the Mayor's appointment of Carole Mosher to the Prairie Village Sister City Committee completing the unexpired term of Kenn Ashcroft ending April, 2007
11. Ratify the following proclamations:
 - Constitution Week – September 17-23, 2004
 - Northeast Johnson County Chamber Week – October 4-8, 2004

Recognizing Dale Warman's service to the City

12. Approve Construction Change Order #3 to D.F. Freeman for Project 190834: 2003 Paving Program in the amount of \$6,201.50 bringing the contract total to \$181,052.35 and the transfer of \$6,201.50 from Capital Infrastructure Program Street Unallocated to Project 190834
13. Approve Construction Change Order #5 for Project 190714: 2004 Storm Drainage Improvements to Radmacher Brothers Excavating in the amount of \$3,795.00 bringing the new contract total to \$810,205.02 and the transfer of \$3,795.00 from Capital Infrastructure Program Unallocated to Project 190714
14. Approve Construction Change Order #1 for Project 190836: 71st Street, Nall Avenue to Roe Avenue to Miles Excavating, Inc. in the amount of \$2,200.00 bringing the new contract total to \$348,858.65 and the transfer of \$2,200.00 from Capital Infrastructure Program Unallocated Funds to Project 190836

A roll call vote was taken with the following members voting "aye": Herrera, Griffith, Hopkins, Noll, Colston, Wang, Wassmer, Daniels, Anthony, Wolf, Ewy Sharp and Belz.

Diana Ewy Sharp questioned the lack of consistency between schools and churches when paying the fee for a short-term special use permit. She noted that St. Ann's paid the permit fee for their Fallfest fundraiser, but Asbury United Methodist Church and Shawnee Mission East did not pay the permit fee for their events.

Barbara Vernon explained that there are no criteria when waiving the permit fee, but typically schools request the fee be waived.

Laura Wassmer asked if a policy could be written addressing permit fees for schools and churches.

Mayor Shaffer assigned the short-term special use permit fee to the Legislative/Finance Committee for further discussion.

Diana Ewy Sharp moved the Council approve a short-term special use permit for St. Ann's Church annual Fallfest fundraiser at 7231 Mission Road on October 9th and 10th with authorization for a promotional sign to be placed in front of the church facing Mission Road, approve a short-term special use permit for Shawnee Mission East Share Organization for a garage sale fundraiser in the school parking lot on Saturday, October 2nd from 8:00 a.m. to 3:00 p.m. with permission for promotional signs from September 1st to October 2nd with the application fee waived, and approve a short-term special use permit for Asbury United Methodist Church for their annual Community Fall Festival at 5400 W. 75th Street on Saturday, October 16th from 8:00 a.m. to 7:00 p.m. with the application fee waived. The motion was seconded by Al Herrera and passed unanimously.

COMMITTEE REPORTS

Policy/Services Committee

POL2004-15 Consider Project 190707: Somerset Drive Delmar to Fontana

Al Herrera reported that the City has received from Johnson County Stormwater Management Program a “Notification of Intent to Fund” letter for this project. The County plans to pay 75% of eligible Design costs and has reserved funding for this project in 2005. The proposed funding is \$170,000 with an estimated City share of \$42,500 and County share of \$127,500. The County is funding only the design portion at this time. Construction funds will be provided in 2006. The 2005 Budget for Capital Infrastructure Program includes \$168,200 (City \$53,150 and County \$115,050).

Al Herrera moved the City Council authorize the Mayor to execute the “Notification of Intent to Fund” from the Johnson County Stormwater Management Council for Project 190707: Somerset Drive, Delmar Street and Fontana south of 83rd Street. The motion was seconded by Laura Wassmer and passed unanimously.

POL2004-16 Consider Project 190708: Tomahawk Road – Nall to Roe

Al Herrera reported that the City has received from Johnson County Stormwater Management Program a “Notification of Intent to Fund” letter for this project. The County plans to pay 75% of eligible Design costs and has reserved funding for this project in 2005. The proposed funding is \$1,809,400 with an estimated City share of \$452,350 and County share of \$1,357,050.

