

****AMENDED****
COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, August 4, 2003
7:30 p.m.

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC HEARING

- Presentation 2004 Budget
- Public comments
- Council consideration and Vote

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 Regular Council Meeting Minutes – July 21, 2003
2. Approve Claims Ordinances #2440, #2441, #2442
3. Approve the agreement for planning advisory services with Bucher, Willis & Ratliff through December 31, 2004.
4. Approve a short-term special use permit to Shawnee Mission East High School for a garage sale on Saturday, October 4, in the school parking lot between the hours of 8 a.m. to 3 p.m. with authorization for a banner to be placed at the entrance of the parking lot advertising the event from September 7 through October 4 and a trailer to be parked in the parking lot for the collection and storage of items and to waive the application fee.
5. Authorize the Mayor to execute a Proclamation recognizing Constitution Week
6. Ratify the appointment of Derek Marcum and Sean Stenger to the Ad-Hoc Skatepark Committee
7. Ratify appointment of **Greg Colston** to complete the unexpired term of Bob Pierson as Council Representative for Ward 3.

**VI. OATH OF OFFICE – GREG COLSTON COUNCIL REPRESENTATIVE
WARD 3**

VII. COMMITTEE REPORTS

Legislative/Finance Committee – Ruth Hopkins

LEG2003-09 Consider Resolution of Intent to Refinance Claridge Court's
Outstanding tax-exempt bonds

Legislative/Finance Committee – Diana Ewy Sharp

LEG2003-06 Consider Employee Benefit Program for 2003-2004

VIII. OLD BUSINESS

IX. NEW BUSINESS

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
August 4, 2003
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, August 4, 2003, 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, Steve Noll, Ruth Hopkins, Roy True, Laura Wassmer, Jerry Kelso, Jeff Anthony, Kay Wolf and Diana Ewy Sharp.

Also present were: Barbara Vernon, City Administrator; Charles Wetzler, City Attorney; Charles Grover, Chief of Police; Bob Pryzby, Director of Public Works; Doug Luther, Assistant City Administrator; Jamie Shell, Finance Director and Joyce Hagen Mundy, City Clerk.

PUBLIC HEARING

Mayor Shaffer opened the public hearing on the proposed 2004 budget for the City of Prairie Village and called upon City Administrator Barbara Vernon to review the budget.

The 2004 budget process began in January during a time of uncertainty relative to state funding. Based on that uncertainty, the Council direction was to reduce expenditures in all programs except Police Patrol and Code Enforcement and to budget revenue conservatively. Mrs. Vernon noted that this is the third year departments have reduced their budgets. Revenue was budgeted conservatively with no growth from most sources and revenue from state funding received in the past was not included nor was school sales tax revenue. The mill rate was held at the 2003 (15.744 level); however, ad valorem tax revenue will increase approximately \$120,000 from growth in appraised value in the City.

The original budget submitted eliminated salary and employee benefit increase, reduced operating budget to 0% increase and maintained infrastructure improvements at \$3 million. Mrs. Vernon reviewed the changes made to expenditures during budget work sessions. The budget being presented for approval reflects the following:

- Operating cost increase of 2%
- Investment in City infrastructure increase of 45%
- Total expenditure budget increase of 7%

Mrs. Vernon advised that expenditures would exceed revenue by \$775,000 if total contingency fund (\$755,000) were used. However, she noted that historically the City has used approximately \$250,000 from contingency fund annually.

The proposed budget maintains a fund balance in excess of 18%, which meets the Council's fund balance policy. Forecasts indicated this balance will be achieved through 2005, giving elected officials time to make adjustments necessary to make changes to increase the fund balance moderately in 2006.

Mrs. Vernon reviewed with the Council the impact of this budget on residents. The average Prairie Village home, valued at \$173,714, would have a total tax bill for 2004 of approximately \$1,950, of that amount 16% or \$300 is received by the City.

Mayor Shaffer advised those present that the City Council has been working extensively on this budget. They have met weekly since the first of May in budget work sessions. He then opened the public hearing to comments from the audience.

