

**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE  
Monday, November 18, 2002  
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 – November 4, 2002
2. Approve Claims Ordinances #2376 through #2378
3. Approve the agreement with Medtronic Physio-Control Corp. for technical service support for the Department's AEDs for the amount of \$1,190.00 to be paid out of 1-3-25-5160.
4. Remove items # 00140 and 00142, two 4'X8' tables currently stored in EOC, from fixed asset inventory list for purposes of placing in auction.
5. Ratify the appointment of Thomas Marsh to the Prairie Village Arts Council completing a vacant term expiring in April, 2003.
6. Ratify the appointment of David Voysey to the Park & Recreation Committee to complete an unexpired term expiring April, 2003.

**By Committee:**

7. Approve the engineering services agreement with the Larkin Group for project 190826: 2004-2008 CARS application for a maximum fee of \$22,000 with funding from the capital expenditure program. (Policy/Services Committee Minutes - November 4, 2002)
8. Approve an interlocal agreement between Johnson County, The City of Prairie Village and the City of Overland Park for Project 190837: 75<sup>th</sup> Street – Walmer to Nall Avenue with Johnson County paying \$183,000, the City of Prairie Village paying \$91,250 and the City of Overland Park paying \$91,250 with funding from the capital expenditure program budget. (Policy/Services Committee Minutes - November 4, 2002)
9. Accept Project 191010: 2002 Biennial Bridge Report. (Policy/Services Committee Minutes - November 4, 2002)
10. Approve a 2003 Building Use Agreement with Johnson County for a Senior Nutrition Center in the Prairie Village Community Center for a fee of \$125/month (Legislative/Finance Committee Minutes – November 4, 2002)
11. Eliminate the Home Loan Guarantee Program and transfer reserved funds to the unrestricted fund balance. (Legislative/Finance Committee Minutes – November 4, 2002)

**V. COMMITTEE REPORTS**

**Legislative/Finance Committee - Ruth Hopkins**

LEG2002-25 Consider Financial Audit for 2002

LEG2002-26 Consider Southwestern Bell Franchise

**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 your are unable to attend this meeting, comments may be received by e-mail at [cityclerk@PVKANSAS.COM](mailto:cityclerk@PVKANSAS.COM)**

**COUNCIL  
CITY OF PRAIRIE VILLAGE  
November 18, 2002  
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, November 18, 2002, 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; Lt. Wes Jordan; Robert Pryzby, Director of Public Works; Doug Luther, Assistant City Administrator and Joyce Hagen Mundy, City Clerk.

**PUBLIC PARTICIPATION**

David Voysey, 5902 West 78<sup>th</sup> Terrace, addressed the Council expressing his interest in serving on the City's Park & Recreation Committee.

**CONSENT AGENDA**

Laura Wassmer moved the approval of the Consent Agenda for Monday, November 18, 2002.

1. Approve Regular Council Meeting Minutes – November 4, 2002
2. Approve Claims Ordinances #2376 through #2378
3. Approve the agreement with Medtronic Physio-Control Corp. for technical service support for the Department's AEDs for the amount of \$1,190.00 to be paid out of 1-3-25-5160.
4. Remove items # 00140 and 00142, two 4'X8' tables currently stored in EOC, from fixed asset inventory list for purposes of placing in auction.
5. Ratify the appointment of Thomas Marsh to the Prairie Village Arts Council completing a vacant term expiring in April, 2003.
6. Ratify the appointment of David Voysey to the Park & Recreation Committee to complete an unexpired term expiring April, 2003.
7. Approve the engineering services agreement with the Larkin Group for project 190826: 2004-2008 CARS application for a maximum fee of \$22,000 with funding from the capital expenditure program.
8. Approve an interlocal agreement between Johnson County, The City of Prairie Village and the City of Overland Park for Project 190837: 75<sup>th</sup> Street – Walmer to Nall Avenue with Johnson County paying \$183,000, the City of Prairie Village paying \$91,250 and the City of Overland Park paying \$91,250 with funding from the capital expenditure program budget.
9. Accept Project 191010: 2002 Biennial Bridge Report.
10. Approve a 2003 Building Use Agreement with Johnson County for a Senior Nutrition Center in the Prairie Village Community Center for a fee of \$125/month
11. Eliminate the Home Loan Guarantee Program and transfer reserved funds to the unrestricted fund balance.

