

# *City Council Meeting*

*January 3, 2006*



Dinner provided by:



**O'Neill's**  
Restaurant & Bar



*Chicken Alfredo*  
*Caesar Salad*  
*Rolls & Butter*  
*Brownie Tray*

LEGISLATIVE/FINANCE COMMITTEE

Tuesday, January 3, 2006

6:00 p.m.

**\*\*PUBLIC SAFETY CENTER CONFERENCE ROOM\*\***

BILL GRIFFITH

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RUTH HOPKINS

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## LEGISLATIVE/FINANCE COMMITTEE

- LEG2000-07 Consider current policies and procedures for code violations (Transferred from CCW 3/18/2002)
- LEG2000-25 Review fee schedules to determine if they are comparable to other communities and adjust where appropriate (assigned Strategic Plan for 1<sup>st</sup> Quarter of 2001)
- LEG2003-12 Consider Resident survey - choices in services and service levels, redevelopment (assigned 8/7/2003)
- LEG2004-31 Consider Lease of Park Land to Cingular Wireless (assigned 8/31/2004)
- LEG2005-38 Consider proposed ordinance revisions to PVMC 19.44.025 entitled "Height and Area Exceptions – Fences" (assigned 11/2/2005)
- PK2005 -11 Consider Use of right-of-way island at Somerset and Lee Blvd (assigned to L/F Committee)
- LEG2005-42 Consider a letter of interest in participating in the First Suburbs Coalition/Fannie Mae home improvement and remodeling loan program (assigned 12/15/2005)**
- LEG2005-43 Consider 2006 Pool Fees (assigned 12/15/2005)**
- LEG2005-44 Consider 2006 Team Fees (assigned 12/15/2005)**
- LEG2005-45 Consider 2006 Twilight Pool Program Addition (assigned 12/15/2005)**
- LEG2005-46 Consider Facility Reservation Fees (assigned 12/15/2005)**
- LEG2005-47 Consider British Soccer Camp Amendment (assigned 12/15/2005)**
- LEG2005-48 Consider Swim Team Program Addition (assigned 12/15/2005)**
- LEG2005-49 Consider Building Permit and Plan Review Fees (assigned 12//21/2005)**

**LEG2000-25 Review fee schedules to determine if they are comparable with other communities and adjust where appropriate**

**Issue:**

Should the City increase its permit and plan review fees?

**Background:**

Like other cities, Prairie Village charges fees for building permits and review of construction plans. These fees are based on the user fee concept: that the individual receiving a specific benefit for a City service pay for (at least a portion of) the City's cost of providing the service.

Establishing appropriate user fees can be a challenging task. In the case of building permit and plan review fees, the amount should help offset a portion of the cost of processing permit applications, conducting plan reviews, and inspecting construction projects. However, fees should not be so high that they deter citizens from improving their properties or encourage residents to perform work without obtaining the necessary permits.

The current fee schedule was adopted in 1994. For most construction projects, fees are based on the estimated construction value, with exceptions for projects such as decks, fences, and re-roofing. In addition to permit fees, a plan review fee is also charged when City staff must review construction plans prior to issuing a permit.

Over the past several years, permit and plan review revenue has been stagnant, while the Codes Administration Department's operating costs have increased. Although permit and plan review fees do not seek to cover full costs, they should be re-evaluated periodically.

Codes Administration Staff recently reviewed the City's permit and plan review fee schedule in light of:

- Fees charged by neighboring jurisdictions
- The costs involved with issuing permits and monitoring construction projects

This review revealed that obtaining true "apples to apples" comparisons between jurisdictions is nearly impossible, as each city's fee structure is different and each construction project is unique. For example, some cities base permit fees on square footage, while others, like Prairie Village, base fees construction value.

Staff recommends revising permit and plan review fees to allow the City to recover a greater amount of the costs associated with processing permits and monitoring construction projects. Under the proposed fee schedule, fees would, on average, increase approximately 25%. Given that fees have not been increased in over ten years, this increase represents an annual increase of approximately 2.5%/year, which is consistent with increases for other user fees charged by the City. In addition, the revised fee schedule will continue to keep the permit fees for most residential projects below 1% of total construction costs.

Significant changes in the fee schedule being proposed include:

- The base permit fee will increase from \$20 to \$25
- Re-roofing permits will increase from \$25 to \$45
- Fence permit fees will increase from \$25 to \$40
- A new category will be created for foundation repairs. Under the current schedule the fee was based on construction value. A flat fee of \$30 is proposed.
- Residential Plan review fees will increase from 5% to 10% of total permit fees, with a base of \$25 vs. the current base of \$20.
- The minimum permit fee for commercial plan review fee would be \$30. There is currently no minimum fee.

#### **Fiscal Impact**

An increase in permit and plan review fees will increase City revenue. The amount, however, will depend on the level and type of construction activity performed in any given year. Assuming a 25% fee increase, however, could result in increased revenue of approximately \$20,000 -- \$25,000/year.

**Permit/Plan Review Fee Examples:**

**Residential Construction:**

For residential construction projects, permit fees are calculated for each discipline (structural, electrical, plumbing, and mechanical) with a plan review fee of 10% of the total permit fees.

**Example 1. Residential project valued at \$50,000**

	<b>Value</b>	<b>Current</b>	<b>Proposed</b>	<b>Increase</b>	<b>Pct. Increase</b>
Structural	\$43,000	\$197.00	\$225.00	\$28.00	14%
Electrical	\$2,000	\$35.00	\$47.50	\$12.50	36%
Plumbing	\$3,500	\$44.00	\$57.50	\$13.50	31%
Mechanical	\$1,500	\$30.00	\$40.00	\$10.00	33%
<b>Permit Fees</b>		<b>\$306.00</b>	<b>\$370.00</b>	<b>\$64.00</b>	<b>21%</b>
Plan Review		\$20.00	\$37.00	\$17.00	85%
<b>Total</b>	<b>\$50,000</b>	<b>\$326.00</b>	<b>\$407.00</b>	<b>\$81.00</b>	<b>25%</b>
Fees as % of Value		0.652%	0.814%		

**Example 2: Residential Project valued at \$100,000**

	<b>Value</b>	<b>Current</b>	<b>Proposed</b>	<b>Increase</b>	<b>Pct. Increase</b>
Structural	\$86,000	\$300.75	\$340.00	\$39.25	13%
Electrical	\$4,500	\$48.50	\$62.50	\$14.00	29%
Plumbing	\$6,500	\$57.50	\$72.50	\$15.00	26%
Mechanical	\$3,000	\$40	\$52.50	\$13.00	33%
<b>Permit Fees</b>		<b>\$446</b>	<b>\$527.50</b>	<b>\$81.25</b>	<b>18%</b>
Plan Review		\$22.31	\$52.75	\$30.44	136%
<b>Total</b>	<b>\$100,000</b>	<b>\$468.56</b>	<b>\$580.25</b>	<b>\$111.69</b>	<b>24%</b>
Fees as % of Value		0.469%	0.580%		

**Example 3: New home with construction value of \$422,100**

	<b>Value</b>	<b>Current</b>	<b>Proposed</b>	<b>Increase</b>	<b>Pct. Increase</b>
Structural	\$400,000	\$857.25	\$1,050.00	\$192.75	22%
Electrical	\$5,400	\$53.00	\$67.50	\$14.50	27%
Plumbing	\$9,400	\$71.00	\$87.50	\$16.50	23%
Mechanical	\$7,300	\$62	\$77.50	\$15.50	25%
<b>Permit Fees</b>		<b>\$1,043</b>	<b>\$1,282.50</b>	<b>\$239.25</b>	<b>23%</b>
Plan Review		\$52.16	\$128.25	\$76.09	146%
<b>Total</b>	<b>\$422,100</b>	<b>\$1,095.41</b>	<b>\$1,410.75</b>	<b>\$315.34</b>	<b>29%</b>
Fees as % of Value		0.260%	0.334%		

Commercial Construction

For commercial projects, permit fees are calculated for each discipline (structural, electrical, plumbing, and mechanical). Plan review fees are calculated at 65% of the total permit fee.

**Example 4: Commercial Tenant Finish Project -- \$51,000**

	<b>Value</b>	<b>Current</b>	<b>Proposed</b>	<b>Increase</b>	<b>Pct. Increase</b>
Structural	\$6,000	\$53.00	\$67.50	\$14.50	27%
Electrical	\$12,000	\$80.00	\$97.50	\$17.50	22%
Plumbing	\$8,000	\$62.00	\$77.50	\$15.50	25%
Mechanical	\$25,000	\$138.50	\$162.50	\$24.00	17%
<b>Permit Fees</b>		<b>\$334</b>	<b>\$405</b>	<b>\$71.50</b>	<b>21%</b>
Plan Review		\$216.78	\$263.25	\$46.48	21%
<b>Total</b>	<b>\$51,000</b>	<b>\$550.28</b>	<b>\$668.25</b>	<b>\$117.98</b>	<b>21%</b>
Fees as % of Value		1.079%	1.310%		

**RECOMMENDATION**

Recommend the City Council delete the current Fee Schedule #6 and replace with the following Fee Schedule #6

**City of Prairie Village  
Fee Schedule #6  
Permit & Plan Review Fees**

The value to be used in computing the permit and plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment. The determination of value or valuation under any of the provisions of these codes shall be made by the Building Official.

**Total Valuation:**

\$1 -- \$500	\$25
\$501 -- \$2,000	\$25 for the first \$500, plus \$1.50 for each additional \$100 or fraction thereof
\$2,001 -- \$25,000	\$47.50 for the first \$2,000, plus \$5 for each additional \$1,000 or fraction thereof
\$25,001 -- \$50,000	\$162.50 for the first \$25,000, plus \$3.50 for each additional \$1,000 or fraction thereof
\$50,001 -- \$100,000	\$250 for the first \$50,000, plus \$2.50 for each additional \$1,000 or fraction thereof
\$100,001 -- \$500,000	\$385 for the first \$100,000, plus \$2.25 for each additional \$1,000 or fraction thereof
\$500,001 -- \$1,000,000	\$1,285 for the first \$500,000, plus \$2.00 for each additional \$1,000 or fraction thereof
\$1,000,001 and up	\$2,281 for the first \$1,000, plus \$2.00 for each additional \$1,000 or fraction thereof

**Plan Review Fees**

Residential	10% of total permit fees, \$25 minimum
Commercial	65% of total permit fees, \$30 minimum

**Fixed Fees**

Signs/banners	\$30
Residential Decks	\$40
New footing/foundation	\$55
Foundation Repair	\$30
Lawn Irrigation	\$30
Residential Re-roof (1&2 family structures)	\$45
Demolition - residential	\$50
Demolition - commercial	\$100
Fences	\$40
Spas / Hot Tubs	\$40
Temp. Certificate of Occupancy	\$100
Certificate of Occupancy	\$20

**Miscellaneous Fees**

Moving Structure	\$100
After hours inspection fee	\$30/hr, 2 hr. minimum
Re-inspection fee	\$50 each



**CODES ADMINISTRATION  
REVENUE AND EXPENDITURE SUMMARY**

	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005 Est</b>
<b>Value of Construction Permits</b>	<b>\$19,543,651</b>	<b>\$12,820,084</b>	<b>\$11,010,415</b>	<b>\$12,569,298</b>	<b>\$20,000,000</b>
Residential	\$53,309	\$57,802	\$50,933	\$42,095	\$55,000
Commercial	\$23,737	\$10,329	\$8,337	\$17,489	\$18,000
Other	\$1,620	\$930	\$1,025	\$1,010	\$1,000
<b>Total Permit Fees</b>	<b>\$78,666</b>	<b>\$69,061</b>	<b>\$60,295</b>	<b>\$60,594</b>	<b>\$74,000</b>
Plan Review Fees	\$16,749	\$9,071	\$7,611	\$13,133	\$17,000
<b>Total Fee Revenue</b>	<b>\$95,415</b>	<b>\$78,132</b>	<b>\$67,906</b>	<b>\$73,727</b>	<b>\$91,000</b>
Personnel	\$170,910	\$197,506	\$224,672	\$240,912	\$260,569
Contract Services	\$57,560	\$25,530	\$25,124	\$23,228	\$29,169
Commodities	\$5,240	\$6,165	\$5,031	\$4,378	\$5,900
<b>Operating Expenditures</b>	<b>\$233,710</b>	<b>\$229,201</b>	<b>\$254,827</b>	<b>\$268,518</b>	<b>\$295,638</b>
Capital Outlay	\$0	\$18,614	\$19,659	\$16,677	\$0
<b>Total Expenditures</b>	<b>\$233,710</b>	<b>\$247,815</b>	<b>\$274,486</b>	<b>\$285,195</b>	<b>\$295,638</b>
Fees as % of Personnel Exp.	56%	40%	30%	31%	35%
Fees as % of Operating Exp.	41%	34%	27%	27%	31%
Fees as % of Total Exp.	41%	32%	25%	26%	31%
Fees as % of Construction Value	0.49%	0.61%	0.62%	0.59%	0.46%
Operating Exp. Increase		-2%	11%	5%	10%
Total Exp. Increase		6%	11%	4%	4%

**Comparison of Permit Fees  
Neighboring Jurisdictions  
September 2005**

**Permit Fees**

<b>Prairie Village</b>	<b>Leawood</b>	<b>Fairway</b>	<b>Lenexa</b>	<b>Overland Park</b>	<b>Olathe</b>
<u>\$1.00-\$500.00</u> \$20.00	<u>\$0-\$500</u> \$25	<u>Residential Fees:</u> <u>\$0-\$2000</u> \$25	<u>Residential</u> <u>1 and 2 units</u> \$0.17 per sq. ft. \$50 minimum	<u>One &amp; Two Family</u> <u>Dwellings, Basemts,</u> <u>Garages, &amp; Carports</u> \$0.15 per sq. ft. \$15.00 minimum	<u>New Construction</u> <u>Residential Single</u> <u>Family</u> \$0.15 per sq. ft.
<u>\$501- \$2000.00</u> \$20 for 1 <sup>st</sup> \$500 Plus \$1 for ea addnl \$100 or fraction thereof.	<u>\$501-\$2000</u> \$25 for 1 <sup>st</sup> \$500 + \$3 for ea addnl \$100 or fractio thereof	<u>\$2001-\$10,000</u> \$50	<u>Residential</u> <u>3 or more units</u> \$0.18 per sq. ft. \$100 minimum	<u>Swimming Pools</u>  \$0.15 per sq. ft. \$15.00 minimum	<u>New Constrtuction</u> <u>Duplex</u> \$0.15 per sq. ft
<u>\$2001-\$25,000</u> \$35 for 1 <sup>st</sup> \$2000 Plus \$4.50 for ea addnl \$1000 or fraction thereof.	<u>\$2001-\$25,000</u> \$70 for 1 <sup>st</sup> \$2000 + \$14 for ea addnl \$1000 or fraction thereof	<u>\$10,000-\$25,000</u> \$75	<u>Commercial</u> \$0.18 per sq. ft. \$100 minimum (includes tenant finish, alts, remdls)	<u>Multi-family</u> <u>residential</u> (3 or more units) \$0.19 per sq. ft. \$15.00 minimum	<u>New Construction</u> <u>Commercial</u> (school, apartment, church) \$0.15 per sq. ft.
<u>\$25,001-</u> <u>\$50,000</u> \$138.50 for 1 <sup>st</sup> \$25,000 Plus \$3.25 for ea addnl \$1000 or fraction thereof.	<u>\$25,001-\$50,000</u> \$392 for 1 <sup>st</sup> \$25,000 + \$10 for ea addnl \$1000 or fraction thereof	<u>\$25,001-\$50,000</u> \$100  <u>\$50,001-\$75,000</u> \$125	<u>Shell, Warehouse,</u> <u>Factory</u> \$0.12 per sq. ft. \$100 minimum	<u>Commercial</u> <u>Structures</u> (including churches)  \$0.19 per sq. ft. \$15.00 minimum	<u>Miscellaneous</u> (remodel, tenant finish, alteration, repair) \$0.12 per sq. ft.
<u>\$50,001-</u> <u>\$100,000</u> \$219.75 for 1st \$50,000 plus \$2.25 for ea addnl \$1000 or fraction thereof.	<u>\$50,001-\$100,000</u> \$642 for 1 <sup>st</sup> \$50,000 + \$7 for ea addnl \$1000 or fraction thereof	<u>\$75,001-\$100,000</u> \$150  <u>\$100,001-\$125,000</u> \$175	<u>Warehouse &amp;</u> <u>Factory tenant</u> <u>Finish, alts,</u> <u>Remdls</u> \$0.12 per sq. ft. \$100 minimum	<u>Other Structures</u> (i.e. additions)  \$0.19 per sq. ft. \$15.00 minimum	<u>Footing/Fnd</u> \$0.03 per sq. ft.
<u>\$100,001-</u> <u>\$500,000</u> \$332.25 for 1 <sup>st</sup> \$100,000 plus \$1.75 for ea addnl \$1000 or fraction thereof	<u>\$100,001-\$500,000</u> \$992 for 1 <sup>st</sup> \$100,000 + \$6 For ea addnl \$1000 or fraction thereof	<u>\$125,001-\$150,000</u> \$200  <u>\$150,001-\$175,000</u> \$225	<u>Remodels/</u> <u>Alterations not</u> <u>attributed to a floor</u> <u>space</u> (i.e., gas pipe, svc upgrd, cut opening in existing wall, etc.	<u>Remodels,</u> <u>Demolitions,</u> <u>Foundations,</u> <u>Fences, Signs,</u> <u>Tanks, Towers,</u> <u>Antennas</u>  Fees based upon following table:	<u>Excavation fee</u> Residential \$35 Commercial \$75
<u>\$500,001-</u> <u>\$1,000,000</u> \$1032.25 for 1 <sup>st</sup> \$500,000 plus \$1.50 for ea	<u>\$500,001-</u> <u>\$1,000,000</u> \$3392 for 1 <sup>st</sup> \$500,000 + \$5 for ea addnl \$1000 or	<u>\$175,001 &amp; up</u> \$225 for 1 <sup>st</sup> \$175,000 + \$25 for ea addnl \$25,000 or fraction thereof	<u>Per valuation table</u> <u>as follows:</u> <u>\$1.00-\$1000</u> \$30.00 <u>\$1001-\$5000</u>	<u>\$1.00- \$2,000</u> \$15.00 <u>\$2,001-\$1,000,000</u> \$20 for 1 <sup>st</sup> \$2000 plus \$3.00 for ea	

