

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, April 21, 2003
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 – April 7, 2003
2. Approve Claims Ordinances #2412 through #2415
3. Approve the renewal of the agreement for animal care services for 2003-2004 with Animal Medical Center.
4. Approve a contract with the Kansas City Metropolitan Crime Commission for the TIPS Hotline Crime Stoppers Program. Funds for the annual fee were approved by the City Council in the 2003 Public Safety Budget.
5. Approve a short-term special use permit to The Salty Iguana Mexican Restaurant for a “Cinco de Mayo Celebration” at 8228 Mission Road from May 3rd to May 5th contingent upon the receipt of an insurance certificate covering the event, approval by the Fire District that the tent meets the Uniform Fire code and a temporary state liquor license is attained if alcohol is to be sold outside their facility.
6. Authorize the Mayor to execute a Cooperative Agreement with Johnson County for renewing participation in the Johnson County Urban County for participation in the Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) programs beginning with Federal fiscal years 2004, 2005 and 2006.
7. Ratify the reappointment of the following people to the listed committee:

Animal Control Adv. Bd.	James Dinesen
Animal Control Adv. Bd.	Richard Webber
Animal Control Adv. Bd.	Joan Kemp
Animal Control Adv. Bd.	Michelle McElroy
BZA/Planning Commission	Ken Vaughn
CACCS	Orville Matthies
CACCS	Irma Waxman
CACCS	James Breneman
CACCS	Elaine Perilla
CACCS	Clarence Munsch
Communications	Deanna Burns
Communications	Janette Morgan
Communications	Bridget Walsh (Youth Rep)
Environment/Recycle	Margaret Thomas
Environment/Recycle	Mely Ballard
Environment/Recycle	Margaret Goldstein
Environment/Recycle	Anne-Marie Hedge
Environment/Recycle	Shirley Lytle
Environment/Recycle	Mary Montello
Environment/Recycle	Mark Muller
Environment/Recycle	Bob Pierson
Environment/Recycle	Kathy Riordan
Environment/Recycle	LaMonte Roach
Environment/Recycle	Wayne Sangster
Environment/Recycle	Elgin & Dorothy Smith
Environment/Recycle	Monroe Taliaferro
Environment/Recycle	Dewey Ziegler
Park & Recreation	David Voysey
Park & Recreation	Karen Frederick
Park & Recreation	Peggy Couch

Ratify the reappointment of the following people (contd):

Park & Recreation	Courtney Noll (Youth Rep)
Prairie Village Arts Council	Thomas Marsh
Prairie Village Arts Council	Don Church
Prairie Village Arts Council	Inge Dugan
Prairie Village Arts Council	Joan Kemp
Prairie Village Arts Council	Jan Marsh
Prairie Village Arts Council	Leigh Nelson (Youth Rep)
Prairie Village Arts Council	Teresa Meagher (Youth)
Tree Board	Jack Lewis
Tree Board	Shelly Trewolla

By Committee:

8. Amend the City Fee Schedule to increase the Non-Domiciled Business License fee from \$60/\$30 to \$62/\$31 (Legislative/Finance Committee Minutes – April 7, 2003)
9. Approve the agreement with Affinis Corporation in an amount not to exceed \$33,000 to provide construction administration for Project 190829: 2003 CARS Program – 71st Street Belinder Avenue to State Line Road with funding from the 2003 Capital Infrastructure Program (Policy/Services Committee Minutes – April 7, 2003)
10. Approve the agreement with Affinis Corporation in an amount not to exceed \$13,000 to provide construction administration for Project 190834: 2003 Street Resurfacing Programs (Policy/Services Committee Minutes – April 7, 2003)
11. Approve Engineering Change Order #1 with Affinis Corporation for Project 190834: 2003 Street Resurfacing Program for an increase of \$3,200 with funding from the Capital Infrastructure Program (Policy/Services Committee Minutes – April 7, 2003)
12. Approve the agreement with Affinis Corporation in an amount not to exceed \$29,000 to provide construction administration for Project 190838: 79th Street – Aberdeen Street to Belinder Avenue with funding from the Capital Infrastructure Program (Policy/Services Committee Minutes – April 7, 2003)
13. Approve Engineering Change Order #1 with Affinis Corporation for Project 190838: 79th Street – Aberdeen to Belinder Avenue for an increase of \$11,000 bringing the new contract total to \$42,000 with funding from the Capital Infrastructure Program (Policy/Services Committee Minutes – April 7, 2003)
14. Approve the removal of sub-project 02 – 73rd Street & Tomahawk Road – pipe failure from 73rd Street cul-de-sac through the back yards to Tomahawk Road from Project 190708: 2003 Storm Drainage Repair Program (Policy/Services Committee Minutes – April 2007)
15. Amend City Policy No. 621 creating a participant limit for the Prairie Village Junior Tennis League Team of 16 participants per age group and sex allowing for a maximum team size of 96 participants. (Park and Recreation Committee Minutes – April 9, 2003)

