

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, August 5, 2002
7:30 p.m.**

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC HEARING FOR THE 2003 BUDGET

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 1, 2002
2. Approve Claims Ordinances #2349 through #235
3. Approve removal of Police vehicles (Unit 848, Unit 930, Unit 940, Unit 042) from City inventory and authorize sale by auction.
4. Approve AIMS Annual Data Access and License Agreement with Johnson County. The cost for the annual license is \$2,923.03. This agreement is budgeted in the 2002 Public Works Operating Budget. There is an increase in the individual fees as set by the County.
5. Approve the Codes Administration Department to purchase an additional license for the Building Permits and Business License software from USTI. Funds are available in the 2002 Codes Administration budget for this purchase.
6. Authorize Proclamations
Constitution Week – September 17 through 23, 2002
Visual Arts Month – October 2002

By Change Order:

7. Approve Change Order #3 on Project 190811: Mission Road & Tomahawk Road Intersection with Fountain for a total increase of \$4,739 with funding from the Capital Expenditure Program.

By Committee:

8. Approve of a Construction Change Order of \$30,000 to construct a sidewalk along the south side of the swimming pool from the parking lot at the Public Safety Center to the pavilion at Harmon Park. Funding will be a transfer of \$19,000 from the Harmon Park Electrical Service Project and \$11,000 from Park Unallocated Funds. (Park and Recreation Committee Meeting Minutes July 10, 2002)
9. Delete agenda item COU99-29 as this has been succeeded by another program. (Council Committee of the Whole Minutes – July 15, 2002)
10. Delete without action COU99-05 “Consider Beautification Programs for Neighborhoods – Grants or In-kind. (Council Committee of the Whole Minutes – July 15, 2002)
11. Delete COU2000-46 & COU 2000-48. (Council Committee of the Whole Minutes – July 15, 2002)

VI. COMMITTEE REPORTS

Legislative/Finance Committee – Bill Griffith

LEG2002-01 – Consider 2003 Solid Waste Agreement

VII. OLD BUSINESS

Consider 2003 Budget

VIII. NEW BUSINESS

IX. ANNOUNCEMENTS

X. 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

**COUNCIL
CITY OF PRAIRIE VILLAGE
August 5, 2002
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, August 5, 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: Bill Griffith, Ruth Hopkins, Steve Noll, Roy True, Jerry Kelso, Jeff Anthony, Kay Wolf 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 HEARING FOR THE 2003 BUDGET

Mayor Shaffer opened the public hearing on the proposed 2003 budget for the City of Prairie Village and called upon City Administrator Barbara Vernon to review the budget.

Mrs. Vernon stated that the proposed budget fulfills most of the goals set by the Council at their annual worksession. The budget was initially prepared with a projected decrease in revenue of \$180,000. No new programs were added, operating expenses were reduced and for the first time in several years, the capital expenditure program was reduced.

This budget has been impacted by the current economic situation, reduced sales tax revenue, a fund balance that has reached its optimum level and significant increase in insurance costs. Prairie Village is similar to most northeast Johnson County cities in that it is landlocked with no growth and a minimal commercial base. Mrs. Vernon noted that the cities in northeast Johnson County cities not proposing mill levy increases are those that have a large commercial base and Mission Hills. Since commercial property is taxed at twice the rate of residential property and often provides sales tax revenue in addition to property tax, cities with a large percentage of commercial development do not face the same issues that residential cities have. Only 7% of the property in Prairie Village is commercial.

The proposed 2003 budget for Prairie Village includes a 2.3 mill increase. For the average Prairie Village homeowner this will result in a \$44 annual increase. Including the recent 5% increase in appraised values add another \$13 annual increase for a total annual increase of \$57.

Mayor Shaffer opened the hearing to comments from the public.

John Hayde, 5219 West 69th Street Terrace, a 33-year resident of the City responded to the Mayor's letter regarding the proposed budget in the Prairie Village Voice. He took exception to the statement that the City had not had a tax increase since 1991. Mr. Hayde reviewed increases in his city tax bill during the past ten years, noting increases every year due to changes in the appraised value of his home. He noted particularly 1997 and 1998 when the increases were 45% and 40% respectively. He claimed the proposed increase will result in an increase of 130% for his taxes over the 1992 tax bill.

Mr. Hayde concluded his comments stating that he did not feel the proposed tax increase was justified and voiced his strong opposition to the proposed budget.

Pat Kaufman, 4307 West 73rd Terrace, a 20-year resident of the City. Spoke in support of the proposed budget. She stated that the services provided by the City are excellent. The City staff is professional and dedicated. Mrs. Kaufman stated the value of her home has doubled in the past eight years and she contributes much of that increase to the services provided by the City.

