

**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
May 3, 2010**

The City Council of Prairie Village, Kansas, met in regular session on Monday, May 3, 2010, at 7:30 p.m. in the Council Chambers of the Municipal Building.

**ROLL CALL**

Mayor Ron Shaffer called the meeting to order and roll call was taken with the following Council members present: Al Herrera, Dale Warman, Ruth Hopkins, Steve Noll, Andrew Wang, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz.

Also present were: Wes Jordan, Chief of Police; Keith Bredehoeft, Interim Public Works Director; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Dennis Enslinger, Assistant City Administrator; Karen Kindle, Finance Director; Chris Engel, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

Mayor Shaffer led all those present in the Pledge of Allegiance.

**PUBLIC PARTICIPATION**

**Presentation by Sixth Grade Prairie Elementary students**

Mayor Shaffer welcomed four students from the Prairie Elementary School 6<sup>th</sup> Grade Democracy in Action Committee (Molly Blake, Keylee Mack, Luke Ehly, Caroline Brit) and their parent advisor Cheryl Commerford. After researching serious head injuries caused by bike accidents, the students proposed the City adopt an ordinance that will require all individuals under the age of 15 to wear bike helmets while riding bikes in Prairie Village. The ordinance would have police officers giving coupons to students biking without a helmet. The helmets would be provided by "Headstrong for Jake". They have contacted Fire Chief Hodgdon and received permission to use the main fire station as a distribution site. The Police would also give coupons for free gifts from Prairie Village merchants to individuals found wearing helmets while biking. The students have spoken with Prairie Village merchants and received commitments for donations.

Laura Wassmer and Dale Warman commended the students for their presentation and research on this important issue. Mayor Shaffer thanked the students for their presentation and advised that their suggestions will be moved to committee for consideration and noted they would be invited to attend the meeting when it is formally discussed.

### **Request from Christie Development Associates, LLC for Economic Development Consideration**

Mayor Shaffer announced they have decided not to move forward at this time.

### **CONSENT AGENDA**

Charles Clark moved the approval of the Consent Agenda for May 3, 2010:

1. Approve Regular Council Meeting Minutes - April 19, 2010
2. Ratify the Mayor's appointment of Tim O'Tolle to the Park & Recreation Committee as a student representative for a one-year term to expire in April, 2011.
3. Approve a 2010 VillageFest entertainment contract with Eric Price in the amount of \$300.
4. Approve the purchase of a replacement pick-up truck from Shawnee Mission Ford at a cost of \$24,925.00 and the disposal of a 2000 Ford F250 ¾ ton truck, asset number 0927 by auction

A roll call vote was taken with the following members voting "aye": Herrera, Warman, Hopkins, Noll, Wang, Wassmer, Beckerman, Clark, Morrison, Ewy Sharp, and Belz.

### **MAYOR'S REPORT**

Mayor Shaffer distributed \$1 checks to council members Dale Warman, Ruth Hopkins, Charles Clark and Diana Ewy Sharp for their service during the past year.

Mayor Shaffer congratulated councilmen Dale Warman, Ward 1 and Charles Clark, Ward 5 on their recent re-election and administered the Oath of Office.

Mayor Shaffer reviewed the several activities and events he attended during the past weeks representing the City including Highland Elementary DARE graduation; Intrust Bank 2010 Small Business Event; 9<sup>th</sup> Annual Crawfish Festival Fundraiser, where \$18,500 was raised for Head Start of Shawnee Mission; MARC Board of Directors; Arbor Day Celebration honoring Ben Munday and Indian Fields Homes Association Island Renovation Day.

## **COMMITTEE REPORTS**

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

**COU2010-28 Consider approval of a contract with Vanum Construction Co, Inc. for Project 190659: Franklin Park Improvements and the transfer of \$500,000 from the 2010 Street Program to Project 190659.**

On behalf of the Council Committee of the Whole, Charles Clark moved the Governing Body authorize the Mayor to sign the construction contract with Vanum Construction Co., Inc. for Project 190659: Franklin Park Improvements in the amount of \$860,000.00 and the transfer of \$500,000 from the 2010 Street Program to Project 190659. The motion was seconded by Laura Wassmer and passed by a vote of 10 to 1 with David Morrison voting “nay” due to the cost of the restroom facility and the public safety issues they create.

### **Community Center Sub Committee**

David Belz reported the committee conducted interviews with BWR, 360 Architecture, Hollis + Miller Architecture, & WNB (Warner, Nease, Bost Architects) on Thursday, April 29<sup>th</sup>. All of the firms also had presentations from subcontractors. The 360 Architecture team with Larkin Aquatics, Bollard King and Indigo Design were selected. Staff will prepare the agreement and interlocal agreements for Council approval in June.

### **Park & Recreation Committee**

Diana Ewy Sharp announced on Wednesday, May 12<sup>th</sup>, there will be a celebration honoring A.J. LoScalzo for 30 years of service on the Park & Recreation Committee at Franklin Park. That evening will also include a ground breaking ceremony for the Franklin Park Improvements.