V. COMMITTEE REPORTS

Policy/Services Committee – Steve Noll

POL2002-16 Consider Project 190829: 71st Street – Belinder Avenue to State Line Road – CARS Interlocal Agreement

POL2003-17 Consider Project 190834: 2003 Street Resurfacing Program

POL2003-02 Consider the purchase of Street Sweeper

Council Committee of the Whole – Laura Wassmer

COU2003-12 Consider Personnel Policies: YMCA membership

Insurance Committee – Steve Noll

Consider 2003-2004 Insurance Proposal

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
April 21, 2003
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, April 21, 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, Ruth Hopkins, Steve Noll, Bob Pierson, Roy True, Laura Wassmer, Jerry Kelso, Jeff Anthony, Kay Wolf, Diana Ewy Lamberson and Patty Markley.

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

PUBLIC PARTICIPATION

Mayor Shaffer acknowledged the presence of three students from Shawnee Mission West and a student from Johnson County Community College attending the meeting for their government class.

CONSENT AGENDA

Laura Wassmer moved the approval of the Consent Agenda for Monday, April 21, 2003:

1. Approve Regular Council Meeting Minutes – April 7, 2003
2. Approve Claims Ordinances #2412 through 2415
3. Approve the renewal of the agreement for animal care services for 2003-2004 with Animal Medical Center.
4. Approve a contract with the Kansas City Metropolitan Crime Commission for the TIPS Hotline Crime Stoppers Program with funding from the 2003 Public Safety Budget.
5. Approve a short-term special use permit to The Salty Iguana Mexican Restaurant for a “Cinco de Mayo Celebration” at 8228 Mission Road from May 3rd to May 5th contingent upon the receipt of an insurance certificate covering the event, approval by the Fire District that the tent meets the Uniform Fire code and a temporary state liquor license is attained if alcohol is to be sold outside their facility.
6. Authorize the Mayor to execute a Cooperative Agreement with Johnson County for renewing participation in the Johnson County Urban County for participation in the Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) programs beginning with Federal fiscal years 2004, 2005 and 2006.
7. Ratify the reappointment of the following committee members:

Animal Control Adv. Bd.	James Dinesen
Animal Control Adv. Bd.	Richard Webber
Animal Control Adv. Bd.	Joan Kemp
Animal Control Adv. Bd.	Michelle McElroy
BZA/Planning Commission	Ken Vaughn
Citizens Advisory Committee (CACCS)	Orville Matthies

Citizens Advisory Committee (CACCS)	Irma Waxman
Citizens Advisory Committee (CACCS)	James Breneman
Citizens Advisory Committee (CACCS)	Elaine Perilla
Citizens Advisory Committee (CACCS)	Clarence Munsch
Communications Committee	Deanna Burns
Communications Committee	Janette Morgan
Communications Committee	Bridget Walsh (Youth Rep)
Environment/Recycle Committee	Margaret Thomas
Environment/Recycle Committee	Mely Ballard
Environment/Recycle Committee	Margaret Goldstein
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Environment/Recycle Committee	Kathy Riordan
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Environment/Recycle Committee	Wayne Sangster
Environment/Recycle Committee	Elgin & Dorothy Smith
Environment/Recycle Committee	Monroe Taliaferro
Environment/Recycle Committee	Dewey Ziegler
Park & Recreation Committee	David Voysey
Park & Recreation Committee	Karen Frederick
Park & Recreation Committee	Peggy Couch
Park & Recreation Committee	Courtney Noll (Youth Rep)
Prairie Village Arts Council	Thomas Marsh
Prairie Village Arts Council	Don Church
Prairie Village Arts Council	Inge Dugan
Prairie Village Arts Council	Joan Kemp
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Tree Board	Jack Lewis
Tree Board	Shelly Trewolla