Bill Jewett, 73rd Street, expressed concerns that he felt the City should consider in view of the budget limitations being experienced. Mr. Jewett stated his strong opposition to the bi-state tax and feels that if it is brought up for renewal the City should strongly oppose it. He also suggested consideration of the consolidation of smaller northeast Johnson County cities.

Karen Beck, 7405 High Drive, advised the Council that the Park & Recreation Committee would be discussing improvements to the swim team programs for the 2003 season. These would include underwater sound for the synchronized program, the reinstatement of the Dive Team and additional lighting at an estimated cost of \$3,000. She encouraged the Council to consider these improvements.

Mayor Shaffer closed the public hearing and stated that action would be taken on the 2003 budget under Old Business during the City Council meeting.

PUBLIC PARTICIPATION

There was no one present to address the Council during public participation.

CONSENT AGENDA

Steve Noll asked that item #9 be removed from the Consent Agenda for discussion. Ruth Hopkins moved the approval of the Consent Agenda for Monday, August 5, 2002 as amended

1. Approve Regular Council Meeting Minutes – July 15, 2002
2. Approve Claims Ordinances #2349 through #2353
3. Approve the removal of Police Vehicles (Units 848, 930, 940 and 042) from City inventory and authorize sale by auction
4. Approve the Data Access and License renewal agreement with Johnson County at a cost of \$2,923.03
5. Approve the Codes Administration Department's purchase of an additional license and maintenance for the Building Permits and Business License software from USTI at cost of \$520 with funding from the 2002 Codes Budget
6. Approve the annual maintenance agreement with Otis Elevator at a cost of \$2,680 with funding from the Public Safety budget 1-3-21-5210
7. Approve an agreement between the Mid-America Regional Council (MARC) and the City of Prairie Village for the use of an 800 MHz radio at the City's Dispatch Center
8. Authorize the Mayor to execute the following proclamations:
 - Constitution Week – September 17 through 23, 2002
 - Visual Arts Month – October, 2002
9. **Removed**
10. Approve a Construction Change Order in the amount of \$30,000 to construct a sidewalk along the south side of the swimming pool from the parking lot at the Public Safety Center to the pavilion at Harmon Park. Funding will be a transfer of \$19,00 from the Harmon Park Electrical Service Project and \$11,000 from Park Unallocated Funds
11. Delete agenda item COU99-29 from the Council Committee agenda as this has been succeeded by another program
12. Delete without action COU99-05 "Consider Beautification Programs for Neighborhoods – Grants or in-kind"
13. Delete without action Council Committee agenda assignment COU200-41
14. Delete Council Committee agenda assignments COU2000-46 and COU2000-48

A roll call vote was taken with the following members voting "aye": Griffith, Noll, Hopkins, True, Kelso, Anthony, Wolf and Markley.

Steve Noll asked for clarification on the proposed change order #3 for Project 190811: Mission Road & Tomahawk Road with fountain. Mr. Pryzby stated that the primary increase is for \$30,000 for a landscape architect in conjunction with the addition of the fountain to the intersection. Mr. Pryzby noted that several meetings were held between the landscape architect, Larkin representatives, the street contractor and public works staff to discuss and clarify the landscape work. He confirmed that the landscape architect would be responsible for the administration of the landscape work.

Steve Noll confirmed that the cost for the additional meetings was \$1,739.50 not \$739.50 as stated in the cover memo.

Bill Griffith moved the Council approve engineering change order #3 to the agreement with The Larkin Group, Inc. for Project 190811: Mission Road and

Tomahawk Road with Fountain for an increase of \$4,739.50 with funding from the Capital Expenditure Program. The motion was seconded by Ruth Hopkins and passed unanimously.

COMMITTEE REPORTS

Legislative/Finance Committee

LEG2002-01 Consider 2003 Solid Waste Agreement

Deffenbaugh has proposed the following changes to the 2003 trash services: 1) Glass would no longer be collected as part of the recycling program; 2) Corrugated cardboard, chipboard and carrier stock paper would be collected for curbside recycling; 3) Curbside sorting of recyclables would be eliminated. All recyclables would be collected in packer trucks with sorting done at Deffenbaugh's recycling center. There will be no change to the weekly pickup of materials. The proposal calls for a 2% increase, which converts to a per household increase from \$11.39 per month to \$11.62 per month. All other aspects of the contract remain unchanged.