<p>addnl \$1000 or fraction thereof.</p> <p><u>\$1,000,000 &amp; up</u> \$1782.25 for 1<sup>st</sup> \$1,000,000 plus \$1.00 for ea addnl \$1000 or fraction thereof.</p>	<p>fractionthereof</p> <p><u>\$1,000,000 &amp; up</u> \$5892 for 1<sup>st</sup> \$1,000,000 +\$4 for ea addnl \$1000 or fractionthereof</p> <p><u>Subcontractor Fees:</u> <u>New comml&amp;multi-fmly:</u> 4%ofpermitfee \$200min per subcontr <u>Existing comml&amp;multi-fmly:</u> 3%ofpermitfee \$150min per Subcontr <u>New1&amp;2fmly:</u> \$100 per subcontr <u>Existing1&amp;2 fmly:</u> \$40 per subcontr</p>	<p><u>Commercial Fees:</u></p> <p><u>\$1.00-\$500</u> \$23.50</p> <p><u>\$501-\$2,000</u> \$23.50 for 1<sup>st</sup> \$500 + \$3.05 for ea addnl \$100 or fractionthereof</p> <p><u>\$2001-\$25,000</u> \$69.25 for 1<sup>st</sup> \$2000 + \$14 for ea addnl \$1000 or fractionthereof</p> <p><u>\$25,001-\$50,000</u> \$391.25 for 1<sup>st</sup> \$25,000 + \$10.10 for ea addnl \$1000 or fractionthereof</p> <p><u>\$50,001-\$100,000</u> \$643.75 for 1<sup>st</sup> \$50,000 + \$7 for ea addnl \$1000 or fractionthereof</p> <p><u>\$100,001-\$500,000</u> \$993.75 for 1<sup>st</sup> \$100,000 +\$5.60 for ea addnl \$1000 or fractionthereof</p> <p><u>\$500,001-\$1,000,000</u> \$3233.75 for 1<sup>st</sup> \$500,000 +\$4.75 for ea addnl \$1000 or fractionthereof</p> <p><u>\$1,000,001 &amp; up</u> \$5608.75 for 1<sup>st</sup> \$1,000,000 + \$3.15 for ea addnl \$1000 or fraction thereof</p>	<p>\$30 + 2.5% of amount over\$1000</p> <p><u>\$5001-\$25,000</u> \$130 + 1.25% of amount over \$5000</p> <p><u>\$25001-\$100,000</u> \$380 + 1.0% of amount over \$25,000</p> <p><u>\$100,001- \$500,000</u> \$1130 + 0.75% of amount over \$100,000</p> <p><u>\$500,000&amp; up</u> \$4130 + 0.50% of amount over \$500,000</p>	<p>addnl \$1000 or fraction thereof</p> <p><u>\$1,000,000 and over</u> \$3014 for 1<sup>st</sup> \$1,000,000 plus \$1.00 For ea addnl \$1,000 or fraction thereof.</p>	
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# Comparison of Fixed/Misc. Permit Fees Neighboring Jurisdictions September 2005

## Fixed/Misc Permit Fees

Prairie Village	Overland Park	Olathe	Lenexa	Leawood	Fairway
<u>Signs/Banners</u> \$25	<u>Moving Permit</u> \$300	<u>TCO</u> 1&2 fmly \$100	<u>Ftg/fnd:</u> <u>Residential</u> 1&2fmly \$100/bldg	<u>Land disturbance:</u> 1&2 fmly \$50	<u>Fence</u> \$25
<u>Residential</u> <u>Decks</u> \$25	<u>Re-insp fee</u> \$50 ea	<u>All others</u> \$2000	<u>Residential</u> 3 or more units \$200/bldg	<u>Commercial, multi- fmly, residential</u> <u>developments:</u> \$250 per disturbed acre(\$250 minimum)	<u>Driveway</u> \$25
<u>Ftg/Fnd</u> \$50	<u>After hrs insp fee</u> \$50 per hr. 2 hr minimum	<u>Refund</u> \$1750	<u>Commercial</u> \$200/bldg	<u>Commercial demo</u> \$200 per structure	<u>Roof</u> \$25
<u>Fnd repair</u> \$25		<u>Re-insp fee</u> \$75		<u>1&amp;2 fmly demo</u> \$100 per structure	<u>Deck</u> \$40
<u>Irrigation</u> \$25	<u>TCO</u> \$100 com. \$50 residential	<u>Moving permit:</u> <u>Building</u> \$150+city expenses	<u>Moving</u> <u>Permit</u> \$150		<u>Ftg/fnd</u> \$50
<u>Re-roofs:</u> <u>Commercial &amp; residential</u> \$25	<u>Expired permits</u> \$30 expiration fee	<u>Mobile home</u> \$10+city expenses	<u>Demolition:</u> <u>Entire</u> <u>structure:</u> <u>Residential</u> 1&2 units \$.10 per sq.ft.	<u>Moving structure</u> \$500 per structure	<u>HVAC</u> \$25
<u>Residential</u> <u>demolition</u> \$50	<u>Septic tank</u> \$75	<u>Mobile/Manuftrd home insp</u> \$40	<u>Residential 3 or more units</u> \$.15 per sq.ft.	<u>Re-insp commercial</u> \$60 ea	<u>Plumbing</u> \$40
<u>Commercial</u> <u>demolition</u> \$100	<u>Elevator insp</u> 2 landings= \$75 per elevator per year	<u>Misc plumbing</u> <u>not covered by</u> <u>bldg permit</u> <u>(i.e. repairs)</u> \$30	<u>Commercial</u> \$.15 per sq.ft minimum	<u>Re-insp 1&amp;2 fmly</u> \$30 ea	<u>Electrical</u> \$40
<u>Fences</u> \$25	<u>3 or more landings=</u> \$125 per elevator per year	<u>Misc electric not covered by bldg permit(i.e. repairs)</u> \$30	<u>Commercial</u> \$.15 per sq.ft minimum	<u>TCO commercial</u> \$100	<u>Demolition</u> \$50
<u>Spas/Hot tubs</u> \$25	<u>Escalator insp</u> \$60 per escalator per year	<u>Misc mechanical</u> <u>not covered by</u> <u>bldg permit(i.e. repairs)</u> \$30	<u>Residential 3 or more units</u> \$50	<u>TCO 1&amp;2 fmly</u> \$50	
<u>TCO</u> \$100			<u>Commercial</u> \$50	<u>Special insp after hrs</u> \$50 per hr	
<u>CO</u> \$10			<u>Demolition:</u> <u>Interior</u> <u>Space</u> <u>(no structural work):</u> <u>Residential</u> 1&2 units \$50	<u>Special insp</u> <u>during business hrs</u> \$50 per hr	
<u>Moving</u> <u>Structure</u> \$100			<u>Residential</u> 3 or more units \$100		
<u>After hrs insp fee</u> \$20 per hr. Minimum 2 hrs.			<u>Commercial:</u> <u>3000sq.ft or less ; \$50</u> <u>3000- 20,000sq.ft</u> \$100 <u>20,000+sq.ft</u> \$200		
<u>Re-insp fee</u> \$42 ea	<u>Dumbwaiter/lift insp</u> \$30 per dumbwaiter/lift Payable in advance				

## Comparison of Plan Review Fees Neighboring Jurisdictions September 2005

### Plan Review

Prairie Village	Overland Park	Olathe	Lenexa	Leawood	Fairway
<u>Commercial:</u> 65% of bldg permit fee	<u>Commercial, Multi Family, Townhouses:</u> 50% of bldg permit fee with a \$25,000 maximum for ea submittal	<u>Residential:</u>  <u>Up to 5000 sq. ft.</u> \$25 <u>5001-7500 sq. ft.</u> \$60 <u>7501-10,000sq.ft</u> \$120	<u>Residential:</u> <u>1&amp;2 units</u> \$30 <u>3 or more units</u> \$30	<u>Residential:</u>  <u>1&amp;2 fmly:</u> 10% of bldg permit fee	<u>Residential:</u>  <u>\$0-\$25,000</u> <u>\$20</u> <u>\$25,001 &amp; up</u> <u>\$40</u>
<u>Residential:</u> 5% of bldg permit fee \$20 minimum	<u>New Residential 1&amp;2 fmly:</u> \$100 per unit  <u>Permits issue over-the-counter</u> \$15	<u>Commercial:</u>  <u>Up to 5000 sq. ft.</u> \$300 <u>5001-7500 sq. ft.</u> \$550 <u>7501-10,000sq.ft</u> \$750 <u>10,001sq.ft +</u> <u>\$1,000 plus</u> <u>\$0.02 per sq.ft.</u>	<u>Commercial:</u> 20% of bldg permit fee \$30 minimum <u>Shell, Warehouse</u> <u>Factory:</u> 20% of bldg permit fee \$30 minimum	<u>Commercial:</u>  <u>New commercial&amp; multi-fmly:</u> 65% of bldg permit fee  <u>Existing commercial&amp; multi-fmly:</u> 25% of bldg permit fee	<u>Commercial:</u> 65% of bldg permit fee
			<u>Commercial Tenant Finish, alteration/ remodel</u> 20% of bldg permit fee \$30 minimum		
			<u>Remodel/ Alteration i.e..svc upgrd, gas line,etc</u> <u>Residential 1&amp;2 units:</u> \$15 <u>Residential 3 or more units:</u> 20% of bldg permit fee \$30 minimum <u>Commercial:</u> 20% of bldg permit (\$30min)		

**Park and Recreation Committee  
December 14, 2005  
Meeting Minutes**

The Park and Recreation Committee met on December 14, 2005 in the Council Chambers of Prairie Village City Hall. Members present were Diana Ewy Sharp – Chairperson, David Belz – Vice Chairperson, Kathy Peterson, Mary Beth Smith, David Voysey, Peggy Couch, A.J. LoScalzo, and Andy Peterson. Staff present was Joshua Farrar and Bob Pryzby.

**CALL TO ORDER**

Diana Ewy Sharp called the meeting to order at 7:05 p.m.

**PUBLIC PARTICIPATION**

There was no one present for public participation.

**CONSENT AGENDA**

David Belz moved to approve the consent agenda for Wednesday, December 14, 2005.

1. Approve Committee minutes from November 9, 2005
2. PK2005-12: Consider 2006 Pool Fees

**COUNCIL ACTION REQUIRED  
LEGISLATIVE/FINANCE COMMITTEE**

3. PK2005-14: Consider 2006 Team Fees

**COUNCIL ACTION REQUIRED  
LEGISLATIVE/FINANCE COMMITTEE**

The motion was seconded and approved unanimously.

**REPORTS**

**Recreation Report**

Josh Farrar told the Committee that the Head Swim Coach, Head Dive Coach, and both Tennis Professionals would be returning for the 2006 season. Jen Holland will not return as Synchronized Swim Coach, but Laura Arther, the Assistant Coach should be ready to take over. Josh also reported that Kim Cobb, the Pool Manager for many years will not be returning.

Josh also told the Committee he expects that pool members should be able to renew online this year and that he has been exploring healthier food options for the pool.

**Public Works Report**

Bob Pryzby reported crews were clearing leaves from the parks and doing some mulch replacement. He is currently thinking about the 2007 budget and will likely bring something to the Committee in January. Crews were nearly done with the plantings for Prairie Park, but would likely wait until spring to put down sod. The furniture for the park is being placed.

## **OLD BUSINESS**

### **Update on Entrance Sign Project**

Two members of the Arts Council volunteered to work with the Park Committee and Bob presented sketches from Bob Endres. The first meeting will take place on January 12 at 7 p.m. in Bob Pryzby's Office. Committee members asked about the cost of the project, how many signs it would involve and about the potential for replacing park signs to create uniformity throughout the City. Bob said he did not know the price for the proposal and Ryan King is creating an inventory of signs which will be ready before the January 12 meeting. Bob reminded the Committee that park signs were in the process of being replaced with the white background/blue writing signs and he had not considered them to be part of this project, but it could be an option.

### **Porter Park Ball Field Update**

Bob explained he will wait for spring to start this project.

### **Skate Park Plaque**

Kathy Peterson presented a paragraph with the proposed language for the Skate Park plaque. She said the plaque would cost approximately \$2,400 and the Skate Park SHARE Committee had volunteered to fundraise to meet the cost. A number of Doctors who knew Jake when he was in the hospital also volunteered to pay for the plaque. Kathy said the plaque would likely be two feet by two feet and mounted at the base of the art sculpture. David Belz asked if amount contributed by the City Council should be incorporated into the language. After some discussion the Committee agreed to incorporate this wording. Mary Beth Smith made a motion, seconded by Peggy Couch, and passed unanimously.

## **MOTION**

**THE PARKS & RECREATION COMMITTEE RECOMMENDS APPROVAL OF THE LANGUAGE PRESENTED FOR HARMON PARK SKATE PARK PLAQUE WITH AN AMENDMENT INCORPORATING THE TOTAL AMOUNT FUNDED BY THE CITY AND PENDING MUNICIPAL FOUNDATION APPROVAL.**

**COUNCIL ACTION REQUIRED  
MUNICIPAL FOUNDATION**

## **NEW BUSINESS**

### **PK2005-13: Consider Twilight Pool Entry Fee**

Joshua Farrar explained that some Council members raised concerns with this fee when it was approved over the summer and asked that it be reconsidered for 2006. Joshua said the reduced fee was used 658 times between August 1 and the end of the season. The total cost for the reduced fee was \$1,316.00. A number of Committee members questioned the City Council's concerns by saying there was potentially an increase in the total number of users after 5:30 because of the reduced fee. Diana also said it is important to consider the fact that the pool is a service to residents and the reduced fee is intended to induce more people to take advantage of that service. Committee members asked if some type of survey could be used to see if people were taking advantage of the

reduced fee if it were continued through 2006. Josh said he could work on the issue. Peggy Couch made a motion, seconded by Kathy Peterson, and passed unanimously.

**MOTION**

**THE PARKS & RECREATION COMMITTEE RECOMMENDS CONTINUATION OF THE TWILIGHT POOL ENTRY FEE AT A PRICE OF \$3.00 AFTER 5:30 P.M.**

**COUNCIL ACTION REQUIRED  
LEGISLATIVE/FINANCE COMMITTEE**

**PK2005-15: Consider Swim Team Program Addition**

Joshua Farrar explained the Swim Coach's recommendation to offer semi-private coached swim lessons for participants of the Swim Team. He said the program would be administered to offer an additional service to team participants and also offer an opportunity for Assistant Coaches to earn more over the course of the summer. The lessons would be held between 10:30 a.m. and 12:00 p.m. when the meter pool is closed for Synchronized Swim Team practice. Assistant Coaches would be sure to work around that practice and also use the adult pool. Committee members agreed the program was a good idea and could also be made available to family of swim team members as long as team members received priority. Peggy Couch made a motion, seconded by David Voysey, and passed unanimously.

**MOTION**

**THE PARKS & RECREATION COMMITTEE RECOMMENDS APPROVAL OF AN ADDITION TO THE SWIM TEAM PROGRAM BY OFFERING LESSONS TO BE TAUGHT BY SWIM TEAM ASSISTANT COACHES FOR A FEE OF \$5.00 PER ½ HOUR PER PARTICIPANT AND LIMITED TO THREE PARTICIPANTS PER ½ HOUR PER COACH.**

**COUNCIL ACTION REQUIRED  
LEGISLATIVE/FINANCE COMMITTEE**

**PK2005-16: Consider Facility Reservation Fees**

Joshua Farrar explained the current facility reservation fee structure and how it is administratively incompatible with the recently updated RecNet software. He made the distinction that the reservation fees for the Community Center and ball fields were being changed simply for administrative convenience and to allow the opportunity for online scheduling viewing and eventually reservation. A fee for park pavilion reservation was being added in order to generate revenue related to a service provided by the City. He explained that the \$5.00/ hour and \$10.00/hour fees were generally in line with other Cities throughout the County.

Committee members discussed the impact these changes would have on citizens. Josh explained that the group that would be most effected were those in the "civic" category. These groups reserve the Community Center more than any other, and depending on the number of times per year which they make reservations, could be the ones who would



feel the greatest increase in fees. Committee members agreed the impact could be difficult for a select few users, but felt overall the change was necessary. David Voysey made a motion, seconded by Kathy Peterson and passed unanimously.

**MOTION**

**THE PARKS & RECREATION COMMITTEE RECOMMENDS APPROVAL OF THE FACILITY RESERVATION FEE SCHEDULE AS PRESENTED.**

**COUNCIL ACTION REQUIRED  
LEGISLATIVE/FINANCE COMMITTEE**

**Recreational Water Illness**

Bob Pryzby presented an article on recreational water illness which described a 2002 event which occurred in the Kansas City metro area. He said the City is very active in monitoring chemical levels in the pool, but this can't always be relied upon as the only safeguard. Pool patrons must take responsibility for their children in a number of ways. He suggested that the City begin a campaign this summer to educate all pool patrons, especially the parents of young children on the dangers of recreational water illness. He said three main rules would be emphasized, 1.) Don't drink the pool water; 2.) Do not change diapers on the pool deck or throw diapers in the waste baskets on the deck; 3.) Take small children on frequent bathroom breaks.

The Committee suggested the article presented be distributed at pool membership sign up and made available throughout the pool during the season. Josh said lifeguards could be instructed and reminded at in-service training sessions to keep an eye out for these behaviors.

**PK2005-11: Consider 2006 British Soccer Camp Contract Amendment**

Josh Farrar explained that British Soccer would like to offer an additional camp in 2006 to make up for the camps that the Kansas City Comets will not be offering. He explained the camps would be administered in the exact same way as other British Soccer camps. The additional week would be held during the week of June 5, 2006 through June 9, 2006 in Meadowlake Park. British Soccer is open to moving the Park to Porter Park if necessary. Kathy Peterson made a motion, seconded by A.J. LoScalzo and passed unanimously.