The 2005 Budget for Capital Infrastructure Program includes \$215,400 (City \$78,500 and County \$136,900). The additional funds are projected for the 2006 Budget.

Al Herrera moved the City Council authorize the Mayor to execute the “Notification of Intent to Fund” from the Johnson County Stormwater Management Council for Project 190708: Tomahawk Road – Nall to Roe. The motion was seconded by Laura Wassmer and passed unanimously.

Insurance Committee

Consider the renewal of Workers Compensation Insurance Coverage with Continental Western

Steve Noll reported that at the August 12, 2004 meeting, the City’s Insurance Committee made a recommendation to the City Council to renew the City’s Worker’s Compensation insurance policy with Continental Western Insurance for 2004-05.

At that meeting, the Committee requested that the premium be recalculated and based upon updated payroll estimates. As a result of those changes, the estimated cost of the policy has increased from \$151,433 to \$156,016.

The 2004 Budget included approximately \$187,000 for workers compensation insurance costs.

Steve Noll moved the City Council renew the City's Workers Compensation coverage with Continental Western Insurance through the state assigned risk pool for 2004–2005 policy year at a cost of \$156,016. The motion was seconded by Bill Griffith and passed unanimously.

OLD BUSINESS

Jeff Anthony requested more information regarding the traffic flow around Corinth Elementary School.

Lt. John Walter explained that the Public Safety Department is still accessing information. He stated that Chief Grover would have more information in October after school had been in session for two months.

Bill Griffith questioned when the work on Mission Road would be completed and if the contractor was in a penalty phase.

Bob Pryzby explained that it was stated in the contract that the contractor have 75th Street to 79th Street completed prior to the start of school for the Shawnee Mission School District. They are now in a penalty phase because they did not fulfill the contract. The total contract, which not only involves Mission Road but other streets, has a completion date of October 16th.

Mr. Pryzby added that the contractor anticipates having all the concrete inlays done this week on Mission Road, and then will pave 75th Street to 77th Street.

Pat Daniels asked what the penalty fee was. Mr. Pryzby stated that there is a penalty fee of \$100 a day for not completing the Mission Road on time and there is a penalty fee of \$1,000 a day on the major contract.

Ruth Hopkins explained that Resolution 2004-04 "A Resolution of Commitment to Resurrecting the American Dream" was sent from the National League of Cities. She noted that Charles Lyons will speak at the Kansas League of Cities Conference on this topic, and she encouraged council members to attend. Ms. Hopkins also thanked the Mayor for putting this resolution on the consent agenda.

NEW BUSINESS

There was no New Business to come before the Council.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Park and Recreation Committee	09/08/2004	7:00 p.m.
Council Worksession	09/11/2004	9:00 a.m. – 4:00p.m.
Sister City	09/13/2004	7:00 p.m.
Prairie Village Arts Council	09/15/2004	7:00 p.m.
Council Committee of the Whole	09/20/2004	6:00 p.m.
City Council	09/20/2004	7:30 p.m.

The Prairie Village Arts Council will feature exhibit of mixed media by the Senior Arts Council by Senior Arts Council in the R. G. Endres Gallery during the month of September. The opening reception will be held on September 10, 2004 from 6:30 – 7:30 p.m.

The 2004 League of Kansas Municipalities Conference will be held October 2 – 5, 2004 in Overland Park, Kansas. The conference theme is “Defending the Local Democracy”. Registrations are due by September 17th. Please let Barbara know if you want to attend.

The City will hold its 20th Annual Peanut Butter Campaign in support of Harvesters Community Food Network the week of September 20-24th. Watch for more information and plan to participate. As in the past, area stores, schools and churches will be joining the City for this campaign.

The 50th Anniversary books, **Prairie Village Our Story**, are being sold to the public.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 7:54 p.m.

Lori Franke
Administrative Assistant