

**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
JULY 5, 2016**

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, July 5, 2016 at 7:30 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas.

**ROLL CALL**

Mayor Laura Wassmer called the meeting to order and roll call was taken with the following Council members present: Ashley Weaver, Jori Nelson, Serena Schermoly, Steve Noll, Eric Mikkelson, Andrew Wang, Brooke Morehead, Sheila Myers, Dan Runion, Courtney McFadden and Terrence Gallagher.

Staff present was: Tim Schwartzkopf; Chief of Police; Keith Bredehoeft, Public Works Director; Quinn Bennion, City Administrator; Wes Jordan, Assistant City Administrator; Lisa Santa Maria, Finance Director and Joyce Hagen Mundy, City Clerk.

**INTRODUCTION OF STUDENTS & SCOUTS**

No students or scouts were in attendance.

**PRESENTATION OF LIFESAVING AWARDS**

Chief Tim Schwartzkopf reported on May 18<sup>th</sup> Corporal Joel Porter and Detective Pat Mahoney were dispatched to a possible heart attack in progress. Detective Mahoney, the first to arrive on the scene, began lifesaving measures. Corporal Porter arrived and both continued CPR until Med-Act and Consolidated Fire arrived. Prior to being transported the patient had regained a pulse and was breathing on his own. The

Police Department presented the Department's Lifesaving Award to Corporal Joel Porter and Detective Pat Mahoney.

## **PUBLIC PARTICIPATION**

Emily Coleman, 445 South Chestnut, Olathe, Kansas, addressed the Council regarding the existing animal ordinances asking for a repeal of the prohibition of pit bulls residing in the City. She stated that she is a certified dog trainer and former Prairie Village resident. She and her husband are a foster family for pit bulls. They would have liked to live in Prairie Village, but were not welcome under Prairie Village's law. Mrs. Coleman believes that pit bulls can be safely housed and accommodated with training and shared a picture of her infant interacting with their pit bull.

Beau and Laura Jackson, 5418 Oakshire Lane, Fairway, Kansas, sought a home in Prairie Village when they relocated from Washington, D.C., but their realtor advised them they could not keep their adopted pit bull and instead chose a home in Fairway. Mrs. Jackson said it was unfortunate to punish a breed because of the actions of human beings and feels the existing ordinance is counterproductive.

Serena Schermoly asked the speakers how they heard about the Council discussing this issue. Mrs. Coleman responded she read it on Face book and the Jackson's were advised by their realtor. Eric Mikkelson asked whether they had insurance coverage. The Jacksons replied they have coverage with State Farm without any stipulations. Mrs. Coleman stated that some agencies do not cover pit bulls and some cover with stipulations.

Loring Leifer, 7301 Booth, stated that she worked with dog rescue and that the City should be concerned with protecting residents from dangerous animals and that it was not fair to ban a specific breed.

Public Participation was closed at 7:45 p.m.

### **CONSENT AGENDA**

Dan Runion asked for removal of items number 4 and number 7 on the Consent Agenda. Eric Mikkelson asked for removal item number 3.

Mr. Runion asked if the action to assume a lower investment return for the Police Pension Plan was a recommendation from the actuarial. Steve Noll responded that the Pension Board has been discussing this for the past 18 months and asked the actuarial to do an analysis at the different rates and based on their analysis they supported the Board's recommendation. Mr. Runion asked if the information was taken from the 7 year return. Mr. Noll responded the actuarial performed the analysis the Board requested.

Mr. Runion expressed concern with the significant increases in expenditures that have occurred annually in items that constitute over 80% of the City's budget. He noted his calculations show the Capital Projects Fund and the General Fund constitute 22% and 60% of the proposed 2017 \$34.3M budget. The increases in those two funds from 2014 actual to proposed 2017 average 7.95% annually. From 2014 to 2017 the increase in the General Fund averages 5.45% annually and the Capital Projects Fund averages 16.16% annually. The increase in the total budget from 2014 actual to 2017 proposed averages 4.38% annually. Mr. Runion noted at this rate the city's annual budget in 2021 will exceed \$40M or a \$10M increase from the 2014 actual expenditures.

