

****AMENDED****
COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
April 20, 2009
7:30 p.m.

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- 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 – April 6, 2009
2. Claims Ordinance 2858
3. Approve the issuance of Cereal Malt Beverage Licenses for Hen House #22 and Hen House #28.
4. Ratify the Mayor’s execution of proclamations for “National Public Works Week” and “Municipal Clerks Week.”
5. Ratify the Mayor’s reappointment of members to the following City Committees.

		<u>Term Ends</u>	<u>Yrs of Service</u>
Board of Code Appeals	Dick Kaufman	4/2014	9
Board of Zoning Appeals/PC	Ken Vaughn	4/2012	13
Board of Zoning Appeals/PC	Nancy Vennard	4/2012	6
Environment/Recycle	Margaret Thomas	4/2012	12
Environment/Recycle	Pete Jarchow	4/2012	3
Environment/Recycle	Margaret Goldstein	4/2012	12
Environment/Recycle	Tom Heintz	4/2012	7
Environment/Recycle	Cheryl & Don Landes	4/2012	6
Environment/Recycle	Kathy Riordan	4/2012	11
Park & Recreation	Joe Nolke	4/2012	2
Park & Recreation	Peggy Couch	4/2012	10
Park & Recreation	Clarence Munsch	4/2012	7
Park & Recreation	Sally Holmes	4/2012	2
Prairie Village Arts Council	Pam Marshall	4/2012	3
Prairie Village Arts Council	Daniel Andersen	4/2012	2
Prairie Village Arts Council	Jack Shearer	4/2012	3
Sister City Committee	Carole Mosher	4/2012	3
Sister City Committee	Cindy Dwigans	4/2012	5
Tree Board	Jack Lewis	4/2012	8
Tree Board	Art Kennedy	4/2012	3

6. Approve Project 190871 2009 Mission Lane Bridge Construction Change Order #1.

By Committee:

7. Approve the discontinuing of the City's Gift Card Program with Store Financial, LLC (Council Committee of the Whole – April 6, 2009)

VI. MAYOR'S REPORT

VII. STAFF REPORTS

VIII. COMMITTEE REPORTS

Council Committee of the Whole – David Voysey

COU2009-45 Consider Interlocal Agreement with the City of Overland Park Project 190724 – Drainage on Reeds Drive from 70th Terrace to 71st Street

COU2009-47 Consider Bid Award for Highway Rock Salt

COU2009-48 Consider JAG Grant – American Recovery & Reinvestment Act (Stimulus) Funding

COU2009-44 Consider Insurance Renewal - Update

IX. OLD BUSINESS

X. NEW BUSINESS

COU2009-49 Consider granting a general utility easement related to the Walgreens Development at 3910 West 95th Street – Dennis Enslinger

Election of New Council President

XI. ANNOUNCEMENTS

XII. 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

CITY COUNCIL
CITY OF PRAIRIE VILLAGE
April 20, 2009

The City Council of Prairie Village, Kansas, met in regular session on Monday, April 20, 2009, 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: Ruth Hopkins, David Voysey, Michael Kelly, Andrew Wang, Laura Wassmer, Dale Beckerman, David Morrison, Diana Ewy Sharp and David Belz.

Also present were: Quinn Bennion, City Administrator; Katie Logan, City Attorney; Wes Jordan, Chief of Police; Bob Pryzby, Director of Public Works; 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

There was no one present to address the Council on issues other than the cell tower application by T-Mobile. Mayor Shaffer announced the earlier Council Committee of the Whole was unable to complete their business and it has been recommended that the City Council suspend their meeting to allow for the conclusion of the committee meeting.

David Voysey moved the City Council suspend the regularly scheduled City Council meeting and reconvene the Council Committee of the Whole with the City Council meeting reconvening at the conclusion of the committee meeting. The motion was seconded by Michael Kelly and passed unanimously.

David Belz moved to reconvene the City Council meeting. The motion was seconded by Michael Kelly and passed unanimously.

Mayor Shaffer reconvened the City Council meeting at 9:09 p.m.