8. Amend the City Fee Schedule to increase the Non-Domiciled Business License fee from \$60/\$30 to \$62/\$31
9. Approve the agreement with Affinis Corporation in an amount not to exceed \$33,000 to provide construction administration for Project 190829: 2003 CARS Program – 71st Street Belinder Avenue to State Line Road with funding from the 2003 Capital Infrastructure Program
10. Approve the agreement with Affinis Corporation in an amount not to exceed \$13,000 to provide construction administration for Project 190834: 2003 Street Resurfacing Programs
11. Approve Engineering Change Order #1 with Affinis Corporation for Project 190834: 2003 Street Resurfacing Program for an increase of \$3,200 with funding from the Capital Infrastructure Program
12. Approve the agreement with Affinis Corporation in an amount not to exceed \$29,000 to provide construction administration for Project 190838: 79th Street – Aberdeen Street to Belinder Avenue with funding from the Capital Infrastructure Program
13. Approve Engineering Change Order #1 with Affinis Corporation for Project 190838: 79th Street – Aberdeen to Belinder Avenue for an increase of \$11,000 bringing the new contract total to \$42,000 with funding from the Capital Infrastructure Program
14. Approve the CARS Interlocal Agreement with Johnson County for Project 190383: 79th Street – Aberdeen to Belinder Avenue with Johnson County paying a maximum of \$181,000 and the City of Prairie Village paying all additional costs, estimated at \$213,000, using funding in the Capital Infrastructure Program
16. Approve the removal of sub-project 02 – 73rd Street & Tomahawk Road – pipe failure from 73rd Street cul-de-sac through the back yards to Tomahawk Road from Project 190708: 2003 Storm Drainage Repair Program
15. Amend City Policy No. 621 creating a participant limit for the Prairie Village Junior Tennis League Team of 16 participants per age group and sex allowing for a maximum team size of 96 participants.

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

COMMITTEE REPORTS

Policy/Services Committee

POL2002-16 Consider Project 190829: 71st Street – Belinder Avenue to State Line Road – CARS Interlocal Agreement

Steve Noll reported that this project is scheduled for construction in 2003 as part of the 2003 County Assisted Road System (CARS) Program with the initial program covering 71st Street – Belinder Avenue to Cherokee. The agreement provides for the sharing of construction costs between the City and Johnson County. Johnson County will fund a maximum of \$214,000 of the construction costs, with the City of Prairie Village paying \$213,000.

Mr. Noll advised the Council that the interlocal agreement is based on the estimated construction costs of \$427,100; however, upon completion of preliminary design, the construction costs increased to \$719,000. Due to this budget shortfall, staff reduced the limits of the project to 71st Street – Belinder Avenue to State Line Road for a total cost of \$420,900, which addresses the segment of 71st Street that is in the worst condition.

Steve Noll moved the City Council approve a revised interlocal agreement with Johnson County for Project 190829: 71st Street – Tomahawk Road to State Line Road with Johnson County paying \$214,000 and the City of Prairie Village paying \$213,000 with the scope of the project being cut back due to the lack of funding in the Capital Expenditure Program budget. The motion was seconded by Laura Wassmer and passed unanimously.

POL2003-17 Consider Project 190834: 2003 Street Resurfacing Program

Steve Noll reported that on March 14, 2003, three bids were opened for the 2003 Street Resurfacing Program and two streets in the CARS Program. These projects were bid together to possibly attain better bids based on economies of scale. The low bid of \$796,577.70 by Mega Industries was withdrawn due to a mathematical error in their bid. The other bids were reviewed by Affinis and found to be accurate with the new low bid being that of D. F. Freeman in the amount of \$935,945.70.

Steve Noll moved the City Council approve the award of the contract to D.F. Freeman in the amount of \$935,945.70 with funding from the Capital Infrastructure Program with specific project costs as follows: Project 190829: 71st Street – Belinder Avenue to State Line Road at \$408,248.40 (City share of \$204,124.20 and CARS share

of \$204,124.20); Project 190834: 2003 Street Resurfacing Program for \$160,769.25; Project 190838: 79th Street Aberdeen to Belinder Avenue for \$366,928.05 (City share of \$185,928.05 and CARS share of \$181,000). The motion was seconded by Al Herrera and passed unanimously.