**MOTION**

**THE PARKS & RECREATION COMMITTEE RECOMMENDS APPROVAL OF THE 2006 BRITISH SOCCER CAMP CONTRACT WITH AN AMENDMENT TO INCLUDE A SECOND WEEK LONG CAMP TO BE HELD IN MEADOWLAKE PARK.**

**OLD BUSINESS (Continued)**

**Business Plan Presentation**

Before beginning Bob Pryzby suggested the Committee be up front and ask the other community program committees about their willingness to cooperate in the area of parks,

community and recreation programs. He reminded the Committee of the Kansas City Star's articles on rating the suburbs. While Prairie Village was ranked high at number four, the one item the Star said was really lacking were great community and recreation programs. He felt these ratings could be a rallying point to inspire all of the City's Committees to work together on the issue. The Committee agreed and decided an invitation should be sent to all the members of the other committees to attend the next Park & Recreation Committee meeting.

Bob Pryzby walked the Committee through Sections one and two of the draft business plan. Specifically, he explained the five ordinances directly relating the Parks & Recreation Committee.

- Chapter I. Administration. Article 8: Committees
- Chapter XIII. Article 3: City Tree Board
- Chapter XII. Public Property. Article 1: City Parks
- Chapter XII. Public Property. Article 2: Municipal Swimming Pool
- Chapter XII. Public Property. Article 3: Tennis Program

He made a point to show the Committee areas of the ordinance where authority is discussed and areas that may be outdated, duplicated or in need of revision.

Bob also read through a list of Council Policies identified by staff as pertaining to the Parks & Recreation Committee. Once again identifying areas that may be outdated, duplicated or in need of revision.

The meeting adjourned at 9:00 p.m.

## **LEG2005-43: Consider 2006 Pool Fees**

### **Background:**

Pool fees were restructured in 2005. The good news is that the new fee structure received positive feedback from staff and residents while also allowing us to effectively use our new membership and activity management software. The bad news is that it led to a decrease in pool membership revenue for the season. The reason for the decrease is an error in the assumption of the number of two person families versus that of larger families. The decrease in revenue in this particular area was made up by a very good year for daily entrance sales and an increase in almost every other membership type sales.

Prairie Village pool fees are currently the highest of those in Johnson County in nearly every membership category. At the same time, the pool is aging. Maintenance costs will only continue to increase as the pool gets older. The budget for personnel for the pool should remain constant as turnover continues to keep wages on the low end while other costs should remain relatively flat. The Legislative/Finance Committee has requested that the pool attempt to cover as much of its costs as possible and also recommended that fees increase 2.5% each year. The pool fee schedule presented on the next page maintains the current fee structure and presents an increase of 2.5%.

### **Financial Impact:**

The increase in fees will increase revenue. Depending on the amount maintenance to be done, the fee increase should help the pool continue to cover 60-70 percent of costs.

### **Program Impact:**

Based upon the response from 2005, the fee structure seems to be both practical from a staff perspective and user friendly from a pool member perspective. For that reason, the structure of the fees will remain the same.

You will notice that the Twilight Pool Fee approved last year is not included in this fee schedule. A number of Council members had a difficult time approving this fee last year, and one in particular asked that the Park Committee specifically reconsider it for 2006. For that reason I have included it as a separate agenda item.

### **Recommendation:**

The Parks & Recreation Committee recommends approval of the proposed 2006 pool fee schedule.

	2005	2.5%	2006	Actual Increase
<b>Resident</b>				
Individual Membership	\$60.00	\$1.50	\$62.00	3.33%
2 Person Family Membership	\$120.00	\$3.00	\$123.00	2.50%
Family Membership (more than 2 people)	\$125.00	\$3.13	\$128.00	2.40%
Senior Citizen Membership (age 60 and over)	\$45.00	\$1.13	\$46.00	2.22%
 <b>Non-Resident</b>				
Individual Membership	\$130.00	\$3.25	\$133.00	2.31%
Family Membership	\$250.00	\$6.25	\$256.00	2.40%
Senior Citizen Membership	\$85.00	\$2.13	\$87.00	2.35%
Child Membership	\$85.00	\$2.13	\$87.00	2.35%
 <b>Other</b>				
10 Swim Card	\$40.00	\$1.00	\$40.00	0.00%
Daily Admission Fee	\$5.00	\$0.13	\$5.00	0.00%
Lost ID Card	\$3.00	\$0.08	\$3.00	0.00%
Pool Rental	\$350.00	\$8.75	\$359.00	2.57%

## **LEG2005-44: Consider 2006 Team Fees**

### **Background:**

Prairie Village teams and tennis lessons were very successful in 2005. As reported in the Season End Report, all teams, except the Dive Team, had revenues exceeding expenditures. The tennis lesson program is also structured to ensure that revenues exceed expenditures. All coaches, except the synchronized swim team head coach, are expected to return in 2006, so salary expenditures can be expected to increase. Miscellaneous other costs such as tennis balls, copying costs, and league registration should remain constant.

Team fees are currently slightly higher than other cities, but not to the extent they should discourage participation. The Legislative/Finance Committee has requested that teams attempt to break even each season and also recommended fees increase 2.5% each year. The team fee schedule presented on the next page maintains the current fee structure and presents an increase of 2.5%.

### **Financial Impact:**

The proposed fee increase will have a positive impact on the revenue generated by the programs. It will increase the extent to which revenue already exceeds expenditures.

### **Program Impact:**

The fee increase should not have a significant impact on the programs. For those individuals or families who may be at or below the poverty line the City offers recreation scholarships of 50% and 100% for all recreation programming and pool memberships.

### **Recommendation:**

The Parks & Recreation Committee recommends approval of the 2006 Team Fee Schedule.

**Consider Team and Lesson Fees**

<b>Swim Team:</b>	<b>2004 Fee</b>	<b>2005 Fee</b>	<b>2006 Fee</b>
Resident	\$79.00	\$81.00	\$83.00
Resident, second child on swim team	\$74.00	\$76.00	\$78.00
Non-resident without PV Pool Membership	\$116.00	\$119.00	\$121.00
Non-resident with PV Pool Membership	\$79.00	\$81.00	\$83.00

<b>Synchronized Swim Team:</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>
Resident	\$84.00	\$86.00	\$88.00
Resident, second child on synchronized swim team	\$79.00	\$81.00	\$83.00
Non-resident without PV Pool Membership	\$116.00	\$119.00	\$121.00
Non-resident with PV Pool Membership	\$84.00	\$86.00	\$88.00

<b>Dive Team:</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>
Resident	\$65.00	\$70.00	\$71.00
Resident, second child on Dive team	\$65.00	\$65.00	\$66.00
Non-resident without PV Pool Membership	\$65.00	\$80.00	\$82.00
Non-resident with PV Pool Membership	\$65.00	\$70.00	\$71.00

<b>Tennis Lessons:</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>
Youth Group	\$34/\$44	\$35/\$45	\$35/\$46
Adult	\$50.00	\$51.00	\$52.00
Private	\$18/ 1/2 hour	\$18/ 1/2 hour	\$18/ 1/2 hour
Semi-Private	\$11.00/person/1/2 hours	\$11.00/person/1/2 hours	\$11.00/person/1/2 hours
Three and a Pro	\$13/hour	\$13/hour	\$13/hour

<b>Junior Tennis League:</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>
Participant	\$77.00	\$79.00	\$80.00
2nd Participant from same family	\$72.00	\$74.00	\$75.00

## **LEG2005-45: Consider Twilight Pool Entry Fee**

### **Background:**

During the 2005 season, the Park & Recreation Committee recommended creating and implementing a twilight pool entry fee. Anyone coming to the pool after 5:30 p.m. would only pay \$3.00. The City Council then approved the fee with a few members questioning its logic. They felt the reduced fee was essentially giving away money and that one of the arguments used for justification of the fee was not correct. The Park Committee argued that it was unfair to charge those who could only come to the pool for a few hours after work the same fee as those who could show up at 11:00 and stay for the entire day. While there is not accurate data to support either argument, some criticized this argument, claiming that very, very few pool patrons come and stay the entire day. Instead they felt most patrons only come for a few hours in the same manner as those coming after 5:30 p.m.

### **Financial Impact:**

In 2005, the twilight fee was put into effect on August 1. From that point until the end of the season the reduced fee was used 658 times at a cost of \$1,316.00 in lost revenue.

It is difficult to judge what the impact would be having the fee in place for an entire season. In August, fewer patrons traditionally attend the pool because the hours are reduced to 4:30 – 8:30 p.m. half way through the month. For this reason, August is unfortunately a poor month to base future projections on.

That said, based on the limited data available, approximately 10% of all daily entrance sales occur after 5:30 p.m. Based on daily entrance sales of \$151,880 for the year in 2005 we can assume that approximately \$15,200 (10%) or 3,040 sales occurred after 5:30 p.m. This would result in an estimated loss of \$6,080 for the season.

### **Recommendation:**

The Parks & Recreation Committee recommends continuation of the twilight pool entry fee at a price of \$3.00 after 5:30 P.M.

## **LEG2005-48: Consider Swim Team Program Addition**

### **Background:**

Our new swim coach recommended a way to increase the level of instruction offered for swim team participants and also increase assistant coach salaries. The proposal includes offering semi-private swim lessons taught by the Swim Team Assistant Coaches.

### **Financial Impact:**

The program would be structured in a manner to increase revenue for the Swim Team program. Cost of the program for swim team participants would be \$5.00 per ½ hour session. Ideally, each ½ swim lesson provided by a coach would generate \$15.00. It is expected that the coach giving the lesson would receive \$4.00 of the total \$5.00 charged, leaving \$1.00 for the City.

### **Program Impact:**

The Swim Lesson program would be administered as follows. Lessons could be scheduled for ½ hour from 10:30 – 12:00, Monday through Thursday. Each of the three assistant swim coaches would be available for the three ½ hour time slots for three children at a time. The lessons would be taught in the meter pool which does not open until 12:00 p.m. It is understood that the Synchronized Swim Team also has practice in this pool during these hours and swim coaches would be expected to work around the Synchronized Swim Team practice or use the adult pool. Lessons would be available to Swim Team participants and their family members only. The Head Coach will work with Assistant Coaches to ensure lessons are structured and taught in an effective manner.

### **Recommendation:**

The Parks & Recreation Committee recommends approval of an addition to the swim team program by offering lessons to be taught by swim team assistant coaches for a fee of \$5.00 per ½ hour per participant and limited to three participants per ½ hour per coach.



## **LEG2005-47: Consider 2006 British Soccer Camp**

### **Background:**

At their November meeting the Parks & Recreation Committee approved a contract with British Soccer. The contract was also approved by the Legislative Finance Committee. On Monday, December 12, 2005 our representative from British Soccer called to ask if he could add an amendment to the contract to add another week. He heard about the Comets canceling their camps and felt British soccer could then justify offering another camp in the City.

### **Program Impact:**

The camp is fully run by the British Soccer organization. The City provides use of the park space. The previously approved camps for 2006 will take place from July 17, 2006 through July 21, 2006. The first camp will be held from 9:00 – 12:00 in the morning and the second camp will take place from 5:00 – 8:00 in the evening. These camps will be held in Meadowlake Park.

The additional week long camps would be administered in the exact same manner during the week of June 5, 2006 through June 9, 2006. They would like to keep the camps in Meadowlake Park, but would accept Porter Park (where the comets would have held their camp during this week) if the Committee feels moving the location is necessary.

### **Financial Impact:**

British Soccer will charge camp participants a fee of \$100.00 per session. The City will charge British Soccer a fee of \$10.00 per camp participant. In 2005 the camps had thirty-two participants which generated \$320.00 revenue for the City. The additional camp offering should generate additional revenue.

### **Recommendation:**

The Parks & Recreation Committee recommends approval of the PK2005-11: 2006 British Soccer Camp Contract with an amendment to include a second week long camp to be held in Meadowlake Park.

## **LEG2005-46: Consider 2006 Facility Reservation Fee Schedule**

### **Background:**

As staff continues to work with our recreation software we also continue to try to expand the ways in which we can use it to improve the experience of our customers. One thing which a number of other municipalities and sports/athletics organizations are doing is to offer online room reservation and calendar search functionality. If we attempt to offer this service, a significant change would be necessary in the structure of our current facility reservation fees.

Our current facility reservation fees are confusing and incompatible with our software (see attached spreadsheet).

Currently, the City does not charge for reservation of park pavilions. If someone wants to reserve a park pavilion they must be a resident or have a resident sponsor fill out the appropriate paperwork.

### **Fiscal Impact:**

Based upon permits issued in 2005 this new proposed fees would generate approximately \$1,285 in additional revenue. It should also be assumed that some groups may decrease their total number of meetings or total hours reserved if the total amount to be paid would go up. The difference in the decrease in Community Center reservation revenue could be made up by starting to charge for park pavilion reservation. The overall fiscal impact is likely to be minimal.

The proposed fee schedule includes a \$1.00/hour field charge for baseball, softball and soccer fields. In previous years teams would schedule 1.5 hour practices by booking certain time slots established by the City. The teams would pay \$50.00 for 3 hours of practice per week. This averaged out to approximately \$.77 per hour. The fee of \$1.00/hour with certain stipulations will keep scheduling the same by offering two 1.5 hour practices per week, but converting to the "per hour" charge will allow staff to book and charge through the city's recreation software.

### **Program Impact:**

If the entire facility reservation schedule is adopted "as is" it will be a significant change in a number of ways.

- 1.) The total paid for reservation of the Community Center by many "civic" organizations will go up. At the same time, facility reservation and availability will be offered online to the community.
- 2.) Groups who wish to reserve the park pavilions will now have to pay to do so. The often annoying process of non-residents finding a sponsor to "sign" for them will be eliminated.
- 3.) Facility calendars will be available for all to view for City baseball, softball and soccer fields, as well as park pavilions.

Facility	Current Fee Structure			Proposed Fee Structure		
	Internal	Civic	Private	Internal	Resident	Non-Resident
Prairie Village Community Center	\$0.00	1-2 Uses - \$20.00 each  3-12 Uses - \$50.00 total \$5.00/hour for 13+	\$20.00 per hour  \$25.00 Maintenance Fee	\$0.00	\$5.00/hour	\$10.00/hour
Multi-purpose Room, PV City Hall	\$0.00	NA	NA	\$0.00	NA	NA
Executive Conference Room, PV City Hall	\$0.00	NA	NA	\$0.00	NA	NA
EOC, PV City Hall	\$0.00	NA	NA	\$0.00	NA	NA
Council Chambers, PV City Hall	\$0.00	NA	NA	\$0.00	NA	NA
Harmon Park Pavilion	\$0.00	\$0.00	\$0.00	\$0.00	\$5.00/hour	\$10.00/hour
Santa Fe Pavilion	\$0.00	\$0.00	\$0.00	\$0.00	\$5.00/hour	\$10.00/hour
Windsor Park Pavilion	\$0.00	\$0.00	\$0.00	\$0.00	\$5.00/hour	\$10.00/hour
Bennett Park Pavilion	\$0.00	\$0.00	\$0.00	\$0.00	\$5.00/hour	\$10.00/hour
Porter Park Pavilion	\$0.00	\$0.00	\$0.00	\$0.00	\$5.00/hour	\$10.00/hour
Prairie Village Pool	\$0.00	350.00 for the evening	\$350.00 for the evening	\$0.00	\$359 for the evening	\$359 for the evening
Tennis Courts	\$0.00	\$5.00/hour/court	\$5.00/hour/court	\$0.00	\$5.00/hour/court	\$5.00/hour/court
Baseball Field	\$0.00	\$50.00/team/season for 3 hours/week		\$0.00	\$1.00/hour - max 2 practices/3hours/week	
Soccer Field	\$0.00	\$50.00/team/season for 3 hours/week		\$0.00	\$1.00/hour - max 2 practices/3hours/week	
All Community Center and Pavilion Reservations					\$25.00 refundable Deposit	\$25.00 Refundable Deposit

Definitions:

- Internal:** PV Governing Body, committees, boards and personnel, other governmental entities, residents and groups participating in City-sponsored programs, home association meetings
- Civic:** Educational, cultural, recreational, civic or political groups which are nonprofit organizations. (A copy of the group's Nonprofit Corporation State Certification must be provided.)
- Private:** Meetings, seminars, private parties or receptions where no admission is charged.
- Resident:** A person residing within the City limits of Prairie Village or owning a business with a physical location in Prairie Village.
- Non-Resident:** An individual whose primary living domicile is outside the City limits of Prairie Village.

**LEG2005-42 Consider a letter of interest in participating in the First Suburbs Coalition/Fannie Mae home improvement and remodeling loan program**

**Issue: Should the Council authorize a letter of intent based on a preliminary proposal**

**Background:**

Mid America Regional Council has a First Suburbs Coalition group working on ways to attract and retain home owners to older homes in the Kansas City first tier cities. The first project of the group was the Plan Book which has been very successful and won several awards.

The next program proposed by the group is a program to encourage the remodeling of post-WW II homes in the suburbs. Information about the new project is attached.

The issue for this meeting is to make a recommendation about whether the City should consider participating in the program regardless of the actual cost, suggested language of the letter is attached. MARC needs to tell potential lenders the number of cities they think will participate.

**Recommendation:**

There should be no disadvantage to expressing interest when the program may benefit the City and no firm commitment is required. Once the loan rates and loan requirements are finalized, the City can evaluate whether the program would be beneficial before making a final commitment.

December 7, 2005

Mr. Ronald L. Shaffer  
Mayor  
City of Prairie Village  
7700 Mission Road  
Prairie Village, KS 66212

Dear Mayor Shaffer:

The First Suburbs Coalition and Fannie Mae have formed a partnership to develop a home remodeling finance program to encourage the remodeling of post-WW II homes in suburbs. Over half the homes in first suburbs were built between 1940 and 1970. These homes are obsolete in terms of modern consumer desires and expectations. The First Suburbs Coalition developed its widely praised Idea Book of how to go about remodeling and expanding these post-WW II homes. But how do you finance such improvements?