CONSENT AGENDA

David Voysey moved the approval of the Consent Agenda for Monday, April 20, 2009.

1. Approve Regular Council Meeting Minutes - April 6, 2009
2. Approve Claims Ordinance 2858
3. Approve the issuance of Cereal Malt Beverage Licenses for Hen House #22 and Hen House #28
4. Ratify the Mayor's execution of proclamations for "National Public Works Week" and Municipal Clerks Week"
5. Ratify the Mayor's reappointment of members to the following City Committees:

		<u>Term Ends</u>
Board of Code Appeals	Dick Kaufman	4/2014
Board of Zoning Appeals/PC	Ken Vaughn	4/2012
Board of Zoning Appeals/PC	Nancy Vennard	4/2012
Environment/Recycle	Margaret Thomas	4/2012
Environment/Recycle	Pete Jarchow	4/2012
Environment/Recycle	Margaret Goldstein	4/2012
Environment/Recycle	Tom Heintz	4/2012
Environment/Recycle	Cheryl & Don Landes	4/2012
Environment/Recycle	Kathy Riordan	4/2012
Park & Recreation	Joe Nolke	4/2012
Park & Recreation	Peggy Couch	4/2012
Park & Recreation	Clarence Munsch	4/2012
Park & Recreation	Sally Holmes	4/2012
Prairie Village Arts Council	Pam Marshall	4/2012
Prairie Village Arts Council	Daniel Andersen	4/2012
Prairie Village Arts Council	Jack Shearer	4/2012
Sister City Committee	Carole Mosher	4/2012
Sister City Committee	Cindy Dwigans	4/2012
Tree Board	Jack Lewis	4/2012
Tree Board	Art Kennedy	4/2012

6. Approve Project 190871 2009 Mission Lane Bridge Construction Change Order #1 for an increase of \$1,750
7. Approve the discontinuing of the City's Gift Card Program with Store Financial, LLC

A roll call vote was taken with the following members voting "aye": Hopkins, Voysey, Kelly, Wang, Wassmer, Morrison, Ewy Sharp and Belz.

MAYOR'S REPORT

- Mayor Shaffer distributed the annual paychecks of \$1 for Council representatives acknowledging the number of years each has served on the City Council. Council President David Voysey presented Mayor Shaffer with his check.
- Mayor Shaffer urged the Council to attend the special luncheon being held on May 9th by the League of Women Voters in Johnson County where Ruth Hopkins will become the second recipient of the "Making Democracy Work" award.
- A special Arbor Day celebration will be held 10 a.m. Saturday, April 25th at Franklin Park honoring Bob & Maggie Weed.

STAFF REPORTS

Public Safety

- Chief Jordan announced that Captain Wes Lovett is currently attending a ten-week professional development course in Chicago at Northwestern University.
- The massage therapy related arrest made earlier this week continues to get coverage. Chief explained the process by which different news agencies receive information which will often result in the same story being covered by different agencies at different times. He also confirmed the property where the activity was occurring was not a rental property.
- The detective unit continues to be busy as they continue their investigation of the recent robbery in the Hy-Vee parking lot on State Line Road.

Public Works

- Bob Pryzby announced demolition will begin for the Mission Lane Bridge Replacement Project on May 4th.
- Nineteen applications have been received for the Project Manager position and he hopes to be able to begin interviewing early in May.
- The preliminary design for the grates for the pool have been approved by Johnson County and most of the work can be done by public works crews, except for the slide pool, which may result in a later opening date for that pool.
- There is a leak in the diving well return line resulting in the loss of 604,000 gallons of water per year.

David Belz stated he has received complaints about broken brick and concrete at the intersection of 75th & Mission Road. Mr. Pryzby stated he does not have a solution at this time, but will be coming back with a recommendation after more investigation.