Brant Tidwell, 4701 West 68th Street, addressed the Council as President of the Board of Directors for United Community Services of Johnson County. He noted that historically the City of Prairie Village has been in the forefront of community services in Johnson County. The leadership of United Community Services has more Prairie Village residents than other cities. Mr. Tidwell stated that the City of Prairie Village is one of only three cities in Johnson County not contributing to United Community Services (UCS) of Johnson County and he is present to request that Council reinstate their support and contribution.

Mr. Tidwell referenced a letter written by former Mayor and Johnson County Commissioner Bill Franklin and distributed to the Council supporting a city contribution of \$3,000 to UCS in 2004 and introduced Karen Wulfkuhle, Executive Director of UCS to explain its programs.

Karen Wulfkuhle stated that since 1990 there has been a partnership between Johnson County, cities and United Community Services of Johnson County. Prairie Village was part of that initial partnership. Contributions to UCS are based on the

percentage of population in the contributing city. Over the years this has increased approximately 5-10%.

Ms Wulfkuhle stated that the entire community benefits from the strong community services infrastructure provided by United Community Services. UCS provides for a pooling of money to provide services that no one city could provide. The services provided address both prevention and treatment. The types of programs address the needs of families, of single parents and at-risk children. Ms. Wulfkuhle noted that non-profits depend on a variety of sources for funding and she feels that government is an appropriate contributor and this is a cost effective means to present services to the community.

UCS serves an intermediary role with other agencies in the selection of worthy organizations to receive funding. They receive 500-700 grant requests annually. The total amount contributed for 2003 was approximately \$150,000. The UCS Board will make recommendations on organizations to support but the City actually determines what organizations they fund.

Bill Griffith confirmed that if \$3,000 is added to the 2004 budget that the budget would need to be republished and another public hearing held. However, if contingency funds were used for the funding the budget would not have to be revised and a new public hearing held.

There were no other persons present to speak during the Budget Hearing. Mayor Shaffer closed the public hearing at 7:55 p.m.

Diana Ewy Sharp explained that UCS appeared before the Prairie Village Municipal Foundation to seek funding as directed by the City Council. However, the guidelines for the Foundation establish specific guidelines under which funds can be granted and the Foundation determined that the UCS request did not meet those guidelines. The Foundation was initially set up to support the Parks only, later the by-laws were changed to add Home Repair Programs (which are supported through the Mayor's Holiday Tree Program) and then later amended to allow support for the "Arts". The guidelines do not allow for contributions to "charitable organizations", but was designed to support "city functions/programs". Mrs. Sharp stated that Prairie Village

residents strongly benefit from the services of UCS and she encourages the City to reinstate funding of UCS in 2004 through the use of contingency funds.

Diana Ewy Sharp moved the Council approve a contribution of \$3,000 to United Community Services of Johnson County in 2004 with funding from the Contingency Fund. Laura Wassmer seconded the motion.

Ruth Hopkins questioned the foundations support of parks. Mrs. Vernon responded that this is primarily through donations, such as the Hollub Memorial Rose Garden, etc.

Al Herrera stated that he feels the work of UCS is important, but if the City is going to fund them other non-profits should be reconsidered also.

Roy True asked why funding was denied. Ruth Hopkins responded that the Legislative/Finance Committee had lengthy discussions on the appropriateness of the City giving citizens' tax dollars to charities. They determined that it was inappropriate and decided to deny all requests from charities.

Bill Griffith further noted that although UCS is relatively non-divisive, the City could be approached by organizations requesting support that Council members may not feel comfortable supporting, so it was decided that it would be best to deny all.

Kay Wolf noted that funding SME after prom addresses a very specific group of people, the UCS program has a much broader scope of services for Prairie Village residents.

Bill Griffith noted that he would vote against contributing to UCS because this issue could be addressed more appropriately at a future time if the funding were to come from the contingency fund.

Diana Ewy Sharp responded that she felt it is more appropriate to address the issue before the approval of the 2004 budget than to bring up a request for funds from the contingency immediately after the budget is adopted.

Roy True stated that he is philosophically against the City using tax dollars to support charities. Mrs. Ewy Sharp responded that 18 other cities in Johnson County felt it was an appropriate expenditure of tax dollars.

Al Herrera asked if the Foundation could handle this request. Mayor Shaffer responded that this request does not fall under their current guidelines and would be

difficult to change at this time. Bill Griffith asked who sets the by-laws for the Foundation. Barbara Vernon responded they are set by the Executive Board.