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**

### **Legislative/Finance Committee**

#### **LEG2002-25 Consider Financial Audit for 2002**

The Legislative/Finance Committee considered a proposal from KPMG to perform the City’s 2002 financial audits. In addition to the general City audit, a “single audit” is required for 2002 for the receipt of FEMA funds related to the 2002 ice storm. The cost of the single audit is \$7,500 and will be partially reimbursed by FEMA.

Ruth Hopkins moved the city Council approve an agreement with KPMG for the 2002 financial and single audits for the City of Prairie Village at a cost of \$29,500. Jeff Anthony seconded the motion.

Roy True noted that he would be voting against this motion because he feels the audit should have been opened for bidding to other financial firms.

The motion passed by a vote of 11 to 1 with Roy True voting “nay”.

#### **LEG2002-26 Consider Southwestern Bell Franchise**

Ruth Hopkins stated that the City’s franchise agreement with Southwestern Bell Telephone expires 12/31/2002. During 2003 budget discussions, the Council tentatively agreed to increase the franchise fee from the existing 4% of gross receipts to 5%. The Legislative/Finance Committee discussed both an increase in the fee based on gross receipts and/or an increase per access line. At this time, they recommend the City continue to use gross receipts as the basis for the franchise fee and increase the percentage from four percent to five percent and authorized staff to negotiate a new franchise agreement.

After discussions with Southwestern Bell and the City’s legal staff, it is recommended that at this time the Council extend the existing agreement modifying the terms to increase the franchise fee from 4% of gross receipts to 5% of gross receipts.

City Attorney Charles Wetzler stated that because of the number of legislative issues still unresolved which may impact future agreements, he feels that the extension of the existing agreement with the modification of the fee to be an effective way of getting

the increased revenue desired and leaving the City open to take advantage of possible future legislative rulings that could benefit the City.

Ruth Hopkins moved the Council adopt an Ordinance extending and modifying the terms and provisions of Ordinance No. 1969 granting Southwestern Bell Telephone Company a telephone franchise and the right to construct, operate and maintain telecommunications facilities within the corporate limits of the City of Prairie Village, Kansas. Laura Wassmer seconded the motion.

Steve Noll asked when the extension ended. Mr. Wetzler responded that the extended agreement would expire on July 7, 2003, and that both the date and the new rate are reflected in the proposed ordinance. Barbara Vernon advised the Council that Southwestern Bell is requesting action now because they are required to give their customers prior notification of an increase. For the increase to become effective January 1, 2003, notification to customers needs to go out soon.

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.

### **Council Committee of the Whole**

#### COU2002-20 Consider revisions to the Police Pension Plan

Mayor Shaffer called upon the City's Personnel Director, Tom Lewinsohn to present the proposed revisions which the Council of the Whole did not have time to discuss during their earlier meeting.

On July 15, 2002, the City Council authorized enhancements to the Police Pension Plan. The attorney for DeFrain Mayer, the Police Pension Plan Consultant, was directed to revise the existing plan in order to implement the enhancements effective January 1, 2003.

The enhancements requested by the police officers and approved by the City Council are as follows: 1) Increase by \$100 per month the pensions of the present thirteen retirees who had twenty or more years of service as police officers in Prairie Village. 2) Eliminate the Social Security offset for future retirees. 3) Change the benefit rate from 2% to 2.5% for each year of service; and 4) reduce the maximum credit from 30 years to service to 25 years of service.

Mr. Lewinsohn stated the actuary has projected funding to remain level over the long term at 6.11% of total salary with the officers contributing 4% and the City 2.11%.

Bill Griffith asked if DeFrain has done long-term projection on funding. Mr. Lewinsohn stated they have projected the funding to hold over the long-term, but have not completed any funding estimates. Mr. Griffith confirmed that if the performance of the fund were less than anticipated, the City would have to pay more to make up the difference.