The First Suburbs Coalition has been working in partnership with Fannie Mae to tailor one of its programs to encourage remodeling of post-WW II homes. A working group of the First Suburbs Coalition has worked with Fannie Mae to develop a model for this finance program. The key provisions of the program as outlined by the working group are found in the enclosed program description.

A key element of the program is to minimize the risk to the cities as well as provide a financial guarantee of repayment to Fannie Mae. While the primary source of repayment would be the individual homeowners participating in the program that repay their individual home improvement loans, a financial guarantee for repayment from the cities and the third party lender / program administrator is required by Fannie Mae. The program proposes to approach this by having a private bank provide a financial guarantee for 90% of the program and utilize conservative lending criteria. Participating cities would be asked to provide the financial guarantee for the remaining 10% of the program. This guarantee can be provided by setting aside funds or through a letter of credit. It is the intention of the program that these set-aside funds or letters of credit would not be accessed unless an individual home improvement loan defaulted in the program and the funds could not be recovered from the property owner.

A more detailed program description is enclosed. As you will note, there have been many provisions crafted by the First Suburbs Coalition with the goal of encouraging reinvestment in these neighborhoods while at the same time minimizing the risk to the cities, the lender, and Fannie Mae.

Chair	1st Vice Chair	2nd Vice Chair	Treasurer	Secretary	Executive Director
Ronald L. Shaffer	Gary Mallory	Tom Cooley	Carol McCaslin	Jim Schultz	David A. Warm
Mayor	Presiding Commissioner	Commissioner	Presiding Commissioner	Councilmember	
Prairie Village, Kan.	Cass County, Mo.	Unified Government of Wyandotte County/ Kansas City, Kan.	Clay County, Mo.	Independence, Mo.	

The first step in implementing this program is to assess the interest on the part of first suburbs in participating in the program and assuming responsibility for a portion of the loan guarantee. Once we have determined that there is sufficient interest in the program we will begin to identify a bank, set up the program, and then return for specific commitments from cities.

At this point we are asking each first suburb if they believe they would be interested in participating in the program to provide MARC with a letter of interest. This letter should indicate that the city is interested in participating, that they would be interested in assuming either \$10,000 of the city guarantee (and designating two eligible neighborhoods for the program) or \$20,000 of the city guarantee (and designating five eligible neighborhoods for the program). This is a totally non-binding letter of interest and does not obligate the city in any fashion to participate in the program. However, it is important for us to gather this information at this time in order to issue a Request for Proposals to potential lenders and proceed with the program.

We have provided a sample letter of interest to use as a template for your letter. We appreciate you taking the time to consider this and if you have any questions do not hesitate to contact Shelley Temple Kneuvean at Fannie Mae (816-360-3602 or [shelley\\_t\\_kneuvean@fanniemae.com](mailto:shelley_t_kneuvean@fanniemae.com)) or Dean Katerndahl at MARC (816-474-4240 or [deank@marc.org](mailto:deank@marc.org)). Please return the letter of interest to Dean Katerndahl.

Yours truly,



Shelley Temple Kneuvean  
Senior Deputy Director  
Fannie Mae Partnership Office



Dean Katerndahl  
Director, Government Innovations Forum  
Mid-America Regional Council

c. Ms. Barbara Vernon  
City Administrator

**First Suburbs Coalition  
Housing Finance Working Group  
Preliminary Program Description**

The Housing Finance Working Group has been working with Fannie Mae to develop a loan program to assist in remodeling of post-WW II homes. The Housing Finance Working Group recommended and the First Suburbs Coalition approved the following draft program description.

The loan program would operate under the following general guidelines:

- ⊗ Loans would be processed by a local bank selected through an RFP process using conventional lending criteria
- ⊗ Loan amounts would be up to \$25,000 with loan to value ratios of up to 105% (most loans will be second mortgages)
- ⊗ Properties must be owner occupied single family homes or duplexes
- ⊗ Borrowers must have an income no higher than 120% of the area median income
- ⊗ Loans would be for a term not to exceed 5 years
- ⊗ Loan proceeds could be used for improvements such as suggested in the Idea Book. A limited amount of the loan funds, 20%, can be used for maintenance items.
- ⊗ Loan rates are estimated to be between 6 and 6.5 percent while conventional rates are running about 1.5 to 3.0 percent above that

The approach developed by the Working Group calls for an initial loan from Fannie Mae of \$1.2 million with \$200,000 acting as a loan reserve. The money is to be loaned out and repaid to Fannie Mae within seven years. Participating cities would provide cash set asides or letters of credit insuring 10% of the loan pool. The remaining 90% of the loan pool would be collateralized by the originating bank selected through an RFP process. The program would be administered through MARC's not-for-profit or the HBA development corporation.

It is recommended by the Working Group that participating cities be asked to designate eligible neighborhoods to target the loans and provide a letter of credit or cash set aside for a commensurate part of the 10% city guarantee. The following formula will be used:

City designates up to five neighborhoods with no more than a total of 1,000 homes in their combined target areas and commits to provide designated cash or a letter of credit to support the pool in an amount of \$20,000 to be maintained for seven years. (A \$20,000 letter of credit is estimated to cost about \$400 per year.)

City designates up to two neighborhoods with no more than a total of 500 homes in their target area and commits to provide designated cash or a letter of credit to support the pool in an amount of \$10,000 to be maintained for seven years. (A \$10,000 letter of credit is estimated to cost about \$200 per year.)

The overall goal is to leverage letters of credit from the cities for 10% of the total fund (\$1.2 million) for the program.

Two key elements of this program were of special interest to the Working Group. First, what is the risk to cities and how is that risk mitigated? Second, how can we assure a fair distribution of remodeling loans and risk assumed by cities?

The risk to cities is that they may lose some or all of their cash set aside or letter of credit should a sufficient number of loans default. However, a number of safe guards are built into the program to limit this exposure:

- Ⓢ \$200,000 of the loan pool will be set aside as a loan reserve to facilitate cash flow while the loss recovery process commences
- Ⓢ A quarter of a percent will be charged to each loan to build a loan reserve for the program
- Ⓢ Lending criteria will be conservative
- Ⓢ The pool will have a second mortgage lien against the property
- Ⓢ Risk will be spread out over 40 or more loans with improvements that are adding value to the properties

There is no guarantee that loans will be distributed exactly prorata to the distribution of cost and risk among the cities. Where loans are originated will depend on local marketing efforts and interest of neighborhoods and individuals. So to a large degree the program investment by cities should be seen as creating an opportunity, not a guarantee. However, the program has been structured to balance benefit and risk to the extent possible by:

- Ⓢ Limiting the eligible neighborhoods and number of homes based on the amount of risk assumed
- Ⓢ After the first year and second year of the program the amount of letter of credit or set aside will be rebalanced based on the distribution of loan amounts among the cities, however every participating city will be responsible for at least \$5,000 of the collateral for the pool and the full 10% collateral must be covered.

If the program is of interest to the First Suburbs Coalition the Working Group recommends the following process:

- Ⓢ Cities asked to provide letters of interest to participate (no firm commitment at this point)
- Ⓢ Convene a meeting of potential bank partners to discuss the program and the RFP
- Ⓢ Send RFP and committee of interested cities and Working Group select bank and finalizes terms of participation
- Ⓢ Round up firm commitments from city
- Ⓢ Execute agreement with bank and Fannie Mae

For more information contact Shelley Temple Kneuvean at Fannie Mae (816-360-3602 or [shelley\\_t\\_kneuvean@fanniemae.com](mailto:shelley_t_kneuvean@fanniemae.com)) or Dean Katerndahl at MARC (816-474-4240 or [deank@marc.org](mailto:deank@marc.org)).



SAMPLE LETTER of INTEREST

Dean Katerndahl  
Director, Government Innovations Forum  
Mid-America Regional Council  
600 Broadway, Suite 300  
Kansas City, Missouri 64105-1554

Dear Mr. Katerndahl:

The city of **(NAME OF CITY)** is interested in participating in the First Suburbs Coalition/Fannie Mae home improvement and remodeling loan program targeting post-WWII housing. This letter is provided as an expression of interest and does not obligate the city to participate in the program once it is developed and a lender / program administrator has been selected. At that time, firm letters of commitment will be required and the City will reconsider its level of involvement. This letter of interest is being submitted to support continued development of this program.

The city of **(NAME OF CITY)** would be willing to provide a loan guarantee in the form of a letter of credit or cash set aside for a period of seven years in the amount of **(\$10,000 or \$20,000)**. Such a provision would entitle the city to designate **(2 neighborhoods for \$10,000 or 5 neighborhoods for \$20,000)** and participate in the loan program by leveraging our local funds into a home improvement loan pool of approximately \$1 million.

As a part of this letter of interest we designate **(NAME OF CITY REPRESENTATIVE)** to participate in the development of this program.

Finally, we reiterate that this is a letter of interest only and does not obligate the city in any fashion to participate in the home improvement and remodeling financing program or to provide any kind of support to that program.

Yours truly,

(CITY OFFICIAL)

## **Consider Amendment to 2006 Legislative Program**

### **Issue:**

Should the City Council amend the 2006 Legislative Program to include a plank regarding funding for regional infrastructure initiatives?

### **Background:**

For some time, the Mid America Regional Council (MARC) has been assessing and evaluating transportation and infrastructure needs in the metropolitan area. In its 2006 Legislative Program, MARC is encouraging State Legislatures in Missouri and Kansas to adopt legislation allowing voters to consider a sales tax to fund regional infrastructure initiatives, such as SmartMoves, MetroGreen, and Operation Greenlight. MARC is encouraging area cities to incorporate this item into their legislative program.

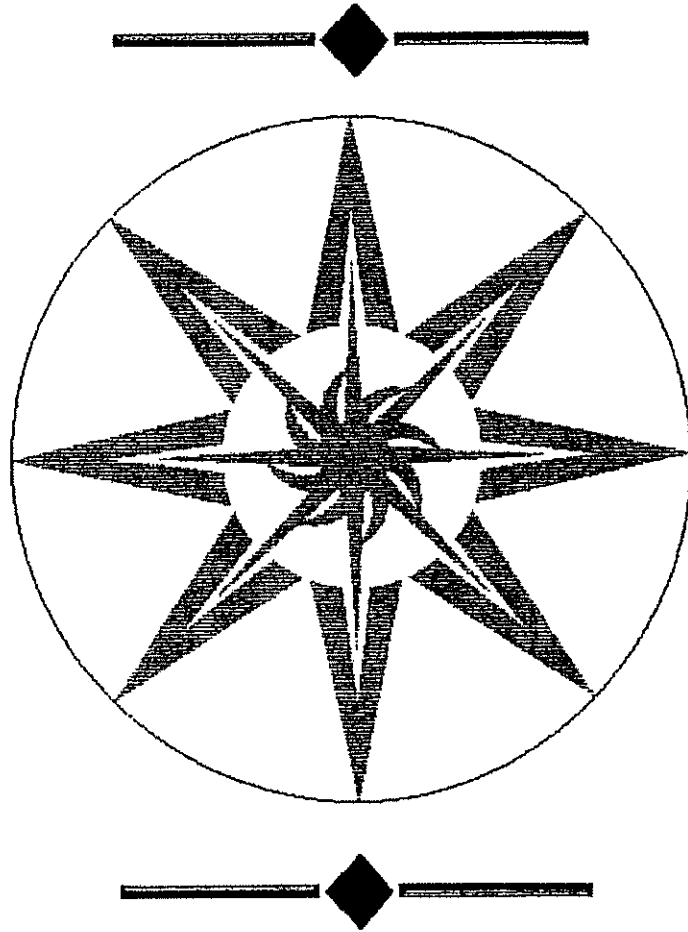
Attached is a copy of the MARC 2006 Kansas Legislative Platform and findings from a Regional Transportation Funding Survey which MARC conducted in November, 2005.

### **Recommendation:**

Recommend the City Council amend the 2006 Legislative Program to include the following statement:

**"Support enabling legislation for regional public infrastructure systems."**

# **CITY OF PRAIRIE VILLAGE**



## **LEGISLATIVE PROGRAM 2006**

## 2006 Legislative Priorities

### EDUCATION

**Public Funding of Public Education** – The City of Prairie Village supports legislation that would remove or raise school districts' local option budget cap – the limit on money a district can raise through taxes above its basic state aid. The City does not oppose a state tax increase to fund K-12 public education.

### REVENUE AND TAXATION

**Municipal Revenue** – The City of Prairie Village supports legislation that preserves existing municipal revenue sources, including state aid, or provides authority for local option municipal revenue enhancement.

**Unfunded State Mandates** – The City of Prairie Village opposes legislation that imposes additional state mandated actions, activities, or practices on units of local government.

**Spending Limitations and Tax Lids** – The City of Prairie Village opposes legislation imposing limits to either taxing or spending by local governments. Consistent with the concept of Home Rule authority, local governing bodies most appropriately make local taxing and spending decisions.

**Utilities and Franchise Fees** – The City of Prairie Village encourages the Kansas Congressional Delegation and the Kansas Legislature to protect the ability of cities to manage their rights-of-way and impose franchise fees regarding communications and cable companies.

### LEGISLATIVE ITEMS

**Local Control of Firearms** – The City of Prairie Village supports legislation which defends local control and opposes preemption of local ordinances regarding firearms.

**Eminent Domain** – The City of Prairie Village supports legislation which continues to allow for the use of eminent domain for economic development purposes, and strengthens the process which balances private property interests and the welfare of the community at large.

## Listing of Elected City Officials

Public officials and appointed staff can be reached at the Prairie Village Municipal Building by calling 913-381-6464 or by sending an e-mail to their respective addresses.

### Mayor

4/2007 Ron SHAFFER  
mayor@pvkansas.com

### Council Member

#### **WARD I**

4/2006 Bill GRIFFITH  
bgriffith@pvkansas.com  
4/2008 Al HERRERA  
aherrera@pvkansas.com

#### **WARD IV**

4/2006 Laura WASSMER  
lwassmer@pvkansas.com  
4/2008 Pat DANIELS  
pdaniels@pvkansas.com

#### **WARD II**

4/2006 Steve NOLL  
snoll@pvkansas.com  
4/2008 Ruth HOPKINS  
rhopkins@pvkansas.com

#### **WARD V**

4/2008 Wayne VENNARD  
wvenard@pvkansas.com  
4/2006 Jeff ANTHONY  
janthony@pvkansas.com

#### **WARD III**

4/2006 Greg COLSTON  
gcolston@pvkansas.com  
4/2008 Andrew WANG  
awang@pvkansas.com

#### **WARD VI**

4/2006 David BELZ  
dbelz@pvkansas.com  
4/2008 Diana Ewy SHARP  
desharp@pvkansas.com

# 2006 Kansas State Legislative Platform Mid-America Regional Council

## Transportation Funding

### Regional Infrastructure Funding

*The MARC Board urges the legislature to support enabling legislation for regional public infrastructure systems.* This enabling legislation would allow voters in the eight-county metro area (Cass, Clay, Jackson, Platte and Ray counties in Missouri, and Johnson, Leavenworth and Wyandotte counties in Kansas) to raise and distribute funds on a metropolitan basis for programs and investments of regional importance and benefit. This flexible mechanism would allow voters to consider a regional sales tax of up to ½ cent for public transit, trails and greenways, and traffic management. Local government elected officials would work together to determine the ballot issue and how any funds authorized by a public vote would be spent.

*The Kansas Legislature is urged to continue its support of the Comprehensive Transportation Program, including the System Enhancement Program.* The Kansas legislature approved the Comprehensive Transportation Program, including the System Enhancement Program, in 1999. The Program outlined \$6 billion in highway and other transportation investments throughout the state. Although the legislature is under tight budgetary conditions and new revenues from the federal transportation law are not as hoped, the success of the program is dependent upon the Legislature's actions to appropriate funding to implement the plan.

## Transportation Safety

### Red Light Camera Law

Local governments have identified the problem of drivers running red lights as a major traffic safety problem. Technology exists to identify and record drivers running red lights so that traffic citations may be issued. Pilot tests and full implementation in local communities around the country have demonstrated both the problem of red light running and the capability of existing technology to document incidents of red light running to better enforce existing traffic laws. State law does not permit local law enforcement agencies to use this approach, and authorizing legislation is needed. *The MARC Board supports legislation that would allow local governments to issue citations for running a red light when identified by an automated camera.*

### Primary Seat Belt Law

*The MARC Board encourages state legislators to support legislation for a primary seat belt law.* Local governments, not-for-profit organizations such as Children's Mercy Hospital and the National Highway Traffic Safety Administration are working on traffic safety issues. The lack of seat belt use continues to be a prime factor in traffic fatalities. MARC is working on a three-pronged effort with local governments – increased public education, law enforcement and transportation facility design. Kansas does not have a primary seat belt law, meaning that law enforcement officials cannot stop a motorist for the reason of not wearing his or her seat belt. A change in this law in other states has shown a sizable increase in the proportion of motorists wearing seat belts.

Transportation Secretary Norman Mineta recently announced that 80 percent of all Americans wear seat belts. The Kansas City area's record falls below this national figure with Johnson County at 80 percent, Leavenworth County at 72 percent and Wyandotte County at 57 percent.

## Public Safety

*The state legislature is encouraged to review existing state statutes and amend them as necessary to ensure that all first responders, particularly law enforcement personnel, have the ability to work together across jurisdictional and state boundaries on a large emergency incident, including acts of terrorism.*

Local governments and emergency response agencies in the Kansas City area support one another on a daily basis, and during major disaster events. Law enforcement agencies need support under state mutual aid laws to cross state lines to work together on major incidents. In some cases, such as the area's bomb squads, personnel are federalized and can cross the state line to provide mutual aid. In other cases, law enforcement personnel are limited in their ability to respond in major incidents across the state line unless a formal disaster declaration is made. Section 70.837 allows Kansas officers to assist Missouri agencies in response to natural disasters. This statute could be amended to include a terrorist act, a school shooting or other man-made incident. Section 70.875 establishes multi-jurisdictional anti-fraud investigation groups. This statute could be amended to allow for investigative units or response teams composed of officers from multiple jurisdictions, including those in Kansas, to address or respond to a violation of any law.