Jeff Anthony stated that this is the wrong forum for this discussion and stated the item should be sent to the Legislative/Finance Committee. Mrs. Ewy Sharp responded that the City has historically supported this since 1990 and she did not feel it was necessary to take it to the Legislative/Finance Committee.

Mayor Shaffer called for a vote on the motion as restated by the City Clerk as follows: Move the Council approve a contribution of \$3,000 to United Community Services of Johnson County in 2004 with funding from the Contingency Fund. The following votes were cast “aye” Noll, Wassmer, Kelso, Wolf and Ewy Sharp; “nay” Herrera, Griffith, Hopkins, True and Anthony. Mayor Shaffer voted “aye” and declared the motion passed.

Adoption of 2004 Budget

Bill Griffith moved the approval of the 2004 budget for the City of Prairie Village with expenditures of \$19,572,234 and an Ad Valorem tax of \$3,948,600. The motion was seconded by Steve Noll and passed unanimously.

PUBLIC PARTICIPATION

There was no one present to address the Council.

CONSENT AGENDA

The City Clerk indicated that an additional claims ordinance has been added to the Consent Agenda.

Bill Griffith moved the approval of the Consent Agenda for Monday, August 4, 2003 as amended:

1. Approve Regular Council Meeting Minutes – July 21, 2003
2. Approve Claims Ordinances #2440 through 2442
3. Approve the agreement for Planning Advisory Services with Bucher, Willis & Ratliff through December 31, 2004
4. Approve a short-term special use permit to Shawnee Mission East High School for a garage sale on Saturday, October 4, in the school parking lot between the hours of 8 a.m. to 3 p.m. with authorization for a banner to be placed at the entrance of the parking lot advertising the event from September 7 through October 4 and a trailer to be parked in the parking lot for the collection and storage of items with the application fee waived.
5. Authorize the Mayor to execute a proclamation recognizing Constitution Week
6. Ratify the appointment of Derek Marcum and Sean Stenger to the Ad-Hoc Skatepark Committee

7. Ratify the appointment of Greg Colston to complete the unexpired term of Bob Pierson as Council Representative for Ward 3.

A roll call vote was taken with the following members voting “aye”: Herrera, Griffith, Noll, Hopkins, True, Wassmer, Kelso, Anthony, Wolf and Ewy Sharp.

OATH OF OFFICE

City Clerk, Joyce Hagen Mundy, administered the Oath of Office to Councilman Greg Colston. Mayor Shaffer welcomed Mr. Colston to the Council and asked him to take his seat with the Council.

COMMITTEE REPORTS

Legislative/Finance Committee

LEG2003-09 Consider Resolution of Intent to Refinance Claridge Court’s outstanding tax-exempt bonds

Ruth Hopkins reported that the City authorized tax-exempt bonds in 1993 for the construction of Claridge Court. These bonds have been refinanced in the past and the owners have requested approval to refinance again. Tonight’s action will acknowledge the intent to refinance bonds with formal action taken on the refinancing at the next Council meeting.

John Ryan, with Gilmore & Bell, the City’s bond counsel, provided background information on the bonds that were initially issued as Industrial Revenue Bonds ten years ago by the City. As Industrial Revenue Bonds, the City incurs no financial obligation for the refinancing. Nor does it incur any liability as the bonds will be backed by LaSalle Bank. Mr. Ryan stated that this action would result in considerable savings to Claridge Court and the new bondholders will have better bonds.

Steve Noll asked if this action only refinanced the remaining bonds. Mr. Ryan responded that approximately \$8.9 million is for the refinancing of existing bonds and \$2.1 million for new funds.

Diana Ewy Sharp stated that she remembered the City getting funds from Claridge Court and asked if this action would impact those funds. Barbara Vernon responded that the funds received by the City were part of the conditions of the Special Use Permit issued by the City and based on the value of the property and would not be impacted by this action.

Bill Griffith noted that as Industrial Revenue Bonds, Claridge Court will get a sales tax break on purchases made with the \$2.1 million.

Ruth Hopkins moved the City Council adopt Resolution 2003-03 determining the intent of the City of Prairie Village, Kansas, to issue its variable rate demand refunding revenue bonds (Claridge Court Project), Series 2003, in an aggregate principal of approximately \$11 million. The motion was seconded by Laura Wassmer and passed unanimously.