Administration

- Karen Kindle reported City Staff is going through the first step for the implementation of the financial software. Staff is meeting with Springbrook representatives to review all of the city's processes.
- Dennis Enslinger reminded Council that the Large Item Pick-up will be held this Saturday in Prairie Village with an e-recycling event being held at Shawnee Mission South High School.
- Katie Logan clarified her earlier comments regarding the voting of the Mayor and President of the Council resulted from her recent review of the City's codes for the appeal that will be heard by the Council at their next meeting. In the City's code the Council Committee of the Whole is defined as only the Council members with the chair only voting in the case of a tie. She stated that if the Council wishes to change this, she could prepare the necessary ordinance revision.
- Quinn Bennion reported on the Leadership Lab he attended last week in Wichita.
- The new Council laptops have arrived. Council would be receiving an e-mail with instructions on turning in their existing units. There will be 9 units that will be available for council and employees to bid on with an established minimum bid. If you are one of the successful bidders, Council can keep your existing unit for your personal use. Any information you want transferred from the existing unit to the new laptop should be placed in your "My Documents" file.
- New laptops will be delivered prior to the next Council meeting.
- An appeal has been filed by a former employee, it will be heard by the Council Committee of the Whole in a special meeting to be held after the conclusion of the City Council meeting on May 4th in executive session.

COMMITTEE REPORTS

Council Committee of the Whole

COU2009-45 Consider Interlocal Agreement with the City of Overland Park for Project 190824: Drainage on Reeds Drive from 70th Terrace to 71st Street

On behalf of the Council Committee of the Whole, David Voysey moved the City Council approve the interlocal agreement with the City of Overland Park for Project 190724: Drainage on Reeds Drive from 70th Terrace to 71st Street. The motion was seconded by Ruth Hopkins and passed unanimously.

COU2009-47 Consider Bid Award for Highway Rock Salt

On behalf of the Council Committee of the Whole, David Voysey moved the City Council approve the bid of Central Salt, LLC for Highway Rock Salt at a cost of \$48.10 per ton delivered. The motion was seconded by Ruth Hopkins and passed unanimously.

COU2009-48 Consider agreement with Johnson County to administer the Edward Byrne Memorial Justice Assistance Grant (JAG) on behalf of the City of Prairie Village

On behalf of the Council Committee of the Whole, David Voysey moved the City Council approve a memorandum of Understanding giving Johnson County the authority to administer the Edward Byrne Memorial Justice Assistance Grant (ARRA Stimulus Funding) on behalf of the Prairie Village Police Department. The motion was seconded by Ruth Hopkins and passed unanimously.

Insurance Committee

David Voysey noted at the Council Committee of the Whole meeting held on April 20th the Committee recommended the city's 2009-2010 insurance coverage be awarded to Traveler's unless Argonaut submitted a bid for comparable coverage at a significant price difference prior to this Council meeting. The bid received from Traveler's was for \$315,260. The bid received from Argonaut was \$293,937.

Shari Gilliam, with Cretcher-Heartland, confirmed the services offered by both companies are very similar with no significant differences. Their experience with Argonaut has been positive.

David Voysey moved the City Council accept the bid of Argonaut to provide 2009-2010 Property and Casualty Insurance for the City at a cost of \$293,937. The motion was seconded by Ruth Hopkins and passed unanimously.

OLD BUSINESS

Discussion on Solid Waste, Recycling and Composting Contract Options.

Dennis Enslinger noted the city's current contract with Deffenbaugh Industries for these services expires at the end of 2009. The City has two options regarding how to proceed. One option would be to directly negotiate with Deffenbaugh Industries for an

amendment to the existing contract. This was the approach followed in 2003 for the existing contract. A second option would be for staff to compile bid documents to cover the services and solicit bids from interested parties.

Mr. Enslinger noted there are only two local vendors that can provide all three services: Deffenbaugh Industries and Town and Country. Both parties have expressed an interest in providing the services. Staff recently learned that the City of Olathe, which provides similar services for their City, may also be interested. This would need to be investigated further both in terms of services and if such an arrangement could be handled through an interlocal agreement or if they would have to submit a formal bid.

Ruth Hopkins stated she has concerns regarding the level of service that could be provided by Town & Country based on conversations she has had with others who have contracted with them. She does not want to go out to bid.

David Belz noted the City went out to bid several years ago and it resulted in a significant rate increase. Laura Wassmer and Diana Ewy Sharp expressed concerns with going out to bid. Mrs. Ewy Sharp noted she has not heard positive comments regarding Town & Country.