## Human Services

*The MARC Board urges the state legislature to sustain current levels or increase funding for important early learning programs.* Nationally, one in three children arrive at school without the skills necessary to succeed; quality early learning programs are the single most effective way to improve young children's school readiness. It is critical that current funding be maintained for Smart Start Kansas. Smart Start Kansas provides community-based partnership grants through the Kansas Children's Cabinet, to improve the quality and availability of services for young children and families. A collaboration serving Johnson, Leavenworth and Wyandotte counties has received Smart Start funding to enhance early learning services by reducing staff turnover in 16 programs from 45 to 22 percent and impacting over 1,100 children. The state legislature increased funding for Smart Start in 2005, and funding should be sustained at the \$8.45 million level.

*MARC encourage the legislature to provide universal access to quality pre-kindergarten for all four year olds.*

Increased funding for the current at-risk preschool program by \$1 million to \$13.8 million would allow this program to serve 500 additional Kansas four year olds. Currently, the program only serves 15 percent of eligible children. The funding comes from the state's general revenue fund, including tobacco settlement dollars.

***MARC encourages the legislature to require early learning programs to use a consistent rating system to evaluate program quality.*** A Quality Rating System has been piloted in the Kansas City region, and provides programs with information and assistance to improve care provided to young children. A recent evaluation of the pilot program shows improvement in the quality of programs and improvements in young children's language and social skills. The QRS is being expanded to 120 programs in the metro area this year, with a goal of serving 250 programs over the next three years. The states of Missouri and Kansas are working with MARC's Metropolitan Council on Early Learning to develop a rating system that could be consistently applied at the regional and state levels. The state is encouraged to begin using this rating system for all early learning programs.

***MARC encourages the legislature to maintain the income eligibility for families to receive child care subsidies at 185 percent of the poverty level.*** Child care subsidies are essential to allow low income families to enter and remain in the workforce. By the end of fiscal year 2006, the budget for subsidies will fall short by approximately \$820,000 and by \$9 million by fiscal year 2007. Additional funding from the state general revenue fund is needed to maintain these important services.

## **Local Government Revenues/Rights**

***The state legislature is urged to allow local governments to retain their ability to manage the public right-of-way to ensure the provision of critical public infrastructure and services.***

The last decade has brought changes to telecommunication services that have transformed the technology and the industry. State and federal laws will need to be adjusted to reflect this change. As these changes are made the essential role, responsibilities, and rights of local governments must be maintained. Changes to state and federal telecommunication laws should reaffirm local jurisdictions' authority to manage their public rights-of-way, allow local jurisdictions to set fair compensation for use of the rights-of-way, and allow local governments to provide to its citizens essential telecommunication services.

***The state legislature is urged to retain local government ability to use eminent domain for appropriate health, safety and economic development purposes.*** Recent Supreme Court decisions have raised the issue of the appropriate use of eminent domain by local jurisdictions. State law allows cities and counties to use eminent domain powers for important public purposes. This authority has allowed local jurisdictions to proceed with planned transportation and other public infrastructure improvements in a timely fashion, providing fair compensation for property owners impacted by local plans.

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# *2005 Regional Transportation Funding Survey*

## *Findings Report*

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### **Overview of the Methodology**

**Purpose.** Mid-America Regional Council conducted a survey during November 2005. The purpose of the survey was to gather input from residents about ways to fund improvements for public transportation, greenways, and traffic management in the Kansas City area.

**Method of Administration.** A four-page survey and cover letter were mailed to a stratified random sample of 3,375 households in the Kansas City metropolitan area, which included the counties of Johnson, Leavenworth, and Wyandotte in Kansas and Cass, Clay, Jackson, and Platte in Missouri. The goal was to obtain at least 300 completed surveys from Johnson and Jackson counties and 150 surveys from each of the other five counties for a total of 1,350 completed surveys. The survey was mailed during the last week of October and first week of November 2005. Approximately five days after the survey was mailed, residents who received the survey were contacted by phone. Those who indicated that they had not returned the survey were given the option of completing it by phone.

Of the households that received a survey, 856 completed the survey by phone and 776 returned it by mail for a total of 1,632 completed surveys. At least 350 surveys were completed in Jackson and Johnson counties, and at least 170 surveys were completed in each of the five other counties. The overall results for the region have a precision of at least  $\pm 2.6\%$  at the 95% level of confidence. The results for Jackson and Johnson County have a precision of at least  $\pm 5\%$  at the 95% level of confidence. The results for each of the five other counties have a precision of at least  $\pm 7\%$  at the 95% level of confidence. There were no statistically significant differences in the results based on the method of administration (phone vs. mail).

**Weighting.** Since the sample was stratified to provide statistically representative data for each of the seven counties that were included in the study, the overall results for the region were weighted based on the actual population of each county. This was done to ensure that the overall results for the region would not under represent larger counties, such as Jackson County. The actual population of each county, the number of completed surveys that were obtained from each county, and the weighting factors that were used to ensure that the overall results for the region were representative of the region's actual population are shown in the table on the following page.



## Sample Distribution and Weighting Factors

County/Area	2000 Census Population	Population (%)	Actual Surveys (N)	Weighting Factor	Weighted Distribution (N)	Weighted Distribution (%)
Johnson County (KS)	446,108	26.9%	353	1.25	440	27.0%
Leavenworth County (KS)	68,691	4.1%	177	0.41	73	4.5%
Wyandotte County (KS)	157,882	9.5%	191	0.79	151	9.3%
Cass County (MO)	82,092	5.0%	177	0.46	82	5.0%
Clay County (MO)	184,006	11.1%	184	0.98	181	11.1%
Jackson County (MO)	643,170	38.8%	377	1.67	630	38.6%
Platte County (MO)	73,781	4.5%	173	0.43	75	4.6%

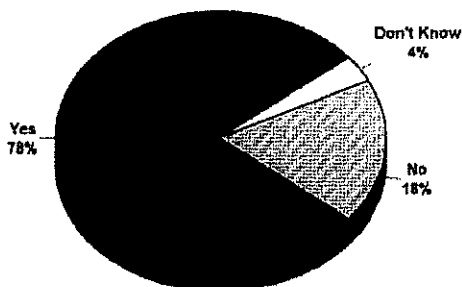
## Major Findings

**Finding #1: Residents of the Kansas City area overwhelmingly think State Legislators in Kansas and Missouri should pass legislation that would let residents of the Kansas City area vote on a regional sales tax for improvements to public transportation, greenways, and traffic management.**

### Supporting evidence:

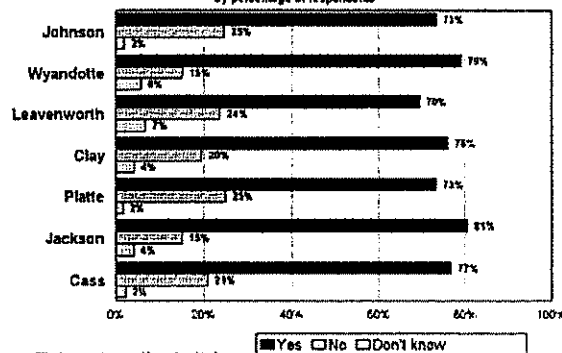
- 78% of those surveyed thought that state legislators in Kansas and Missouri should pass legislation that would let residents of the Kansas City area vote on a regional sales tax for public transportation, greenways, and traffic management; only 18% did not support the idea, and 4% did not have an opinion.
- More than 70% of those surveyed in each of the seven counties that were included in the survey thought that state legislators in Kansas and Missouri should pass legislation that would let residents of the Kansas City area vote on a regional sales tax for public transportation, greenways, and traffic management. Support was highest in Jackson (81%) and Wyandotte (79%) counties.

**Q14. Do You Think State Legislators Should Pass Legislation that Would Let Residents of the Kansas City Area Vote on a Regional Sales Tax to Improve Public Transportation, Greenways/Trails, and Traffic Management?**  
by percentage of respondents



Source: ETC Institute Survey, November 2005.

**Q14. Do You Think State Legislators Should Pass Legislation that Would Let Residents of the Kansas City Area Vote on a Regional Sales Tax to Improve Public Transportation, Greenways/Trails, and Traffic Management? - By County**  
by percentage of respondents



Source: ETC Institute Survey, November 2005.

**Finding #2: There is strong support in all seven counties in the Kansas City area to expand public transportation services in the region (Smart Moves).**

Supporting evidence:

- 73% of those surveyed were very or somewhat supportive of the implementation of a regional plan, such as Smart Moves, that would greatly expand public transportation services in the Kansas City area. Only 8% of those surveyed were not supportive, and 19% did not have an opinion.
- More than 60% of those surveyed in each of the seven counties indicated that they supported the implementation of Smart Moves. Support was highest in Jackson (77%). Wyandotte (73%), and Johnson (73%) counties.

Reasons that may be contributing to widespread support for the implementation of initiatives identified in the Smart Moves Plan include:

- 77% of those surveyed thought that public transportation services were important to the quality of life in Kansas City.
- 75% of those surveyed thought Kansas City needs more transportation options to get people to and from work.
- 61% of those surveyed indicated they would be willing to pay a regional sales tax for public transportation even if they would never use the service.
- 78% of those surveyed thought that rising fuel prices will make public transportation services more important over the next few years.
- Many residents use public transportation when the service levels are reasonable. The results of this survey showed that Kansas City area residents were 2.5 times more likely to have used public transportation in another major city during the past year than they were to have used public transportation inside the Kansas City area. Residents of Johnson County were actually the most likely to have used public transportation somewhere during the past year. Johnson County residents were 10 times more likely to have used public transportation in a city outside the Kansas City area (42%) than they were to have used public transportation in the area (4%).

**Finding #3: There is strong support in the Kansas City area for the implementation of a regional plan that would coordinate traffic signals along major streets that cross city and county boundaries (Operation Green Light).**

Supporting evidence:

- 90% of those surveyed were very or somewhat supportive of the implementation of a regional plan, such as Operation Green Light, that would help coordinate traffic signals along major streets that cross city and county boundaries in the region. Only 2% of those surveyed were not supportive, and 8% did not have an opinion.
- More than 80% of those surveyed in each of the seven counties indicated that they supported the implementation of initiatives that are identified in the Operation Green Light Plan. Support was highest in Johnson (92%), Clay (91%) and Platte (91%) counties.

Reasons that may be contributing to widespread support for the implementation of initiatives identified in the Operation Green Light Plan include:

- 80% of those surveyed indicated they thought traffic congestion in the Kansas City area could be reduced with improved coordination of traffic signals along major roads in the region.
- 74% of those surveyed thought that the quality of life in the Kansas City area would improve if traffic congestion on major city streets were reduced.
- Residents in many Kansas City area cities (including Olathe, Lenexa, Overland Park, Gardner, and Blue Springs) have identified traffic flow as the most important issue for their city to address over the next two years. [Source: ETC Institute's *DirectionFinder*® Survey]

**Finding #4: There is strong support in the Kansas City area for the implementation of a connected system of greenways and trails along streamways in the region (MetroGreen).**

Supporting evidence:

- 64% of those surveyed were very or somewhat supportive of the implementation of a regional plan, such as MetroGreen, that would provide a connected system of greenways and trails along streamways in the Kansas City area. Only 10% of those surveyed were not supportive, and 26% did not have an opinion.

- More than 50% of those surveyed in each of the seven counties indicated that they supported the implementation of initiatives that are identified in the MetroGreen Plan. Support was highest in Jackson (70%) and Johnson (66%) counties.

Reasons that may be contributing to widespread support for the implementation of initiatives identified in the MetroGreen Plan include:

- 86% of those surveyed thought it was important to preserve natural areas along streamways in the Kansas City area to help protect the quality of water in the region's lakes and rivers; only 4% did not think this was important, and 10% had a neutral opinion.
- 92% of the residents in the Kansas City area are very or somewhat concerned about pollution in lakes, streams, and other waterways in the Kansas City area. [Source: ETC Institute Survey, October 2005]
- 82% of the residents in the Kansas City area think it is very or somewhat important for cities and counties in the Kansas City area to develop a connected system of walking and biking trails. [Source: ETC Institute Survey, July 2005]
- 43% of the residents in the Kansas City area are not satisfied with the availability of biking facilities in the community where they live; 28% are satisfied, and 29% have a neutral opinion. [Source: ETC Institute Survey, July 2005]
- 87% of the residents in the Kansas City area walk for exercise or recreation. [Source: ETC Institute Survey, July 2005]

**Finding #5: There is widespread support for the implementation of a regional sales tax to fund improvements for public transportation, greenways, and traffic management in the Kansas City area.**

Supporting evidence:

- 62% of those surveyed were very or somewhat supportive of the implementation of a regional sales tax to fund improvements for public transportation, greenways, and traffic management in the Kansas City area. One-fourth (25%) of those surveyed were not supportive, and 13% did not have an opinion.
- A majority of the residents surveyed in each of the seven counties indicated that they supported the implementation of a regional sales tax to fund public transportation,

greenway, and traffic management improvements in the Kansas City area. More than 60% of those surveyed in Johnson, Clay, Cass, Jackson, and Platte counties supported the implementation of a regional sales tax.

**Finding #6: Residents of the Kansas City area were significantly more likely to support a regional tax for public transportation, greenways, and traffic management than they were to support a local one.**

Supporting evidence:

- Residents were significantly more likely to think that public transportation, greenways, and traffic management improvements should be funded by a **regional tax** (57%) that is paid by residents of all seven counties in the Kansas City area than they were to support a **local tax** (12%) that is only paid by residents in particular cities or counties. Fifteen percent (15%) of those surveyed did not have an opinion, and 16% did not support any increase in taxes.
- Residents in each of the seven counties preferred a regional tax over a local tax to fund improvements to public transportation, greenways, and traffic management improvements. Residents of Platte and Jackson counties were the most supportive of the regional tax.

**Finding #7: Although there is strong support for the general concepts that are contained in the Smart Moves, MetroGreen, and Operation Green Light Plans, most residents are not familiar with the details of these three plans.**

Supporting evidence:

- Although residents supported the general concepts that are contained in the Smart Moves, MetroGreen, and Operation Green Light Plans, only 20% of those surveyed indicated that they were familiar with MetroGreen, 18% of those surveyed indicated they were familiar with Operation Green Light, and just 16% indicated they were familiar with the Smart Moves Plan. This suggests that more education about all three plans is needed.
- Residents who were familiar with the MetroGreen Plan were more supportive than those who were not familiar with the plan. More than three-fourths (76%) of those surveyed who indicated they were familiar with MetroGreen supported the implementation of a connected system of greenways and trails along streamways in the Kansas City area compared to 62% of those who were not familiar with the plan.

- Residents who were familiar with the SmartMoves Plan were more supportive than those who were not familiar with the plan. More than three-fourths (81%) of those surveyed who indicated they were familiar with SmartMoves supported the expansion of public transportation services in the Kansas City area compared to 71% of those who were not familiar with the plan.
- Residents who were familiar with the Operation Green Light Plan were slightly more supportive than those who were not familiar with the plan. Almost all (94%) of those surveyed who indicated they were familiar with Operation Green Light supported the implementation of a regional plan that could coordinate traffic signals along major streets in the Kansas City area compared to 88% of those who were not familiar with the plan.

**POLICY / SERVICES COMMITTEE**  
**Tuesday, January 3<sup>rd</sup>, 2006**  
**Agenda**  
**6:00 P.M.**  
**Council Chambers**

**Al Herrera**

	<b><u>Page #</u></b>
<b>POL2005-36: Policy/Services Committee Agenda Item Deletions</b> Bob Pryzby	<b>1</b>
<b>POL2005-35: Illicit Water Discharge</b> Bob Pryzby	<b>2 - 12</b>
<b>POL2005-37: Council Policy 042 Construction Estimate</b> Bob Pryzby	<b>13 - 18</b>
<b>POL2005-38: Agreement with City of Overland Park</b> Bob Pryzby	<b>19 - 25</b>
<b>POL2005-13: Consider Project 1910012 – 2005 Concrete Repair Program</b> Bob Pryzby	<b>26 - 28</b>

## POLICY/SERVICES

- POL2003-14 Consider Project 190845: Mission Road – 75<sup>th</sup> St to 79<sup>th</sup> St (CARS) (assigned 7/3/2003)
- POL2004-06 Consider Project 190715: 2005 Storm Drainage Repair Program (assigned 2/25/2004)
- POL2004-08 Consider Project 190841: Mission Road – 71<sup>st</sup> to 75<sup>th</sup> (CARS) (assigned 2/25/2004)
- POL2004-09 Consider Project 190848: Mission Rd – Somerset to 83<sup>rd</sup> (CARS) (assigned 2/25/2004)
- POL2004-10 Consider Project: 190847: 2005 Street Paving Program (assigned 2/25/2004)
- POL2004-11 Consider Project 190849: Roe Avenue – Somerset to 95<sup>th</sup> St. (CARS) (assigned 2/25/04)
- POL2004-12 Consider Project 190714: 2004 Storm Drainage Repair Program (assigned 3/30/2004)
- POL2004-11 Consider Project 190847: 2005 Street Paving Program (assigned 7/29/2004)
- POL2004-15 Consider Project 190707: Somerset, Delmar to Fontana Street (assigned 8/26/2004)
- POL2004-16 Consider Project 190708: Tomahawk Road Nall to Roe (assigned 8/26/2004)
- POL2004-18 Consider Sidewalk Policy (assigned 9/18/2004)
- POL2005-02 Consider Project 190616: Harmon Park Skate Facility (assigned 1/31/2005)
- POL2005-03 Consider Project 190850: Reeds Street – 69<sup>th</sup> to 71<sup>st</sup> St. (assigned 1/31/2005)
- POL2005-04 Consider Project 190809: 75<sup>th</sup> Street and State Line Road (assigned 2/1/2005)
- POL2005-11 Consider Project 190715: 2005 Storm Drainage Repair Program (assigned 6/2/2005)
- POL2005-12 Consider Project 190854: 2005 Pavement Repair Program (assigned 6/2/2005)
- POL2005-13 Consider Project 191012: 2005 Concrete Repair Program (assigned 6/2/2005)
- POL2005-14 Consider Project 190852: 2005 Crack/Slurry Seal Program (assigned 6/2/2005)
- POL2005-17 Consider revising bidding ordinance (assigned July 19, 2005)
- POL2005-21 Consider Project 190851: 2006 Paving Program - Sidewalks (assigned 8/30/2005)
- POL2005-23 Consider Project 190857: Roe Avenue – 95<sup>th</sup> to 91<sup>st</sup> Street (CARS) (assigned 8/28/2005)
- POL2005-28 Consider Charter Ordinance No. 12 “Public Improvements” (assigned 11/1/2005)
- POL2005-29 Consider Council Policy No. 041 “Selection of Professional Consulting Services (assigned 11/1/2005)
- POL2005-30 Consider Project 190855: Tomahawk Road Bridge (assigned 11/1/2005)
- POL2005-31 Consider Canterbury Street Sidewalk Petition (assigned 11/1/2005)
- POL2005-33 Consider establishment of school crossing guard policy (assigned 11/14/2005)
- POL2005-34 Consider Project 190717: 2006 Storm Drainage Repair Program (assigned 11/20/2005)
- POL2005-35 Consider illicit water discharge (assigned 11/30/2005)
- POL2005-36 Consider Policy/Services Committee Agenda item deletions (assigned 12/21/2005)**
- POL2005-37 Consider Council Policy 042 entitled “Construction Estimate” (assigned 12/21/2005)**
- POL2005-38 Consider Agreement with the City of Overland Park (assigned 12/21/2005)**



**POL2005-36 CONSIDER POLICY SERVICES COMMITTEE  
AGENDA DELETIONS**

**Background:**

As part of the year end housekeeping, Public Works staff is recommending that the following Policy Services Committee agenda items be eliminated.