### **VillageFest Committee**

Diana Ewy Sharp reported plans are going well for the annual VillageFest Celebration. She announced that \$6000 in sponsorship funding has been received. This year’s event will include the Shawnee Mission East Robotics Team.

## **STAFF REPORTS**

### **Legal**

- Katie Logan reported on the status of the Charter Ordinance lawsuit, noting the Judge has not finalized the journal entry on his ruling. Once that is finalized and filed, the 30 day protest period begins.

## **Public Safety**

- Chief Jordan gave follow-up information on the incident this past weekend at Harmon Park. Staff is continuing their investigation. Similar incidents have not been reported in other cities.
- Chief Jordan announced the review of the “officer involved shooting” has been completed. The District Attorney will be holding a press conference to release their findings on Tuesday, May 4<sup>th</sup> at 4 o’clock.
- The Internal Review conducted by a Captain from the Lenexa Police Department is complete and the officer will return to work on Wednesday.
- The Department has completed its promotion process with Corporal Dan Stewart being promoted to Sergeant and Officer Brady Sullivan promoted to Corporal. Corporal Jason Kuder will serve as an acting sergeant replacing Sgt. Myron Ward while he is on military leave.
- The city’s police fleet is being redesigned to encourage police visibility. The new design was shared with Council. The cars will have the PD motto “A tradition of service” on them.
- May 13<sup>th</sup> is the annual “Tip-a-Cop” fundraiser at Johnny’s for Special Olympics.
- The annual Special Olympics Run will be held on June 1<sup>st</sup>

## **Public Works**

- Keith Bredehoeft provided an update on the pool leak. Repair will not be able to be made until fall. The pool will be monitored during the season and staff will continue to investigate solutions.
- The drawings on the possible redesign of Somerset Drive will be presented at the May 17<sup>th</sup> meeting.

## **Administration**

- Dennis Enslinger reported the request for the variance on the equipment compound for the 150’ cellular tower at the Fire District Offices at 63<sup>rd</sup> and Mission has been withdrawn. The application for the tower will be heard by the Planning Commission May 4<sup>th</sup>.

Charles Clark confirmed the Public Hearing is held at the Planning Commission and not before the City Council. Laura Wassmer suggested that the City should respond to the e-mails council members are receiving advising them that comments should be made to the Planning Commission. Mr. Enslinger responded the City may not have copies of all the e-mails received by council members. Al Herrera stated that he responded to those he received. City Attorney Katie Logan advised the Council they may attend the Planning Commission meeting, but are not to participate.

- Quinn Bennion distributed a report on time codes and a summary of city services for last year and a list of community events that involve staff time.
- Mr. Bennion noted the Prairie Village/Meadowbrook Gold Tournament on May 19<sup>th</sup> and encouraged council members to attend.

Laura Wassmer questioned the large number of hours spent on animal licensing and on Sister City activities. Quinn Bennion noted the implementation of the new licensing software has impacted the amount of time spent in some areas. Joyce Hagen Mundy stated a significant amount of time was spent preparing the

data base for a clean transport from the existing system to the new system. She added the hours also include the hours spent by enumerators during the annual enumeration.

Chris Engel noted the hours under Sister City were primarily his time. Quinn Bennion noted it does include time spent during the visit to Dolyna and visits to Prairie Village from Dolyna representatives.

Al Herrera questioned the two entries for environment committee and environment initiatives. Dennis Enslinger responded the committee hours are for committee meetings and events. The environment initiatives are generally his time for meetings, seminars related to energy initiatives through MARC or through stimulus programs. It also includes work on the energy audit the City will be conducting.

Dale Beckerman noted the number of hours spent on "Court Services" and asked if this was for ticket entering and would it be impacted by e-ticketing. Quinn Bennion responded ticket entry is a separate number and would be impacted by e-ticketing. Court services are a broader category including the preparation, operation and follow-up from court.

Quinn Bennion clarified "Codes Administration" refers to the work related to property codes whereas "Building Codes Administration" refers to building codes.

Laura Wassmer stated she felt the Council needs to have more conversation on how staff receives service requests. She is concerned with the amount of staff time being spent on volunteer committees. The Council, not committees, should be providing direction on amount of time used by staff for volunteer activities. Ruth Hopkins noted she raised the concern last Monday with going directly to staff asking for assistance. Dale Beckerman suggested that requests go through the City Administrator. Diana Ewy Sharp added Council members also need to be sensitive to their requests of staff. Quinn Bennion acknowledged there are items such as "Economic Development" on which staff need to spend more time.

## **OLD BUSINESS**

Al Herrera asked for an update on the sidewalk/wall along 83<sup>rd</sup> Street. Keith Bredehoeft reported this is part of the 2010 CARS project. He has received the

plans from Affinis and needs to prepare the change order for submittal to the county and city for the additional costs. Dale Beckerman confirmed the existing wall will remain.