Quinn Bennion stressed that the proposed 2017 mill levy is the same as 2016 and has relatively flat at this level since 2012. He acknowledged that significant dollars have been transferred from the General Fund to the Capital Improvement Program for maintenance of the city's aging infrastructure and viewed this investment as a good thing for the City.

Mr. Bennion stressed to the Council that when making comparisons from past budgets it is better to compare actual expenditures from one year to actual expenditures of another year or budgeted expenditures vs. budgeted expenditures. The comparison of actual expenditures to budget will result in an inflated representation. This is because the city does not spend its total budgeted funds. He added that the 2017 proposed budget has already been reduced by staff to 97% of anticipated personnel expenditures. Mr. Runion noted that both actual and budgeted figures are represented in the budget document. Mr. Bennion pointed out that the city does not know what the 2017 actual expenditures will be, but he is confident they will be less than the 2017 budgeted expenditures.

Mr. Bennion reviewed a spreadsheet prepared by the Finance Director comparing past actual expenditures. He also reviewed actual expenditures in the Personal Services area. This area includes more than salary. It includes salary, overtime, workers compensation, insurance costs, KPERS and police pension costs. The increase Personal Services from 2016 budget to 2017 budget is 3.54%. The salary increase over that same period is 1.77%. The Personal Services budget increased are made up of 1/3 compensation; 1/3 insurance and 1/3 police pension. Mr. Runion stated going from 2014 to 2017 is a 4% increase and he feels that is too much. He is concerned with these

increases particularly in light of the state imposed property tax lid. He doesn't see justification for these increases.

Mr. Bennion responded that a true comparison of trends would be to look at actual expenditures for the past three years. These are -3.27 (2012 to 2013), 2.00% (2013 to 2014) and 2.56 (2014 to 2015). In his view, this is not a concerning trend. He also noted revenue is not reflected. The costs for the additional building inspector will be paid for with additional building permit revenue. Increased appraisals will cover proposed increases. The property tax lid does concern him as the city will not be able to capture the full appraised value of property within the city. There are some exceptions.

Finance Director Lisa Santa Maria noted that a large part of the Personal Services increase is a projected 11% increase in health insurance. Mr. Runion acknowledged that certain costs are controllable and others are not controllable. Mrs. Santa Maria also noted that \$83,000 was added to the budget by the Council at its last meeting to include a compensation study and council/mayor compensation.

Eric Mikkelson shared Mr. Runion's concern that this is not a sustainable trend. He is supportive of the large increase in the CIP as they are making up for previous years when funds were cut. He is less comfortable with the personal services expenditures, but ok pending the compensation survey results. He is totally uncomfortable with the 100% increase in pay for the Mayor and Council in 2017 for the first time in the city's history. He has spoken with residents who support the pay, but not pay set by the Council for itself. This he views as a total conflict of interest. How can the Council question a 3% increase for staff and give itself a 100% increase. He is not sure he can approve the proposed budget.

Jori Nelson clarified that a vote for the budget is not a vote approving council/mayor compensation. Mayor Wassmer confirmed that the funds are included in the 2017 budget; however, the Council would need to adopt an ordinance to implement the pay. Mrs. Nelson agreed with Mr. Mikkelson stating she is proud of the volunteer service history of Prairie Village Council and Mayor.

Brooke Morehead noted the amount is already available in the budget from funds that are no longer needed for election costs. She views the \$63,000 for compensation a very small part of the city's overall budget. Mrs. Morehead asked if the city has seen related population growth to merit the level of increases seen in city expenditures. Mayor Wassmer responded that the city population has grown over the past years although not significantly. Mrs. Morehead expressed concern with the on-going incremental increases and asked where this money is going.