- POL2004-11 Consider Project 190849: Roe Avenue paving – this is replaced by POL2005-23
- POL2004-12 Consider Project 190714: 2004 Storm Drainage Program – project is closed
- POL2005-14 Consider Project 190852: 2005 Crack/Slurry Program – project is closed
- POL2005-17 Consider revising bidding ordinance – this is replaced by POL2005-28
- POL2005-22 Consider Storm Drainage Consultant – completed
- POL2005-32 Consider Tree Trimming Area 43 – completed

**Financial Impact:**

There is no financial impact.

**Recommendation:**

Staff recommends City Council approve the above deletions.

## POL2005-35 CONSIDER ILLICIT WATER DISCHARGE

### Background:

The City of Prairie Village residents and Public Works frequently experiences many problems with discharge of water from sump pumps, roof drains, and swimming pools. Because of the heavy clay soils in this region of the country, the clay soil does not allow water to drain into the ground so it must often be collected and directed to a specified location.

Consequently, much of this water is discharged to the City right-of-way and causing:

1. Increased deterioration of curbs and gutters and asphalt pavement
2. Creating safety issues from water and silt on sidewalks
3. Icing of sidewalk areas in the winter
4. Icing of streets during the winter
5. Deposit of quantities of water on City right-of-way, such as park areas, thus prohibiting grass growth and potentially creating breeding areas for mosquitoes
6. Growth of fungus and attracting mosquitoes from constant water being in the gutter areas

Sump pumps are probably the biggest cause of the above problems. They are utilized by many property owners to remove the ground water that may be entering the basement areas. In some locations in the City, the sump pumps operate often throughout the year, regardless of the amount of rainfall. Due to the large amount of water being pumped, many property owners cannot discharge it in their yard, but have chosen to pipe it to the City right-of-way and outlet it at the back of sidewalk, curb and gutter or sometimes even cut the curb to outlet it directly to the gutter and street surface.

As with sump pumps, property owners have piped their down spouts to the City right-of-way. This is often done because their yard cannot handle this channelized flow. Roof drains are not as much of a problem in the City right-of-way as sump pumps, because they are only discharging water during rain events when everything is wet anyway. However, sometimes roof drains are combined with sump pumps into one pipe which outlets in the right-of-way.

There are property owners who have piped their swimming pool drains and backwash to the City right-of-way or public lands. This has caused standing pools of water, which prevent use of the area and a potential breeding ground for mosquitoes.

Currently the City does not have a city code regulating the placement of private drainage outlets or the directing of channelized flow on to City right-of-way. There is City Council Policy No.380 *Sump Pump Discharge*. Public Works has counseled property owners on how to resolve the problem with those discharges that are causing a hazard on public lands or right-of-way. Due to the continuous flow or large amount of water, City Council Policy No.380 does not work with the clay soils in the city. Without a City code or Policy, there is currently little that Public Works and Codes can do remove these illicit discharges.

The ideal solution would be for property owners to pipe their sump pumps, roof drains and swimming pools into the City's storm water system. Some residents have asked to have their

sump pumps connected to the existing sanitary sewer system. This is strictly prohibited by Johnson County Wastewater. The only other choice is the City storm drain system. Unfortunately most property owners do not have storm drain systems on their street or are a long distance from the nearest system for them to utilize. To solve this problem it is possible to install small drainage pipe in back of the curb and gutter and to a storm drain or creek outlet.

Public Works has obtained cost estimates for installing a 4-inch PVC pipe behind the curb at a depth of 30-inches. The range of cost is from \$18.00 to \$21.00 per foot. The question is should the City or the property owner or both pay for the installation. There is the question of who pays for the connection tap to the 4-inch pipe.

In researching what other cities do, the possibilities are:

1. The property owner pays 100% of the installation cost
2. The City pays 100% of the installation cost and thereby maintains ownership and control of the pipe
3. The City pays 100% of the installation cost and charges a property front foot fee to the property owner for connection to the pipe.

Public Works has written for City Council consideration a new section, 16-535, for Municipal Code Chapter XVI *ZONING AND PLANNING*, Article 5 *Stormwater Management*. Public Works is also recommending the City Council Policy No.380 be deleted and a new City Council Policy No.371 *Water Discharges to City Lands and Right-of-Way* be approved..

#### **Financial Impact:**

A budget of \$50,000 is recommended to install the new 4-inch PVC pipes. This cost will be offset by revenue from a \$21.00 per property front foot assessment.

#### **Recommendation:**

Public Works staff recommends the approval of:

- A new section, 16-535, for Municipal Code Chapter XVI *ZONING AND PLANNING*, Article 5 *Stormwater Management*
- Replacement of City Council Policy No.380 be deleted
- City Council Policy No.371 *Water Discharges to City Lands and Right-of-Way*.

16-535        ILLICIT WATER DISCHARGE. Any water discharge point of non-polluted water from a sump pump system, roof drain, or swimming pool shall not be within ten (10) feet from any property line. Any pipe/hose carrying the discharge shall not be cut into the curb or gutter without first obtaining a drainage permit from Public Works. Any person who causes a discharge that is polluted or causes a hazardous condition, such as icing, slipperiness or debris, on any City sidewalk or City street shall be charged with a violation of this section and shall be subject to a penalty in accordance with City of Prairie Village Municipal Code 1-116.

Al Herrera asked if policies could be written on a school by school basis. Chief felt if separate criteria were used for different locations it would give the appearance of being discriminatory. He would rather see the policy provide a review of several factors in the consideration of the establishing a school crossing guard location.

Steve Noll stated he felt it was appropriate to develop background research for criteria for providing school crossing guards. He noted very few cities are still providing this service.

Chief stated he felt comfortable with the direction of the committee to develop an outline of a policy/criteria/guidelines for school crossing guards and stated he would return to the committee at a later date with a draft for consideration.

### **POL2005-35 Consider Illicit Water Discharge**

Bob Pryzby stated Prairie Village residents and Public Works crews frequently experiences many problems with discharge of water from sump pumps, roof drains, and swimming pools. Because of the heavy clay soils in this region of the country, the clay soil does not allow water to drain into the ground so it must often be collected and directed to a specified location.

Consequently, much of this water is discharged to the City right-of-way and causing:

1. Increased deterioration of curbs and gutters and asphalt pavement
2. Creating safety issues from water and silt on sidewalks
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4. Icing of streets during the winter
5. Deposit of quantities of water on City right-of-way, such as park areas, thus prohibiting grass growth and potentially creating breeding areas for mosquitoes
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Sump pumps are probably the biggest cause of the above problems. They are utilized by many property owners to remove the ground water that may be entering the basement areas. In some locations in the City, the sump pumps operate often throughout the year, regardless of the amount of rainfall. Due to the large amount of water being pumped, many property owners cannot discharge it in their yard, but have chosen to pipe it to the City right-of-way and outlet it at the back of sidewalk, curb and gutter or sometimes even cut the curb to outlet it directly to the gutter and street surface.

As with sump pumps, property owners have piped their down spouts to the City right-of-way. This is often done because their yard cannot handle this channelized flow. Roof drains are not as much of a problem in the City right-of-way as sump pumps, because they are only discharging water during rain events when everything is wet anyway.

However, sometimes roof drains are combined with sump pumps into one pipe which outlets in the right-of-way. Mr. Pryzby showed slides of several locations identified in the City discharging water onto City streets and right-of-way. He noted his staff has identified 52 separate locations discharging water inappropriately.

There are property owners who have piped their swimming pool drains and backwash to the City right-of-way or public lands. This has caused standing pools of water, which prevent use of the area and a potential breeding ground for mosquitoes.

Currently the City does not have a city code regulating the placement of private drainage outlets or the directing of channelized flow on to City right-of-way. There is City Council Policy No.380 *Sump Pump Discharge*. Public Works has counseled property owners on how to resolve the problem with those discharges that are causing a hazard on public lands or right-of-way. Due to the continuous flow or large amount of water, City Council Policy No.380 does not work with the clay soils in the city. Without a City code or Policy, there is currently little that Public Works and Codes can do remove these illicit discharges.

The ideal solution would be for property owners to pipe their sump pumps, roof drains and swimming pools into the City's storm water system. Some residents have asked to have their sump pumps connected to the existing sanitary sewer system. This is strictly prohibited by Johnson County Wastewater. The only other choice is the City storm drain system. Unfortunately most property owners do not have storm drain systems on their street or are a long distance from the nearest system for them to utilize. To solve this problem it is possible to install small drainage pipe in back of the curb and gutter and to a storm drain or creek outlet.

Public Works has obtained cost estimates for installing a 4-inch PVC pipe behind the curb at a depth of 30-inches. The range of cost is from \$18.00 to \$21.00 per foot. The question is should the City or the property owner or both pay for the installation. There is the question of who pays for the connection tap to the 4-inch pipe.

In researching what other cities do, the possibilities are:

1. The property owner pays 100% of the installation cost
2. The City pays 100% of the installation cost and thereby maintains ownership and control of the pipe
3. The City pays 100% of the installation cost and charges a property front foot fee to the property owner for connection to the pipe.

Mr. Pryzby reviewed language he drafted City Council consideration as an amendment to the City's existing Municipal Code to address this problem as well as proposed changes to City Council Policies. He recommends Council Policy No.380 be deleted and a new City Council Policy No.371 *Water Discharges to City Lands and Right-of-Way* be approved.

Mr. Pryzby invited residents to share with the committee their problems in this area.

Rick Cato, Doctor's Land and Landscape, contractor working with Bill Barr, 8600 Delmar Drive, addressed the Council explaining the proposed solution to address water problems they are experiencing. They are proposing to run a 1½ pipe along the curb across their neighbor's property and connect with the city's drainage system.

Bernie Fremerman, 5301 West 84<sup>th</sup> Terrace, stated he had a problem in that he needs to replace his sanitary sewer because of frequent blockages. Johnson County Wastewater is requiring that he install a sump pump to remove the basement water from the sanitary sewer. He does not want to install a sump pump and is requesting that Johnson County allow him a variance to install a new sewer line that does not cut off the flow of ground water into the sanitary sewer.

He was told that they will probably not approve the request and will insist the flow be cut off. He is concerned that pumping it into the street could present an icing problem.

Mr. Fremerman stated that connecting with Sanitary sewer System was a County issue as the sanitary line is not a city line, stating the County policy allows for waivers to be granted by the Board. Mr. Pryzby restated connecting into the Wastewater System is not allowed and noted he is not aware of any waivers being granted. Steve Noll pointed out that the city is a customer of Johnson County Wastewater the same as residents and would not have any more ability to get a waiver than a resident.

Pat Daniels stated this solution assumed the availability of an underground system everywhere. Mr. Pryzby noted some may require the resident to go a long distance to connect, but it could be done.

The resident adjacent to the Barr's expressed concern with potential damage to sprinkler systems, invisible fences and yards with the placement of 4" pipe and would prefer use of smaller pipe. Mr. Pryzby stated that Public Works construction re-installs sprinkler pipes and dog fences. He stated the 4" pipe was selected to allow for multiple residents to connect into the line.

Steve Noll announced that he would have to adjourn the meeting of the Policy/Services Committee for the start of the scheduled City Council Meeting and noted this item would continue to be discussed under New Business during the Council Meeting.

The meeting was adjourned at 7:30 p.m.

Steve Noll  
Co-Chair

City Council  
12/15/2005

future as technology provides more accurate understanding of water flow and design criteria are revised.

Pat Daniels confirmed this study by the county is the same one that impacted the River Woods project in Mission. He feels the City needs to support these changes even if the area may need to be revisited in the future.

The motion was voted on and passed unanimously.

POL2005-20 Consider 2005 Traffic Consultant

On October 17th, the City Council approved the selection of TranSystem Corporation as the City's Traffic Consultant. The 2005 Traffic Consultant Agreement contains the following tasks: #1 Traffic Safety Study Report; #2 Traffic Signal Operation and #3 -Traffic Counts. The agreement has been reviewed and approved by the City Attorney and the Public Safety and Public Works Department.

On behalf of the Policy/Services Committee, Steve Noll moved the City Council approve the 2005 Traffic Consultant Agreement with TransSystems Corporation using Public Safety Department 2005 budget funds of \$40,652 for Task #1 and #2 and Public Works Department 2005 budget funds of \$9,534 for Task #3. The motion was seconded by Jeff Anthony and passed unanimously.

POL2005-34 Consider Project 190717: 2006 Storm Drainage Repair Program

On November 7th, the City Council approved the selection of URS to serve as the City's Storm Drainage Consultant. The standard design agreement consists of four phases: Concept Study, Preliminary Design, Final Design and Bidding has been reviewed and approved by the City Attorney.

On behalf of the Policy/Services Committee, Steve Noll moved the City Council approve the Drainage Consultant Agreement with URS Corporation in the amount of \$16,700 with funding from the Capital Infrastructure Program for Project 190717. The motion was seconded by David Belz and passed unanimously.

**OLD BUSINESS**

**POL2005-35 Consider Illicit Water Discharge**

Steve Noll stated earlier in the evening the Policy/Services Committee was unable to complete their discussion and action on this item and called upon Mr. Pryzby to



present information. Bob Pryzby stated the City is experiencing problems with residents discharging sump pumps onto city right-of-way and streets. The city has identified approximately 52 such problems. As a possible solution to this he is proposing offering a program to install 4" PVC pipe behind the curb in the right-of-way to collect the discharge of sump pumps. The program could be done with the city covering the entire cost, or shared costs with the residents or with the residents covering the entire costs. His recommendation would be a shared cost for the pipe as a cost of \$21.00 per foot with the resident paying based on the linear footage of their frontage. The program could be started with a budget of \$50,000 with these funds being offset by revenue from a \$21 per property front foot assessment.

Laura Wassmer asked if the proposed \$50,000 would correct the 52 identified situations. Mr. Pryzby responded the \$50,000 is basically starter funding for the program.

Bill Griffith agreed that this is a real issue; however, stated he is leery to approve \$50,000 start up program without an idea of the long-term financial impact. He stated this could become yet another capital infrastructure program account.

Pat Daniels felt the issue should be returned to the committee to reconsider and come back with a policy for consideration by the City Council.

Mr. Pryzby asked if the Council could address the situation of for the Barr's

Rick Cato, with Doctor's Land and Landscaping, a contractor working with Bill Barr at 8600 Delmar Drive, reviewed the problem experienced by the Barr's and his proposed solution. They are proposing to run a 1½" pipe along the curb across their neighbor's property to connect with the City's drainage system.

Bill Griffith confirmed that a 1 ½" pipe could be pulled through, whereas, a 4" pipe would need to be buried causing more disruption to the property. Mr. Pryzby noted use of 4" pipe would allow others to connect to the same line.

David Belz confirmed that the property owner who has the pipe going across his property would not be assessed.

Diana Ewy Sharp stated she was not ready to vote and felt that doing so would set precedence. The City Attorney noted that every action taken by the Council does not necessarily set precedence. It would be better to take action based on an approved policy,

but noted the time involved to establish a policy. Permission for this resident to take this action does not mean others could take the same action in the future.

Laura Wassmer questioned if there are other houses with this problem that may want to connect to this pipe and confirmed that 1½" pipe is the largest size that could be pulled through the ground. She noted if 1½" pipe is allowed and others want to connect, the city is looking at the possibility of multiple lines. Mr. Cato stated there was sufficient space in the right-of-way for multiple lines.

Mr. Pryzby stated he does not need the policy approved this evening. Bill Griffith asked if an agreement would be made allowing Mr. Barr to connect to the city's system with their 1½" pipe.

Steve Noll confirmed the work would be done in the city right-of-way and need city approval and permits.

Bill Griffith moved the city allow Mr. Barr to connect to the City's storm drainage system as proposed using a 1½" pipe and exempt them from any future fees if a 4" line is put in by the City. The motion was seconded by Pat Daniels.

Wayne Vennard confirmed that any repair to the pipes would be made by the City.

Laura Wassmer questioned if the work was being funded jointly or totally by the resident.

Bill Barr stated the cost estimate received for the work was \$2000 and he would like to see the cost shared by the City. Ms. Wassmer stated she was not comfortable with the city sharing the cost without the policy being in place, but would support allowing Mr. Barr to connect if no city funds were used.