POL2003-02 Consider the purchase of Street Sweeper

Steve Noll reported that on March 21, 2003, the City Clerk received bids for a new street sweeper. One bid was received from Key Equipment & Supply Company for an Elgin Pelican P three-wheel broom street sweeper. The bid is \$140,395.00 with a trade-in of \$20,000 on a 1996 Elgin Pelican P.

The new sweeper is basically an updated version of the sweeper currently being used by Public Works. It is capable of loading directly into a dump truck. A couple of new features are a better driver seat which minimizes the continual bouncing, a system to wash the conveyor and rollers by connecting to a hose (one of the most important daily maintenance chores), and improved hydraulics components.

The 2003 budget is \$108,000.00. Staff proposes to fund the shortfall of \$12,395.00 by delaying the purchase of a portable generator, which has a budget of \$30,000. This generator was intended to replace the present generator with more power for the VillageFest and other such events; however, staff will continue to rent a larger capacity generator for these events.

Steve Noll moved the City Council approve the purchase of an Elgin Pelican Street Sweeper from Key Equipment & Supply Company at a cost of \$140,395 and authorize the removal from the City's fixed asset inventory Asset#1262 – 1996 Elgin Pelican Street Sweeper by sale to Key Equipment. Laura Wassmer seconded the motion.

Bill Griffith asked if it would be possible to put this purchase off another year. Mr. Pryzby responded that the unit, which is 9 years old, was totally rebuilt five years ago. The normal life of this unit is 7 years. Staff anticipates serious mechanical problems in the near future with the unit.

Steve Noll noted that this unit is used every day and is the only street sweeper for the City so any resulting downtime for repair would have an immediate and direct impact.

Bill Griffith asked how many hours per week the unit was in use. Mr. Pryzby responded that 25-30 hours per week (1 ½ hours are spent daily cleaning the unit when it comes in off the streets). He estimated the unit is on the road 1000 hours per year.

Jeff Anthony asked if contracting with an outside company has been considered. Mr. Pryzby responded that he had earlier and found it to be less expensive to own the equipments as well as more flexible and productive. Mr. Pryzby added one of the minimum control criteria in NPDES is the cleanliness of streets.

Bob Pierson asked if he waited until the unit broke down would the length of time needed to purchase a new unit be a concern. Mr. Pryzby stated his greater concern would be having available the amount of money needed for the purchase. He noted that this purchase is included in his 2003 budget that was approved by the Council; however, he under budgeted. He will delay another approved purchase to come up with the additional funds needed.

The motion was voted on and passed by a vote of 10 to 2 with True and Griffith voting “nay”.

Council Committee of the Whole

COU2003-12 Consider Personnel Policies: YMCA Membership

Laura Wassmer reported that the Council Committee of the Whole had earlier discussed the City’s contribution for employee membership in the YMCA. The YMCA has changed accounting software requiring the current fixed dollar amount contribution by the City and the YMCA to be changed to a percentage amount.

The Committee considered several options and recommends a split percentage option that would keep the contribution level closest to the existing level. This option would reduce the annual cost to the City by \$184.80 and the monthly fees for individual members would increase \$2 with the monthly fee for family memberships increasing by \$1.50.

Laura Wassmer moved the City Council approve the “split percentage plan” for the City contribution toward employee YMCA memberships with the City paying 25% towards an individual membership and 15% towards a family membership with an increased monthly employee contribution of \$2 or less. The motion was seconded by Al Herrera and passed unanimously.

Insurance Committee

Steve Noll reported that the Insurance Committee met to consider the 2003-2004 renewal proposal from the St. Paul Company for property and casualty insurance for the coverage year beginning May 1, 2003. The proposed increase for the 2003-2004 plan year is \$223,719, which represents a 4% increase from the 2003 premium. Mr. Noll

stated that in some coverage areas, such as General Liability and Public Officials Liability, the premium has actually decreased. The proposal does not include terrorism coverage at this time.