David Morrison stated he felt the Council owed it to the residents to get the best possible service at the lowest cost. He also stated he would like to get the environment/recycle committee involved in the process and get their input.

Ruth Hopkins noted that Town & Country does not currently have a large contract. They provide services for smaller cities and homes associations. David Belz said he would like more information about the Olathe possibility.

Dennis Enslinger stated that needs further investigation both on their interest, costs, how it would be contracted, etc. Mr. Belz stated he would like to have that information before making a decision

Mr. Enslinger confirmed with the exception of Mr. Morrison the Council's preference is not to go out to bid. Mayor Shaffer added that Deffenbaugh's service has improved under its new ownership.

NEW BUSINESS

COU2009-49 Consider granting a general utility easement related to the Walgreens Development at 3910 West 95th Street

Dennis Enslinger reported on March 23rd the City Council approved the final plat for the Walgreen's development at 3910 West 95th Street. After the plat was filed Johnson County Wastewater indicated they would need additional easements related to the development. To facilitate the dedication of easements, the City will need to execute a separate easement agreement dedicating a general utility easement that could be used by any utility provider.

David Voysey moved the City Council authorize the Mayor to execute a separate easement agreement granting a general utility easement to provide additional easement access for Johnson County Wastewater and other utility providers. The motion was seconded by Michael Kelly and passed unanimously.

Stimulus Information

Michael Kelly reported that he attended an Economic Stimulus meeting last week that was also attended by Representative Dennis Moore, other Prairie Village residents and small business owners. During discussions it was clear that there was still a great deal of misunderstanding regarding the City's failure to receive stimulus money through the STP program. He asked the City Administrator to draft a memo stating the facts. The memo would cover what went wrong, what has been done, what steps have been taken by the City, what can be done by the Council and the City. He feels the media reporting has not been accurate and has led to misunderstanding. This memo could be

placed on the City's website, given to Council members for reference in answering questions of constituents or even mailed to residents. Mr. Bennion stated the memo will not include personnel information especially with the pending appeal. Andrew Wang confirmed the appeal would be heard and completed in the same evening.

Diana Ewy Sharp stated she agreed with Mr. Kelly, noting she too, has had many questions from residents. She would support an all-city mailing. Quinn Bennion stated there will be an article in the Village Voice coming out in May. Ruth Hopkins asked if it was a full article or comments in the Mayor's Report. Mr. Bennion stated it was a separate article, but noted it would not be as complete as Mr. Kelly is requesting.

Mrs. Ewy Sharp asked how much additional staff time does the City want Mr. Bennion to spend on this. Mr. Kelly stated this is not intended to be something that would take him away from his other responsibilities. He does not have a specific length for the document or established timeframe, but he feels there should be a memorandum issued giving factual information that is not currently getting out to the public.

David Morrison suggested the article in the Village Voice could reference that more detailed information is available on the City's website.

Election of Council President

David Voysey nominated Michael Kelly to serve as Council President for the coming year. The motion was seconded by David Belz and passed by a vote of seven to 0. Mayor Shaffer and the Council thanked Mr. Voysey for his excellent service as Council President during the past year.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

VillageFest

04/23/2009

7:00 p.m.

Municipal Foundation	04/30/2009	5:30 p.m.
Council Committee	05/04/2009	6:00 p.m.
Council	05/04/2009	7:30 p.m.

The Prairie Village Arts Council is pleased to announce an oils exhibit by Christi Roberts-Bony for the month of April.

An Arbor Day event will be held at Franklin Park on April 25th at 10 a.m. to honor Maggie and Bob Weed.

Recreation memberships are on sale in the City's Clerk's office. The pool will open on May 23rd.

The annual large item pick-up has been scheduled for April 25th.

The 2009 LKM Annual Conference will be held in Topeka, October 3-6, 2009. Conference events will be held at the Topeka Expo Centre and Capitol Plaza Hotel. Please let Jeanne know if you are interested in attending.

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 9:50 p.m.

Joyce Hagen Mundy
City Clerk