Steve Noll questioned who owned the pipe once installed. Mr. Pryzby responded it would be considered the city's property.

The motion was voted on and passed unanimously.

## **NEW BUSINESS**

### **ADA Appeal**

Al Herrera reviewed the procedures for the Appeal by Mr. James Olenick of a decision of the ADA Compliance Committee relative to the Skate Park Facility at Harmon Park.

Policy No. 380

Date: 07/15/91

Page: 1 of 1

SUMP PUMP DISCHARGE

I. PURPOSE:

To establish a uniform policy for sump pump discharge.

II. RESPONSIBILITY:

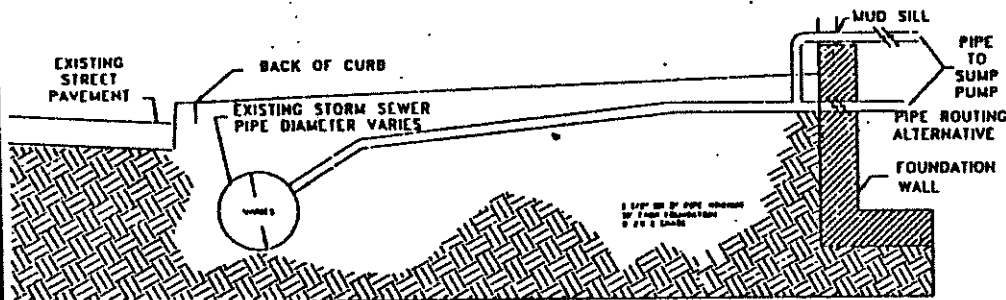
Director of Public Works

III. PROCEDURE:

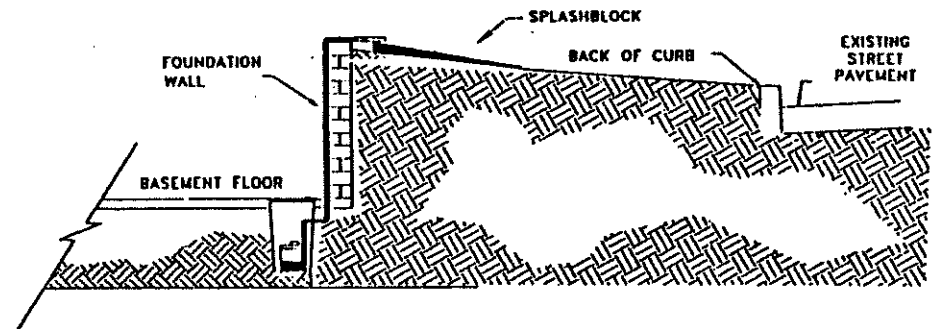
- A. No sump pump water draining from private property shall be discharged or caused to flow upon the surface of any sidewalk, street or gutter.
- B. The proper methods of discharge are illustrated on Figure No. 1 (attached). In addition, it shall also be permissible to discharge directly into drainage channels where adequate underground conduits are installed and approved by the Director of Public Works.
- C. Where none of the above are applicable, the proposed method of discharge shall be approved by the Director of Public Works.
- D. Swimming pool drainage facilities shall be provided as set out in Chapter 19.28.022, "Other Accessory Uses", in the Municipal Code.

## METHODS OF DISCHARGE CROSS-SECTIONAL VIEW OF SUMP PUMP DISCHARGES

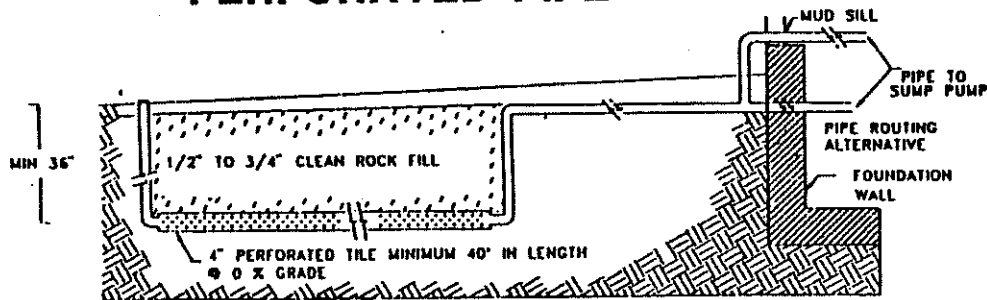
### STORM SEWER



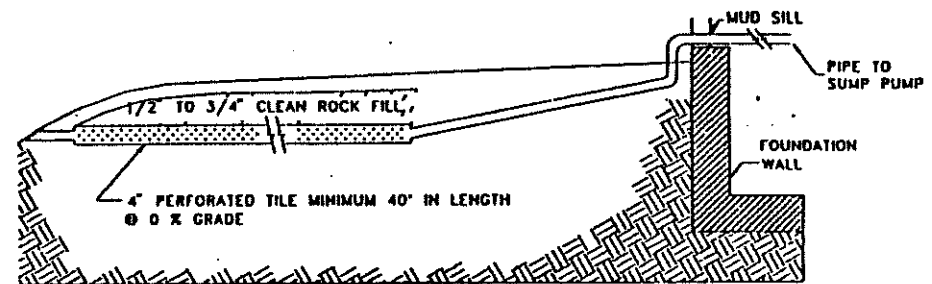
### SPLASH BLOCK



### DEEP BURIAL PERFORATED PIPE



### SHALLOW BURIAL PERFORATED PIPE



**POL2005-37 CONSIDER CITY COUNCIL POLICY NO. 042**  
**CONSTRUCTION ESTIMATE**

**Background:**

Charter Ordinance No.12 pertains to obtaining cost estimates for projects costing more than \$10,000.00. Recently, because of increased costs of oil, construction bids have exceeded the detailed estimate of construction cost. In reviewing Charter Ordinance No. 12 that was adopted by the City on 5 June 1989, Public Works Staff have determined that:

1. The Charter Ordinance provides that the City of Prairie Village “exempts itself from and makes inapplicable to it, the provisions of K.S.A. 13-1017”.
2. The Charter Ordinance provides “substitute and additional provisions”.
3. The “substitute and additional provisions” are the exact language contained in K.S.A. 13-1017, except the amount for sealed proposals is changed from \$2,000 (as in K.S.A. 13-1017) to \$10,000.

““Public Improvement” is defined as to not include the making of repairs or the maintenance of any building, street, sidewalk, or other public facility in Prairie Village by employees of Prairie Village or the making of any expenditures from the city budget for such purposes.”

Public Works has discussed the ordinance with the City Attorney.

Public Works staff has prepared a new City Council Policy No.042 Construction Cost Estimate. This new policy provides definitions that clarify provisions of Charter Ordinance No.12. The new policy also details a procedure to assist the Public Works Director in administering the policy.

**Financial Impact:**

There is no direct financial impact.

**Recommendation:**

The Public Works Director recommends the City Council adopt City Council Policy No.042 Construction Cost Estimate.

City Council Policy No.042 CONSTRUCTION COST ESTIMATE

Effective Date:

Amends: NEW POLICY

Approved By:

Page 1 of 2

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**I. Purpose:**

1. To establish policy for receiving Cost Estimate for a Public Improvement Project

**II. Responsibility:**

1. Public Works Director.

**III. Definition:**

1. "City" shall mean the City of Prairie Village.
2. "City Clerk" shall mean the City Clerk employed by the City of Prairie Village or designee.
3. "Engineer/Architect" shall mean the company or individual whose services are rendered by engineers, architects, landscape architects and surveyors licensed by the Kansas State Board of Technical Professions.
4. "Construction Cost Estimate" shall mean and include the cost of the entire construction of the Project, including all supervision, materials, supplies, labor, tools, equipment, transportation, and/or other facilities furnished, used or consumed, but such cost shall not include Consultant Engineer/Architect fees or other payments to the Consultant Engineer/Architect and shall not include the cost of land or right-of-way and easement acquisition.
5. "Engineer/Architect" shall mean those professional services, labor, materials, supplies, testing, surveying, title work, if applicable, and all other acts, duties, and services required of the Engineer/Architect.
6. "Project" shall mean any work undertaken by the City for the construction or reconstruction of any public infrastructure, including without limitation, streets, bridges, sidewalks, storm drains, traffic control devices, street lights, parks, buildings or lands work.
7. "Public Works Director" shall mean the Director of Public Works employed by the City or that person's designee.

**IV. Policy:**

1. If the projected construction cost is less than \$100,000, no Construction Cost Estimate is required.

2. If the projected construction cost is \$100,000 or more, the Public Works Director will prepare a Construction Cost Estimate for review by the governing body.

**V. Procedure:**

1. If a bid does not exceed the Construction Cost Estimate, then the Public Works Director may recommend that the City governing body consider awarding a construction contract.
2. If all bids exceed the Final Construction Cost Estimate, the City may consider four options.
  - a. Approve the bid award if the bid cost does not exceed the Final Construction Cost Estimate by 10% and additional funding is available.
  - b. Request staff to revise the Project scope and/or specifications as necessary to reduce the construction cost.
  - c. Reject all bids and authorize staff to obtain new bids.
  - d. Terminate the project and the agreement with the Engineer/Architect.

CHARTER ORDINANCE NO. 12

CHARTER ORDINANCE EXEMPTING THE CITY OF PRAIRIE VILLAGE, KANSAS FROM CERTAIN PROVISIONS OF K.S.A. 13-1017, RELATING TO PUBLIC IMPROVEMENTS, ESTIMATE OF THE COST OF SUCH IMPROVEMENTS, CONTRACTS, BIDS, BOND ISSUE, WHEN, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS:

Section 1.

The City of Prairie Village, Kansas, by the power vested in it by Article XII, Section 5, of the Constitution of the State of Kansas, hereby elects and exempts itself from and makes inapplicable to it, the provisions of K.S.A. 13-1017, which apply only to certain cities of the first class, and to provide substitute and additional provisions as hereinafter provided.

Section 2.

Before undertaking the construction or reconstruction of any sidewalk, curb, gutter, bridge, pavement, sewer, or any other public improvement of any street, highway, public ground, or public building or facility, or any other kind of public improvement, shall be commenced or ordered by the Governing Body, or under its authority, a detailed estimate of the cost of the improvement shall be made under oath by the City Engineer (or some other competent person appointed for such purposes by the Governing Body), and said estimate shall be submitted to the Governing Body for its action thereon. In all cases where the estimated costs of the contemplated building, facility, or other improvement, amounts to more than \$10,000.00, sealed proposals for the improvement shall be invited by advertisement, published by the City Clerk once in the official city paper. The Governing Body shall let all such work by contract to the lowest responsible bidder, if there is any whose bid does not exceed the estimate. Notwithstanding the foregoing, the Governing Body reserves the right to refuse all or any part of any bid when it is felt that such action is in the best interest of the City.



If no responsible person proposes to enter into the contract at a price not exceeding the estimated cost, all bids shall be rejected and the same proceedings as before repeated, until some responsible person by sealed proposal offers to contract for the work at a price not exceeding the estimated costs. If no responsible bid is received within the estimate, the Governing Body shall have the power to make the improvement within the estimated cost thereof, and shall further have the power to purchase the necessary tools, machinery, apparatus and materials; employ the necessary labor; and construct the necessary plant or plants for the purpose of carrying into effect the provisions of this act. In no case shall the City be liable for anything beyond the estimated cost or the original contract price for doing such work or making such improvements.

Before any type of public improvement is commenced, the money to pay for the same must be available in the city treasury as provided by law or provision may be made for the issuance of internal improvement bonds to pay for any such improvement as provided by law. Provided that this section shall not be construed to include any repair or maintenance work not amounting to substantial alteration, addition or change in any structure, street or facility. "Public improvement" as used herein shall not include the making of repairs or the maintenance of any building, street, sidewalk, or other public facility in Prairie Village by employees of Prairie Village or the making of any expenditures from the city budget for such purposes.

### Section 3.

This Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

### Section 5.

This is a Charter Ordinance and shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the Ordinance as provided in Article XII, Section 5, subdivision (c)(3) of the Constitution of Kansas, in which case the Ordinance shall become effective as approved by a majority of the electors voting thereon.

PASSED by the Governing Body of not less than two-thirds of the members elect voting in favor thereof the 5<sup>th</sup> day of June, 1989.

  
Monroe Taliaferro, Mayor

ATTEST:

  
Joyce Hagen Mundy, City Clerk

Approved as to Form:

  
Charles E. Wetzler  
City Attorney

**POL2005-38 CONSIDER PROJECT 190857; NALL AVENUE - 83<sup>RD</sup> STREET TO 95<sup>TH</sup> STREET**

**Background:**

Nall Avenue from 83<sup>rd</sup> Street to 95<sup>th</sup> Street was last paved in 1999. The City of Overland Park who shares the ownership of this portion of Nall Avenue with the City of Prairie Village has requested consideration to micro-surface this section of Nall Avenue. An Interlocal Agreement has been prepared by the City of Overland Park and reviewed by the City of Prairie Village City Attorney.

The micro-surfacing is planned for the summer of 2006 and will be administered by the City of Overland Park.

**Financial Impact:**

The estimated project total cost is \$55,000.00. The City of Prairie Village share is 50% (\$27,500.00) of the estimated cost. Funds are available in the 2006 Public Works Operating Budget.

**Recommendation:**

Public Works staff recommends the approval of the Interlocal Agreement with the City of Overland Park for a 50% sharing of the estimated project cost of \$55,000.00.

AGREEMENT BETWEEN THE CITY OF OVERLAND PARK, KANSAS AND THE CITY OF PRAIRIE VILLAGE, KANSAS FOR THE PUBLIC IMPROVEMENT OF NALL AVENUE FROM 83<sup>RD</sup> STREET TO 95<sup>TH</sup> STREET.

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2005, by and between the CITY OF OVERLAND PARK, KANSAS, and the CITY OF PRAIRIE VILLAGE, KANSAS, each party having been organized and now existing under the laws of the State of Kansas,

WITNESSETH:

WHEREAS, the parties hereto have determined it is in their best interest to make the public improvement to Nall Avenue from 83<sup>rd</sup> Street to 95<sup>th</sup> Street as such improvement is hereinafter described; and

WHEREAS, K.S.A. 12-2908 authorizes the parties hereto to cooperate in making the public improvement; and

WHEREAS, the governing bodies of each of the parties hereto have determined to enter into this Agreement for the aforesaid public improvement, as authorized and provided by K.S.A. 12-2908 and K.S.A. 68-169; and

WHEREAS, the governing body of the CITY OF OVERLAND PARK, KANSAS, did approve and authorize its mayor to execute this Agreement by official vote of the body on the \_\_\_\_\_ day of \_\_\_\_\_, 2005.

WHEREAS, the governing body of the CITY OF PRAIRIE VILLAGE, KANSAS, did approve and authorize its mayor to execute this Agreement by official vote of the body on the \_\_\_\_\_ day of \_\_\_\_\_, 2005.

NOW, THEREFORE, in consideration of the above recitals, the mutual covenants and agreements herein contained, and for other good and valuable considerations, the parties hereto agree as follows:

1. PURPOSE OF AGREEMENT. The parties hereto enter into this Agreement for the purpose of constructing the public improvement on Nall Avenue as heretofore described by performing the following work: The street improvement of Nall Avenue from 83<sup>rd</sup> Street to 95<sup>th</sup> Street including microsurfacing the existing street and repair of asphalt pavement, pavement markings and other items incidental to the street reconstruction.
2. ESTIMATED COST OF PROJECT.
  - A. The estimated cost of construction for the public improvement covered by this agreement is FIFTY-FIVE THOUSAND DOLLARS (\$55,000.00).
  - B The cost of making the public improvement shall include:
    - (1) Labor and material used in making the public improvement; and
    - (2) Such other expenses which are necessary in making the public improvement, exclusive of the cost of acquiring real property and any improvement thereon for the location of the public improvement. These costs include but are not limited to project administration, construction inspection, material testing and utility relocations.
  - C. The local share of the cost for construction of said public improvement, as described hereinabove, shall be distributed within each CITY as follows:
    - (1) The CITY OF PRAIRIE VILLAGE, KANSAS shall pay 50% of the local share of said public improvement (estimated to be \$27,500.00).

(2) The CITY OF OVERLAND PARK, KANSAS shall pay 50% of the local share of said public improvement (estimated to be \$27,500.00).

3. FINANCING. THE CITIES OF OVERLAND PARK, KANSAS, and PRAIRIE VILLAGE, KANSAS, shall pay their portion of the cost with monies budgeted and appropriated funds.

4. OVERLAND PARK ADMINISTRATION OF PROJECT. It is acknowledged and understood between the parties that since there are two separate cities included within the proposed improvement, one of the cities should be designated as being "in charge" of the project to provide for its orderly design and construction. However, both cities shall have the right of review and comment on project decisions at any time throughout duration of this Agreement, and any subsequent agreements hereto. The public improvement shall be constructed and the job administered by the CITY OF OVERLAND PARK, KANSAS, acting by and through the Director of Public Works for Overland Park, Kansas, who shall be the principal public official designated to administer the public improvement; provided, that the Director of Public Works shall, among his several duties and responsibilities, assume and perform the following:

A. Make all contracts for the public improvement, including the responsibility to solicit bids by publication in the official newspaper of Overland Park, Kansas. In the solicitation of bids, the appropriate combination of best bids shall be determined by the aforesaid governing body administering the project, except that the governing body of the CITY OF PRAIRIE VILLAGE, KANSAS reserves the right to reject the successful bidder in the event that the bid price exceeds the engineer's estimate. If all bids exceed the estimated cost of the public improvement, then either CITY shall have the right to reject the bid. In such case, the project shall rebid at a later date.