Mayor Wassmer responded that with the exception of council compensation that was discussed at the last meeting, the rest of the proposed budget has been before the council and discussed since March. These concerns should have been voiced long before this evening. Mr. Runion replied concerns with personal services costs were voiced at the last meeting. Mr. Bennion stated the increase in personal services costs is not 4% and has not been 4% over the past years as indicated by Mr. Runion. Mr. Runion replied it is as he views the numbers. Mr. Bennion reminded Mr. Runion that for an accurate comparison actual must be compared to actual or budgeted to budgeted; not actual to budget. Mayor Wassmer added that in her 19 years on the Council, the City has never spent the entire budgeted amount. Mr. Bennion recommended for a budget comparison, compare 2014 budgeted to 2017 budgeted. Mr. Runion replied the

budgeted amount is going up annually and more than the rate of inflation. He doesn't understand why the increase is multiples of the rate of inflation.

Quinn Bennion replied that the staff was never given direction by the Council to prepare a budget with an increase at the rate of inflation. The staff direction and goal was to prepare a budget that would maintain the existing level of services without an increase in the mill levy.

Mr. Runion stated he didn't mean to suggest that the budget stay at the rate of inflation, but noted it is a benchmark to be considered. He has not seen any compelling evidence that employee compensation level is causing employee turnover and needs to be adjusted upward. Mr. Bennion reviewed the extensive budget process followed at staff level and items considered. He restated that the 3.25% merit pool does not guarantee every employee a 3.25% increase. The purpose of the compensation study that was approved at the last meeting is to evaluate the current salary ranges. Andrew Wang agreed in the large picture. He has questioned the merit pool every year. He noted the restrictions that will be placed on the city's revenue when the property tax lid goes into effect. He stated the Council needs to be critical of the study findings and apply them on a matrix that makes sense for Prairie Village as significant increases in expenditures may crash through the tax lid. Going forward it is going to be important to educate the public on the city's needs.

Steve Noll moved to authorize staff to publish the 2017 proposed budget as required by State Statutes. The motion was seconded by Sheila Myers.

Jori Nelson asked if employees paid for their insurance costs. Mr. Bennion responded it was dependent on the level of coverage they had and the health insurance

option they selected. Mrs. Santa Maria noted the budget only reflected the estimated increase in the city's portion of insurance costs.

Dan Runion asked for a review of the budget process. Mrs. Santa Maria replied that the process begins in March with significant changes being presented to the Council for direction. He and the Finance Director go through each line item with department heads. The budget is prepared to maintain a 25% fund balance and past direction has been to increase funding for Capital Projects whenever possible. Mr. Runion stated he didn't recall any specific direction given by the Council to staff.

Quinn Bennion noted the city is required by State Statute to publish its proposed budget at least 14 days prior to the public hearing on the budget which will be held at the August 1<sup>st</sup> meeting. It is at that meeting that the Council takes formal action on adopting the budget. Mr. Runion asked if changes could still be made to the proposed budget. Mr. Bennion replied the budget could be reduced; it cannot be increased from what is published.

The motion authorizing publication of the 2017 budget was voted on and passed by a vote of 10 to 1 with Mr. Mikkelson voting in opposition.

Mayor Wassmer asked Mr. Mikkelson for his comments on item number 3 that he removed. Mr. Mikkelson thanked Mayor Wassmer for issuing this proclamation and stated he removed the item to recognize Paul Temme, a Prairie Village resident. who had witnessed the shooting at the Jewish Community Center and has been actively involved in the issue. Unfortunately, Mr. Temme left during the earlier discussion. He appreciates the city doing what it can to address this issue.