Jeff Anthony asked if there was a dollar value that could be used for budget purposes of what would be necessary if there was lower than expected performance. Mr. Lewinsohn stated that information is unknown. The only information available is that of the 2002 performance to date.

Bill Griffith moved the Council adopt an ordinance amending the Police Pension Plan with an effective date of January 1, 2003 for implementation of plan changes. Laura Wassmer seconded the motion.

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.

COU2002-25 Consider amendments to the City’s Supplemental Pension Plan

Tom Lewinsohn stated that DeFrain Mayer did a complete rewrite of the City’s Supplemental Pension Plan for non-commissioned City employees in order to comply with the Federal laws passed in 2001. The Council approved that revision in February of 2002 and the revisions were submitted to the Department of Treasury, Internal Revenue Service to determine if the revised plan was qualified under the Federal GUST laws. The City was informed that additional technical amendments needed to be made to the plan to fully comply with federal regulations. These have been done by DeFrain’s legal staff in conjunction with the Plans Specialist of IRS and are being presented for Council approval. The changes do not impact participation, benefits or contributions for the plan.

Bill Griffith moved the Council adopt the amendments to the Supplemental Pension Plan for submission to the Internal Revenue Service in order that the Plan qualifies in accordance with applicable laws. Jeff Anthony seconded the motion.

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.

**OLD BUSINESS**

Laura Wassmer noted the feedback from some of the Council microphones during the earlier committee meeting. Mr. Pryzby advised the setting on the speaker boxes impacts the feedback and directed Council members to set their speakers at 9 o'clock if they were turned on to minimize the sound feedback.

**NEW BUSINESS**

There was no New Business to come before the Council.

**ANNOUNCEMENTS**

**Committee meetings scheduled for the next two weeks include:**

Board of Code Appeals	11/19/2002	6:00 p.m.
CACCS	11/19/2002	7:00 p.m.
Communications Committee	11/19/2002	5:30 p.m.
Prairie Village Arts Council	11/20/2002	6:00 p.m.
Employee Health Insurance Committee	11/21/2002	8:00 a.m.
Prairie Village Ice Storm Committee	11/26/2002	7:00 p.m.
Policy Services Committee	12/02/2002	6:00 p.m.
Legislative/Finance Committee	12/02/2002	6:00 p.m.
City Council	12/02/2002	7:30 p.m.

=====

The Prairie Village Arts Council is pleased to feature an exhibit of pastels from the Mid-American Pastel Society during the month of November in the R. G. Endres Gallery.

Don't forget the League 2002 Regional Supper hosted by Prairie Village at the Homestead Country Club on Wednesday, November 20<sup>th</sup>.

The Mayor's Holiday Tree Lighting Ceremony will be held on November 25, 2002 at 6:30 p.m. in the Municipal Building. Donations to the Holiday Tree Fund will be utilized in assisting Prairie Village families and Senior citizens needing help to pay their heating and electric bills during the cold winter months, as well as with home maintenance throughout the year. Your tax-deductible contributions are appreciated. Mayor Shaffer announced that \$2,945 in donations has been received to date.

Deffenbaugh will observe Thanksgiving Day as a holiday. The regular Thursday collection will be collected on Friday and the regular Friday collection will be done on Saturday.

City offices will be close on Thursday and Friday, November 28<sup>th</sup> and 29<sup>th</sup> in observance of the Thanksgiving holiday.

The Mayor's Volunteer Appreciation Holiday Party will be held on Friday, December 13<sup>th</sup>. Social hour begins at 6:30 p.m. at Homestead Country Club. Please RSVP by December 9<sup>th</sup>.

The 50<sup>th</sup> Anniversary books, **Prairie Village Our Story**, are being sold to the public. Mayor Shaffer announced that 368 books have been sold to individuals and 215 books to retailers for a total of 583 books sold to date for \$10,361.

**ADJOURNMENT**

With no further business to come before the Council, the meeting was adjourned at 8:05 p.m.

Joyce Hagen Mundy  
City Clerk