LEG2003-06 Consider Employee Benefit Program for 2003-2004

Diana Ewy Sharp noted that at the earlier Legislative/Finance Committee meeting the committee reviewed the insurance proposals and recommendation of the employee benefit committee for employee insurance coverage in 2003-04. The City sent bids to five carriers and received bids from four. The recommended proposal is that of the City's current carrier United Health Care Option 1, which reduces the benefit levels for employees and has a 10.2% premium increase.

Mrs. Ewy Sharp commended the Employee Benefit Committee for their extensive investigation and work on this issue. Although continuation of the current program resulted in a 20.6% increase which was budgeted, the committee recommended Option 1 as the co-pay and out-of-pocket costs are higher encouraging employees to use this benefit wisely. The cost to the City for this plan is approximately \$494,000, which is \$65,000 less than budgeted for 2004.

Diana Ewy Sharp moved the City Council approve the Option 1 United Health Care Plan for insurance coverage for Prairie Village Employees for 2003-2004. The motion was seconded by Ruth Hopkins and passed unanimously.

OLD BUSINESS

Bob Pryzby reported that the City Attorney's office is still processing the petition on the recent pool renovation/repair. He has been advised that it should be ready the end of August. The contractor doing the repair will return as soon as the pool closes to correct the caulking problems that have been identified.

Steve Noll asked for status of the slide at the Pool. Mr. Pryzby responded that the pump froze up and will need to be replaced. The contractor is recommending a different

type of pump be used. With only four weeks left in the season, Mr. Pryzby does not anticipate that it will be repaired before the season ends.

NEW BUSINESS

Diana Ewy Sharp advised Council that the Planning Commission would be hearing a request for the rezoning of the property across from the Municipal Complex at 7825 Mission Road and encouraged Council members to attend.

Ruth Hopkins questioned the status of the Planning Commission’s consideration of the proposed “compatibility ordinance”. Mayor Shaffer responded that the agenda for the August meeting is full and this item would be considered by the Planning Commission at its September meeting.

Bob Pryzby announced that in response to Governor Sebelius’ declaration of Johnson County under a drought watch the City fountains have been shut off and the irrigation systems will only be run once a week. He noted that at this time there is not a problem with the availability of water, but this could become an issue if drought conditions continue.

Diana Ewy Sharp asked when the Council would be reviewing the 2004 budget process. Barbara Vernon responded that it is usually done at the first Council Committee meeting following the adoption of the budget.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Planning Commission	08/05/2003	7:00 p.m.
Tree Board	08/06/2003	6:00 p.m.
Sister City Committee	08/11/2003	7:00 p.m.
Park and Recreation Committee	08/13/2003	7:00 p.m.
Council Committee	08/18/2003	6:00 p.m.
City Council	08/18/2003	7:30 p.m.

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The Prairie Village Arts Council will feature an exhibit of watercolor paintings by Jerry Ellis in the R.G. Endres Gallery during the month of August. The opening reception will be held on August 8, 2003 from 6:30 – 7:30 p.m.

There will be a Moonlight Swim on Friday, August 8, 2003 from 8:30 to 10:00 p.m.

Due to the beginning of school, the pool will open at 4:30 p.m. weekdays beginning on August 15.

Swimming pool memberships are on sale in the Municipal Building at half-price.

Join us Wednesday, August 20th at 8:30 a.m. when the City hosts the Chamber coffee. All Prairie Village Business owners have also been invited.

The City has a table for the Shawnee Mission School District Foundation Annual Breakfast on August 27th. The breakfast begins at 7:30 a.m. Please let Joyce, Barbara or Lori know if you would like to attend.

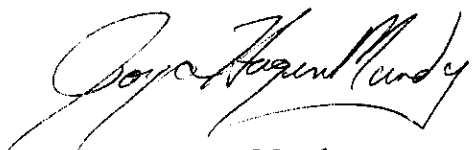
Council members should let Barbara know if they plan to attend the National League of Cities Conference December 9th – 13th in Nashville, Tennessee.

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 8:35 p.m.

A handwritten signature in cursive script, appearing to read "Joyce Hagen Mundy".

Joyce Hagen Mundy
City Clerk