Brooke Morehead moved the approval of the Consent Agenda items for July 5, 2016 as amended:



1. Approve the regular City Council meeting minutes of June 20, 2016
2. Approve Claims Ordinance #2943
3. Authorize the Mayor to execute a proclamation in recognition of the "Asking Saves Lives" public safety program
4. Removed
5. Approve the Interlocal Agreement with Johnson County for the final design of the 2016 Stormwater Management Advisory Council (SMAC) Meadowbrook Regional Detention Project
6. Approve Construction Change Order #1 (Final) with O'Donnell and Sons Construction for the 2016 Concrete Repair Program
7. Approve modifications to the Police Pension Plan including a new assumed investment return decrease from 7.75% to 7.5%

A roll call vote was taken with the following members voting "aye": Weaver, Nelson, Schermoly, Noll, Mikkelson, Wang, Myers, Morehead, Runion, McFadden and Gallagher.

## **COMMITTEE REPORTS**

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

COU2016-42 Consider approval of Design Agreement with Affinis Corporation for the Design of the 2017 Mission Road Rehabilitation Project from 75<sup>th</sup> Street to 84<sup>th</sup> Terrace

On behalf of the Council Committee of the Whole, Acting Council President Brooke Morehead moved the City Council approve the Design Agreement with Affinis Corporation for the design of the 2017 Mission Road Rehabilitation Project from 75<sup>th</sup> Street to 84<sup>th</sup> Terrace in the amount of \$91,005.00. The motion was seconded by Ashley Weaver and passed unanimously.

### **Mayor's Report**

Mayor Wassmer commended the VillageFest Committee and all the staff involved with the 20<sup>th</sup> anniversary celebration. The event was a huge success, well attended and enjoyed by families throughout the city. She thanked Council members Weaver, Schermoly, Noll, Myers, Morehead and McFadden for their attendance. She also participated in the

Mission Chateau ground breaking that was well attended with residents anxious to see the project constructed. Mayor Wassmer attended the recent Home Builders Association luncheon where Wes Jordan and Mitch Dringman participated in a panel that presented the city's new design guidelines which were well received by the builders and also attended the BHC Rhodes Technology event.

## **STAFF REPORTS**

Staff reports were presented at the earlier Council Committee of the Whole meeting.

## **OLD BUSINESS**

Brooke Morehead asked if the new pool fee structure would be evaluated at the end of the season noting that she had received complaints from several families on the higher cost. Terrence Gallagher replied the Park & Recreation Committee reviews the fees and recreational programs at the end of each season. Quinn Bennion noted that the comments received by the City Clerk staff selling the memberships have generally been very positive. He noted that those with larger families saw an increase in fees while others saw a decrease in fees. Mr. Gallagher noted the increase was fifty cents per day.

Courtney McFadden reported on her attendance at the summer solstice cookout by the Prairie Village Community Gardeners. They are very appreciative of the ability to have garden space.

## **NEW BUSINESS**

There was no New Business to come before the City Council.

## **ANNOUNCEMENTS**

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

PV Arts Council	07/06/2016	5:30 p.m.
JazzFest Committee	07/07/2016	5:30 p.m.
Board of Zoning Appeals	07/12/2016	6:30 p.m.
Planning Commission Meeting	07/12/2016	7:00 p.m.
Council Committee of the Whole	07/18/2016	6:00 p.m.
City Council	07/18/2016	7:30 p.m.

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The Prairie Village Arts Council is pleased to present the works of the Senior Arts Council in the R.G. Endres Gallery during the month of July. The artists' reception will be Friday, July 8th, from 6:30 to 7:30 p.m.

The pool is open. Plan to enjoy the second Moonlight Swim on Friday, July 8<sup>th</sup> from 8:30 p.m. to 10 p.m.

Prairie Village Swim Team will host the All City Swim Meet on Wednesday, July 13<sup>th</sup>. The pool will close at 3:30 p.m.

**ADJOURNMENT**

With no further business to come before the City Council the meeting was adjourned at 8:45 p.m.

Joyce Hagen Mundy  
City Clerk