## **NEW BUSINESS**

### **Student Presentation**

David Morrison asked how the City would be following up on the student presentation. Mayor Shaffer responded it will be discussed internally by staff to determine the most appropriate plan for implementation. The primary concern is the request for adoption of an ordinance. Chief Jordan stated the police department is on board with the concept, but has concerns with the implementation and enforcement. Mayor Shaffer asked Katie Logan to gather information on how the program is working in Lawrence, Kansas.

## **2011 BUDGET PRESENTATION - REVENUE TRENDS**

Karen Kindle led the Council in a review of projected general revenues and trends from 2005 to 2011. She noted there is a decrease in the 2010 estimate and 2011 budget due to a decrease in property taxes that have been removed from the Bond and Interest Fund to cover the bond payments and a decrease in the County sales and use taxes as a result of the down economy. The assessed value of property for 2011 is almost the same as 2010 with a minimal decrease. Mrs. Kindle stated she would have a better estimate of property tax levels after receipt of the next distribution from the county in June. Again, she noted the significant decrease in 2011 reflects reappraisal and reallocation of property tax to the Bond and Interest Fund to cover debt services for the Series 2009A bonds.

Two factors are impacting the 2010 estimate and the 2011 budget for sales tax revenue. First, the refunds that were to be processed by the State in 2009, will be processed in May of 2010 and at the end of the year. This will result in an \$8 million decrease in the funds given to Johnson County with the City's share decreasing by \$220,000. Secondly, the county is projecting a decrease in revenues in addition to the refunds due to the economy which will decrease the City's total sales tax share by \$400,000.

Quinn Bennion stated staff felt the initial projected decrease in funds could be absorbed by the City; however, an additional reduction of \$600,000 will require some significant changes in the budget.

Karen Kindle reviewed the sales tax revenues received by type and noted a slight improvement in revenue is projected for 2011. It is difficult to project revenue from franchise fees as they are tied to utilities and influenced by weather conditions. She reminded the Council that telephone franchise fees are only collected on landlines, not on cell phone usage.

The 2009 expenditures decreased significantly from 2008 due to a decrease in the transfer to the Capital Projects Fund. Stormwater projects in 2009 were funded from the stormwater utility fund instead of the general fund. Also, a portion of the accumulated capital projects reserve was used to fund non-drainage projects reducing the funding required from the general fund. Expenditures also decreased because of transfers of the school sales tax revenue are no longer being made to the Economic Development Fund. The 2010 expenditures increased due to an increase in the transfer to the Capital Projects Fund since accumulated reserves were used in 2009 to fund projects rather than transferring funds from the general fund.

Mrs. Kindle stressed the City has very little data from 2010 on which to forecast and noted the State Legislature has not completed the State's 2011 budget.

Projected revenue changes from the 2010 budget are as follows:

- Sales Tax - Decrease of \$268,475
- Use Tax - Decrease of \$189,836
- Franchise Fees - Increase of \$20,000
- Mission Hills Contract - Increase of \$38,000
- Interest Revenue - Decrease of \$50,000
- Fines - Decrease of \$21,000

The projected range of the 2011 Budget Gap is \$1.1 million to \$1.5 million.

Quinn Bennion announced that the large budget items for the 2011 budget will be presented at the Council Committee of the Whole on Monday, May 17th. The Operating Budget will be presented at a Special Budget Meeting on Monday, June 14th with the CIP Budget presented on Monday, June 21<sup>st</sup>.

Dale Beckerman asked if the City will need to make any adjustments to the 2010 budget. Quinn Bennion replied that last week he would have responded no;

however, with the large decrease in revenue projection, year-end changes may need to be made. He noted that any changes made in 2010 will help the 2011 budget.

**ANNOUNCEMENTS**

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

Board of Zoning Appeals	05/04/2010	6:30 p.m.
Planning Commission	05/04/2010	7:00 p.m.
Sister City Committee	05/10/2010	7:00 p.m.
Communications Committee	05/11/2010	5:30 p.m.
Parks & Recreation Committee	05/12/2010	7:00 p.m.
Council Committee of the Whole	05/17/2010	6:00 p.m.
City Council	05/17/2010	7:30 p.m.

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The Prairie Village Arts Council is pleased to announce a mixed media exhibit by Rod Atteberry and Otto Miller in the R. G. Endres Gallery for the month of May. The reception will be held on May 14<sup>th</sup> from 6:30 - 7:30 pm.

Recreation memberships are now for sale in the City Clerk's office. The pool opens on May 29<sup>th</sup>.

The City offices will be closed Monday, May 31<sup>st</sup> in observance of Memorial Day. Deffenbaugh also observes this holiday and trash/recycling pick-up will be delayed one day.

The City Clerk's office has a new style of ceramic coffee mug for sale. They are \$5.00 each.

The 50<sup>th</sup> Anniversary books, Prairie Village Our Story, are being sold to the public.

**ADJOURNMENT**

With no further business to come before the City Council, the meeting was adjourned at 9:15 p.m.

Joyce Hagen Mundy  
City Clerk