Bill Griffith moved the City Council approve an agreement with Deffenbaugh Disposal Service to provide solid waste, recyclable and yard waste collection during the 2003 calendar year at a cost of \$11.83 per household per month pending review and approval of the contract by the Assistant City Attorney. The motion was seconded by Ruth Hopkins.

Roy True stated his opposition to accepting this contract as he believes the contract should have been bid. He believes regular bidding is essential to determine what the true market is for a service and to demonstrate to other vendor's that the City is serious in considering other service providers.

Jerry Kelso questioned how many other providers are available to provide this service. Bill Griffith advised that when the service was bid in 2001, bids were sent to four companies with only two companies submitted bids. Both bids reflected significant increases, but Deffenbaugh was the lower bid. Ruth Hopkins stated that in the past more providers would bid for City service; however, few providers are able to provide all of the services, i.e. household trash, heavy pickup, recycling and composting, that the City requires.

The motion was voted on and passed by a majority vote with Roy True voting "nay".

OLD BUSINESS

Consider 2003 Budget

Ruth Hopkins moved the City Council approve the 2003 budget as certified in the amount of \$17,600,540 with ad valorem tax in the amount of \$3,842,090 and adoption of an ordinance attesting to an increase in property tax revenues for the budget year 2003 necessary to finance public services and improvements for the City of Prairie Village. The motion was seconded by Steve Noll.

Roy True spoke in opposition to the proposed budget noting that he did not feel this was the appropriate time for a tax increase and that he feels the City could reduce the budget amount further.

A roll call vote was taken with the following members voting “aye”: Hopkins, Noll, Kelso, Wolf and Markley; voting “nay” Griffith, True, and Anthony.

The Mayor declared the motion passed by a majority vote of 5 to 3. The City Attorney Charles Wetzler advised Mayor Shaffer that the adoption of an ordinance, which was included in the motion, requires a majority of the entire Council, not a simple majority of those present. Therefore, a vote of 5 to 3 was not sufficient for the motion to pass.

Patty Markley questioned if the motion could not be broken into two separate motions and voted on separately. Mrs. Vernon responded that it could, but that both motions must pass, because the ordinance must pass in order to fund the proposed budget.

Mayor Shaffer declared the motion to have failed. He announced that the Council would meet for a budget worksession at 6 p.m. on Monday, August 12th to address the budget concerns. Mrs. Vernon asked if the Council members wanted any additional information for that meeting. Most Council members felt the information they needed was already available in the proposed budget document. Mrs. Hopkins asked for the dollar value that must be met for the budget to be fully funded without increasing the mill levy and the dollar value to fund the budget without accepting the tax windfall from increased property value. Mr. Anthony stated that he would like to review the City Administrator’s individual budget pages used in the preparation of the budget.

Change Orders

Bill Griffith asked if Mr. Pryzby could present information on how project costs and change orders are calculated and processed to remove some of the confusion on

recent change orders. Mr. Pryzby briefly reviewed the process and stated that he would have additional information for the Council at the next meeting.

NEW BUSINESS

There was no New Business to come before the Council.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

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|--------------------------------|------------|-----------|
| Planning Commission | 08/06/2002 | 7:00 p.m. |
| Tree Board Committee | 08/07/2002 | 6:00 p.m. |
| Sister City Committee | 08/12/2002 | 7:00 p.m. |
| Parks and Recreation Committee | 08/14/2002 | 7:00 p.m. |
| Council Committee of the Whole | 08/19/2002 | 6:00 p.m. |
| Council Meeting | 08/19/2002 | 7:30 p.m. |

The Prairie Village Arts Council is pleased to feature the work of Karen Golmer’s watercolor attempt to “capture the emotion of a scene or a slice of life”, during the month of August in the R. G. Endres Gallery. The opening reception for this exhibit will be held on Friday, August 9 from 6:30 to 7:30 p.m.

Everyone is encouraged to vote in the primary election on Tuesday, August 6TH.

The final Moonlight Swim will be held on Friday, August 9th from 8:30 to 10:00 p.m.

Due to the beginning of school, the pool will be open at 4:30 p.m. weekdays beginning Thursday, August 15th and regular hours on the weekend.

Swimming Pool memberships are on sale in the Municipal Building at half-price. Mailing registrations are also being accepted and encouraged for those individuals wishing to use last year’s photo ID.

The City has a table for the Shawnee Mission School District Foundation Annual breakfast on August 28th. The breakfast begins at 7:30 a.m. Please let Joyce, Barbara or Lori know if you would like to attend.

Join us Wednesday August 7th at 9:30 a.m. when the City hosts the Chamber coffee. All Prairie Village Business owners have also been invited.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:25 p.m.

Joyce Hagen Mundy
City Clerk