Bill Griffith asked why there is a different time line for the renewal of the Workers Compensation insurance. Bob Frankovic, with Cretcher-Lynch, responded that The St. Paul Company, which provides the other coverages for the City, does not provide workers' compensation coverage. A few years ago, the City was unable to get a proposal for workers' compensation insurance in time for the May 1st renewal, forcing it to join the State's Risk Pool for this insurance coverage. Cretcher-Lynch continued their search for a carrier and was successful in finding a carrier in October. At that time, the City left the State's Risk Pool and entered into an agreement resulting in a different renewal date for this coverage.

Mr. Frankovic went on to commend the City on their excellent loss record for the past year with only \$1,400 in claims filed. This enabled the city to have a significantly lower premium increase than the standard increase of 15% - 30%. He commended the City and its staff for the excellent record. Mr. Noll advised the Council members that the loss control summaries have been attached to the insurance minutes they received.

Steve Noll moved the City Council approve insurance proposals from Cretcher-Lynch to renew the City's business coverage, excluding workers' compensation coverage with St. Paul Insurance at an estimated cost of \$223,719. The motion was seconded by Al Herrera and passed unanimously.

OLD BUSINESS

Mayor Ronald Shaffer presented Council Checks to Councilmen Bob Pierson and Jeff Anthony and thanked them for their service. Mr. Pierson has completed three years on the Council and Mr. Anthony has just completed his first year on the Council.

Pool Repair Update

Mr. Pryzby reported that the contract began work on April 15th. The crew is working 7 a.m. to 9 p.m. daily. Diamond Brite and joint tiles at the Wading pool have been replaced and the crews are now working on the leisure pool. The contractor has been very cooperative and helpful in determining what needs to be done. Mr. Pryzby advised the Council that the proposed cutting of two-inch squares has proven to be very labor intensive and is not being done. The contractor has rented a milling machine and

has been able to successfully remove concrete. City staff rented a coring machine and obtained the necessary cores for lab analysis.

Mr. Pryzby stated that during the past two weeks, he has spent significant time meeting with the City's legal staff and both the designer of the pool and the manufacturer of the product in determining grounds for legal action.

At this time, the Contractor does not see any delay that should prevent them from finishing within two weeks, although they did lose part of last Saturday due to rains and lightning.

NEW BUSINESS

Student Crossing

Al Herrera expressed concern with the students crossing Mission Road at the intersection of Mission Road and 67th Street and asked staff to consider moving the crosswalk to the north side so children crossing from the east at The Village Church would only have to cross once. He noted that a number of parents drop their children off at the Village Church parking lot rather than the school parking lot

Mayor Shaffer directed Chief Grover and Mr. Pryzby to look into the situation and to work with the school for the best possible outcome.

Food

Ruth Hopkins requested that the Mayor appoint an ad-hoc committee of Council members and staff to discuss Council meals. The following Councilmembers were appointed: Ruth Hopkins, Laura Wassmer and Jeff Anthony.

Fountains

Diana Ewy Lamberson questioned the recent operation of City fountains. Mr. Pryzby advised that the fountains at Somerset & Roe has been on for three weeks and has been soaped three times. Last week the fountain at Tomahawk Road & Mission Road was turned on and was also soaped this past weekend. This continues to be a problem for the City; however, it was noted that several fountains across Stateline were also soaped last weekend.

Council President

Mayor Shaffer advised the Council members that new committee assignments would begin next month and the Council would be selecting a Council President at the next Council meeting.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Villagefest 2003	4/24/2003	7:00 p.m.
Prairie Village Arts Council	4/28/2003	7:00 p.m.
Skate Park Committee	4/28/2003	7:00 p.m.
Police & Supplemental Pension Boards	4/29/2003	4:00 p.m.
Policy Services Committee	5/05/2003	6:00 p.m.
Legislative/Finance Committee	5/05/2003	6:00 p.m.
City Council	5/05/2003	7:30 p.m.

The Prairie Village Arts Council is pleased to feature an exhibit of photography by Wayne Hickox in the R.G. Endres Gallery during the month of May. The opening reception will be held on May 9, 2003 from 6:30 – 7:30 p.m.

The Prairie Village Arts Council will be sponsoring a showing of Mel Gibson in the Shakespeare play “Hamlet” on April 30th in the Council Chambers.

Recreational Memberships will go on sale at the City Clerk’s Office on May 1st. Council members should turn their applications into the City Clerk for processing.

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 8:20 p.m.

Joyce Hagen Mundy
City Clerk