- B. Submit to the CITY OF PRAIRIE VILLAGE on or before the 10th day of each month, or as received, estimates of accrued costs of constructing the public improvement for the month immediately preceding the month the statement of costs is received; provided that the CITY OF PRAIRIE VILLAGE shall within thirty (30) days after receipt of a statement of costs as aforesaid, remit their portion of the accrued costs to the CITY OF OVERLAND PARK as herein agreed.
- C. Upon completion of the public improvement, the Director of Public Works shall submit to the CITY OF PRAIRIE VILLAGE a final accounting of all costs incurred in making the public improvement for the purpose of apportioning the same among the parties as provided herein.
- D. The CITY OF PRAIRIE VILLAGE shall be named as additional insured on all applicable certificates of insurance issued by the contractor for this project.
- E. The CITY OF OVERLAND PARK shall require performance and completion bonds for the improvement from all contractors and require that all contractors discharge and satisfy any mechanics or materialman's liens that may be filed.
- F. The CITY OF OVERLAND PARK shall require that any contractor provide a two-year performance and maintenance bond for the Improvement. As Administrator, the CITY OF OVERLAND PARK will, upon request of PRAIRIE VILLAGE, make any claim upon the maintenance bond or performance bond and require that the contractor fully perform all obligations under the performance and maintenance bonds.

G. The CITY OF OVERLAND PARK shall include in contracts for construction a requirement that the contractor defend, indemnify and save OVERLAND PARK and PRAIRIE VILLAGE harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit or action for injuries or damages sustained to persons or property by reason of the act or omissions of the contractor and the performance of his or her contract.

5. DURATION AND TERMINATION OF AGREEMENT. The parties hereto agree that this Agreement shall exist until the completion of the aforesaid public improvement, which shall be deemed completed upon certification to each of the parties hereto by the Director of Public Works advising that the public improvement has been accepted by him as constructed; provided that upon the occurrence of such certification by the Director of Public Works, this Agreement shall be deemed terminated and of no further force or effect.
6. PLACING AGREEMENT IN FORCE. The attorney for the administering body described in paragraph 4 hereof shall cause this Agreement to be executed in triplicate. Each party hereto shall receive a duly executed copy of this Agreement for their official records.
7. AMENDMENTS. This Agreement cannot be modified or changed by any verbal statement, promise or agreement, and no modification, change nor amendment shall be binding on the parties unless it shall have been agreed to in writing and signed by both parties.
8. JURISDICTION. This Agreement shall be construed according to the laws of the State of Kansas and may be enforced in any court of competent jurisdiction.



IN WITNESS WHEREOF, the above and foregoing Agreement has been executed in triplicate by each of the parties hereto on the day and year first above written.

CITY OF OVERLAND PARK, KANSAS

By \_\_\_\_\_  
CARL GERLACH, MAYOR

ATTEST:

\_\_\_\_\_  
MARIAN COOK, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
JANE NEFF-BRAIN  
SENIOR ASSISTANT CITY ATTORNEY

CITY OF PRAIRIE VILLAGE, KANSAS

By \_\_\_\_\_  
RONALD L. SHAFFER, MAYOR

ATTEST:

\_\_\_\_\_  
JOYCE HAGEN-MUNDY, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CHARLES E. WETZLER, CITY ATTORNEY

## **CONSIDER 191012: 2005 CONCRETE REPAIR PROGRAM**

### **Background:**

This project is complete. A review of the final construction quantities has resulted in a Construction Change Order #1 for an increase of \$25,256.00. The significant increases are in the amount of curb-gutter replacement and ADA sidewalk ramps.

### **Financial Impact:**

Funds are available in the Capital Infrastructure Program Project allocation.

### **Recommendation:**

Public Works staff recommends approval of Construction Change Order #1 for Project 191012 to McAnany Construction for an increase of \$25,256.00 using Capital Infrastructure Program Project Allocation.

Joyce

CITY OF PRAIRIE VILLAGE  
 PUBLIC WORKS DEPARTMENT  
 CONSTRUCTION CHANGE ORDER NO. 1 (FINAL)

Consultant's Name: None  
 Project Title: 2005 Concrete Repair Program  
 Date Requested: December 16, 2005  
 Owner's Project No.: 191012  
 Contractor's Name: McAnany Construction

Contract Date: June 6, 2005

REQUIRED CHANGES IN PRESENT CONTRACT

Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
9218	\$216,623.00	LF	Concrete Curb & Gutter	10716.5	\$23.50	\$251,837.75
449	\$26,267.00	SY	6" Concrete Driveway	429.7	\$58.50	\$25,137.45
3480	\$167,040.00	SY	4" Concrete Sidewalk	3209.6	\$48.00	\$154,060.80
6	\$10,200.00	EA	ADA Sidewalk Ramps	19	\$1,700.00	\$32,300.00
2000	\$8,000.00	SY	Sod	0	\$4.00	\$0.00
20	\$2,000.00	EA	Lawn Sprinkler Heads	16	\$100.00	\$1,600.00
50	\$2,500.00	LF	Lawn Sprinkler Pipe	9	\$50.00	\$450.00
50	\$2,500.00	LF	Gravel Filter Bags	0	\$50.00	\$0.00
50	\$2,500.00	LF	Straw Bales	0	\$50.00	\$0.00
50	\$2,500.00	LF	Silt Fence	0	\$50.00	\$0.00
			Contingent Items			

TOTAL \$440,130.00

NET

0	TOTAL	<span style="border: 1px solid black; padding: 2px;">\$465,386.00</span>
0	Decrease	<span style="border: 1px solid black; padding: 2px;">\$ 25,256.00</span>
	<i>Increase</i>	

**Explanation of Changes**

Project 191012; 2005 Concrete Repair Program Program. This change order is to cover the following items:

Adjustment of quantities.

This change order increases the contract amount by \$12,285.00.


Calendar days were not added as result of this change order.

Original Contract Price	<u>\$471,036.00</u>
Current Contract Price, as adjusted by previous Change Orders	<u>\$471,036.00</u>
NET <del>increase or decrease</del> this Change Order	<u>\$ 25,256.00</u>
New Contract Price	<u><u>\$ 496,292.00</u></u>

Change to Contract Time

The current contract deadline of December 1, 2005 will remain the same.

The City does not anticipate a related Engineering Change Order.

  
\_\_\_\_\_  
Thomas Trienens, Manager of Engineering Services  
City of Prairie Village, KS

12/19/05  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Ronald L. Shaffer, Mayor  
City of Prairie Village, KS

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Paul McAnany, Project Manager

12.19.05  
\_\_\_\_\_  
Date

**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE  
Tuesday, January 3, 2006  
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 – December 19, 2006.
2. Approve Claims Ordinance 2622.
3. Approval of Construction Change Order #3 for a deduction of \$2,583.08 and #4 for a deduction of \$65,080.09 to McAnany Construction for Project 190841 and the transfer of project unexpended funds to Capital Infrastructure Program Street Unallocated.
4. Approval of Construction Change Order #4 for a deduction of \$9,112.30 and #5 for a deduction of \$31,485.09 to McAnany Construction for Project 190847 and the transfer of project unexpended funds to Capital Infrastructure Program Street Unallocated.
5. Approval of Construction Change Order #1 for a deduction of \$9,214.11 and #2 is for a deduction of \$1,257.72 to McAnany Construction for Project 190848 and the transfer of project unexpended funds to Capital Infrastructure Program Street Unallocated.
6. Approve a letter of understanding with the Johnson County Department of Human Services and Aging for administration of the Utility Assistance Program for Prairie Village residents.
7. Ratify the Mayor's appointment of Richard Bills to the Prairie Village Sister City Committee for a three-year term expiring in April 2008 and Pam Marshall to the Prairie Village Arts Council to complete the unexpired term of Joan Kemp expiring in April, 2006.
8. Approve interim agreement for planning services with Bucher, Willis and Ratliff.

**By Committee:**

9. Affirm the decision of the ADA Compliance Committee denying the appeal of Mr. James Olenick (Council Committee of the Whole Minutes – December 19, 2005)
10. Direct staff to move forward with the construction of a sidewalk on the west side of Canterbury as approved by the City Council on November 21, 2005. (Council Committee of the Whole Minutes – December 19, 2005)
11. Adopt an ordinance to dissolve the current restricted residential parking district located on Eaton, 74<sup>th</sup> Terrace and 74<sup>th</sup> Street as the criteria required by the ordinance no longer exist. (Council Committee of the Whole Minutes – December 19, 2005)

**V. OLD BUSINESS**

**VI. NEW BUSINESS**

**VII. ANNOUNCEMENTS**

**VIII. 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](mailto:cityclerk@PVKANSAS.COM)**

**CONSENT AGENDA**

**CITY OF PRAIRIE VILLAGE, KS**

**Tuesday, January 3, 2006**

**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
December 19, 2005  
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, December 19, 2005, 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, Greg Colston, Andrew Wang, Laura Wassmer, Pat Daniels, Jeff Anthony, Wayne Vennard, Diana Ewy Sharp and David Belz.

Also present were: Barbara Vernon, City Administrator; Charles Grover, Chief of Police; Bob Pryzby, Director of Public Works; Doug Luther, Assistant City Administrator; Josh Farrar, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

**PUBLIC PARTICIPATION**

There was no one present to address the City Council.

**CONSENT AGENDA**

Wayne Vennard asked that item #10 be removed from the Consent Agenda. Jeff Anthony moved approval of the Consent Agenda for Monday, December 19, 2005 as amended:

1. Approve Regular Council Meeting Minutes – December 5, 2005
2. Approve a carry-over of \$500 in unspent funds from the Environmental Committee's 2005 budget to 2006 for installation of informational streamway signs
3. Approve a one-year agreement between the City of Prairie Village and Daymark Solutions, Inc. for photo identification system and card printer service
4. Approve a two-year agreement between the City of Prairie Village and the Board of Police Commissioners of Kansas City, Missouri for the Police Department's use of the Automated Law Enforcement Response Team (ALERT)
5. Approve the issuance of 2006 Cereal Malt Beverage Licenses to the Hen House #22 at 4050 West 83<sup>rd</sup> Street, the Hen House #28 at 6950 Mission Road and Hy-Vee, Inc. at 7620 State Line Road
6. Approve an agreement with Synergetic Solutions to audit the City's workers compensation, modification rate, classification and premium charges for the plan year 2005-2006.
7. Approve the transfer of \$32,300 from Project 191001 ADA improvements to project 191012: 2005 concrete repair program
8. Approve the interlocal agreement with the City of Leawood permitting the installation of School zone beacons on Mission Road near 85<sup>th</sup> Street in the City of Leawood



9. Adopt ordinances amending Chapter 3 of the Code of the City of Prairie Village to permit the sale of alcoholic liquor and cereal malt beverage on Sundays
10. Removed
11. Approve an agreement with British Soccer Camps to conduct a camp in Meadowlake Park from 17-21 July, 2006

A roll call vote was taken with the following members voting "aye": Herrera, Griffith, Hopkins, Noll, Colston, Wang, Wassmer, Daniels, Anthony, Vennard Ewy Sharp and Belz.

Mr. Vennard noted that he is a member of the Board of the Johnson County Mental Health Association and as such would have to recuse from voting on this item.

Pat Daniels move to approve the contribution of \$15,000 to the following agencies with 2006 Alcohol Tax funds:

Cypress Recovery	\$	1,500
Friends of Recovery	\$	304
The Family Conservancy	\$	197
Intensive Family Counseling	\$	668
Johnson County Court Services	\$	760
Johnson County Dept. of Corrections	\$	304
Johnson County Library	\$	76
Johnson County Mental Health Center: Adolescent Treatment Center	\$	2,131
Johnson County Mental Health Center: Adult Detox Unit	\$	3,852
Johnson County Mental Health Center: Regional Prevention Center	\$	1,210
National Council on Alcoholism & Drug Dependence	\$	150
SAFEHOME	\$	152
Salvation Army / Shield of Service Substance Abuse Center of Eastern Kansas	\$	310
TLC for Children and Families	\$	588
Shawnee Mission School District	\$	1,006
DAC Administration	\$	1,033
Total	\$	15,000

The motion was seconded by Laura Wassmer and passed by a vote of 11 to 0 with Mr. Vennard abstaining.

## **COMMITTEE REPORTS**

### **Legislative/Finance Committee**

#### **COU2005-40 Consider Economic Development Incentive Policy**

Bill Griffith stated Kate Michaelis met with the Legislative/Finance Committee to discuss the adoption of an economic development incentive policy. Ms Michaelis feels it would be beneficial to the Northeast Johnson County Economic Development Council if

all the participating cities adopted economic development incentive policies. Mr. Griffith noted Prairie Village has already adopted policies addressing TIF (Tax Increment Financing) and IRB (Industrial Revenue Bonds).

Mr. Griffith noted the proposed resolution in Section 1 should read “The City of Prairie Village *may* adopt an economic development incentive policy . . .” not *shall* as it reads in the packet. The committee recommends looking at each policy individually and seeking advice from the city’s professional bond counsel . The proposed resolution tells developers that the nine cities in the area are generally open to using the types of programs listed in the resolution.

On behalf of the Legislative/Finance Committee, Mr. Griffith moved the City Council adopt a resolution providing for the consideration of the adoption of an economic development policy with the correction noted changing “shall” to “may” in the first sentence in Section 1. The motion was seconded by Laura Wassmer and passed unanimously.

Pat Daniels expressed support for the development of polices and commended the committee for bringing this forward.

#### LEG2005-41 Consider the 2006 Legislative Program

Bill Griffith stated each year the City adopts a list of priority legislative issues and forwards it to the Legislative Representatives. The proposed 2006 program has a couple of minor changes reflecting rewording of items regarding franchises and franchise fees and two major changes. Committee members agreed to remove items regarding the Kansas Public Records Act and Kansas Open Meetings Act from the 2006 program. Added to the 2006 program was opposition to any legislation which preempts local regulation of firearms. Mr. Griffith noted the Taxpayers’ Bill of Rights (TABOR) was discussed but not included in the recommended program.

On behalf of the Legislative/Finance Committee, Bill Griffith moved the City Council adopt a 2006 Legislative Program containing the same items as the 2005 program with the following exceptions: 1) Removal of the item regarding the open records and open meetings acts; 2) Rewording of the eminent domain item from the 2005 program to read: “The City of Prairie Village supports legislation which continues to

allow for the use of eminent domain for economic development purposes and strengthens the process which balances private property interests and the welfare of the community at large; 3) Rewording of the franchises and franchise fees item to read: "The City of Prairie Village encourages the Kansas Congressional delegation and the Kansas Legislature to protect the ability of cities to manage their rights-of-way and impose franchise fees regarding telecommunications and cable companies; 4) Adding an item to read: "The City of Prairie Village opposes any legislation which preempts local regulation of firearms." The motion was seconded by Laura Wassmer.

Diana Ewy Sharp noted the National League of Cities, League of Kansas Municipalities and the Shawnee Mission School Board have all adopted resolutions on TABOR and she feels this should be included in the city's 2006 Legislative Program.

Josh Farrar explained TABOR is generally a policy statement in opposition to a state imposed taxing or spending limitation on local governments.

David Belz asked why the committee chose not to include TABOR. Bill Griffith responded he felt the Colorado TABOR was a big mistake and did not work. There were some concerns expressed with getting a TABOR following the Colorado model, there was not total opposition to the concept.

Pat Daniels stated he would support the inclusion of TABOR in the 2006 Legislative Program.

Diana Ewy Sharp moved to include opposition to TABOR in the 2006 Legislative Program. The motion was seconded by Wayne Vennard.

Steve Noll asked what the specific affect of TABOR would be. Diana Ewy Sharp responded it impacts social services. Josh Farrar responded it would put a cap on spending that is tied to growth.

Steve Noll confirmed anyone can write their own bill of rights on a particular platform and asked what the Council was really voting on with the proposed motion. Diana Ewy Sharp responded 'Taxpayers' Bill of Rights" noting it really comes down to "home rule".

Wayne Vennard noted the Colorado TABOR was ok when the economy was growing.

Steve Noll expressed concern with the vagueness and unclarity of the motion as to what it was actually opposing. Diana Ewy Sharp responded the legislative representatives are familiar with TABOR and would understand the statement.

Laura Wassmer suggested rewording the motion to add more clarity.

Diana Ewy Sharp offered the following friendly amendment to the motion to read as follows: "move to include in the 2006 Legislative Program for the City of Prairie Village a policy statement in opposition to a state imposed taxing or spending limitation on local governments." The amendment was accepted by Mr. Vennard who seconded the motion. The amendment to the motion was voted on and passed by a vote of 9 to 3 with Griffith, Hopkins and Anthony voting "nay".

Mayor Shaffer called for a vote on the original motion for the adoption of the recommended 2006 Legislative Program including the amendment just approved. The motion as amended was passed unanimously.

#### **OLD BUSINESS**

There was No Old Business to come before the City Council.

#### **NEW BUSINESS**

Bill Griffith reported on the Planning Commission meeting of December 6<sup>th</sup>. The Commission heard approximately three hours of testimony on the requested special use permit for the placement of communication antenna and related equipment facility at McCrum Park. The Commission found two of the criteria for approval not to be present and is forwarding to the City Council a recommendation for denial of the special use permit. Steve Noll stated it was his understanding that most of the opposition was not to the installation of the antenna, but the ground level facility.

Mayor Shaffer noted this item would come to the Council Committee of the Whole for consideration on Tuesday, January 17<sup>th</sup>.

#### **ANNOUNCEMENTS**

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

Policy/Services Committee (Tuesday)	01/03/2006	6:00 p.m.
Legislative/Finance Committee (Tuesday)	01/03/2006	6:00 p.m.
Council (Tuesday)	01/03/2006	7:30 p.m.

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The Prairie Village Arts Council is pleased to feature the Julie Johnson exhibit in the R.G. Endres Gallery during the month of December. The Gallery will host an exhibit of mixed media by Gary Mehl and Art Whorton in January.

The Mayor's Holiday Tree Lighting Ceremony has received \$10,024.50 donations as of December 15<sup>th</sup>, 2005. 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 welcomed Lauren Claas who was in attendance at the meeting. Lauren will be covering the January 3<sup>rd</sup> meeting for the City Clerk while she covers the Planning Commission meeting that evening.

Deffenbaugh will observe the Christmas Day holiday with the normal Monday pickup being done on Tuesday. The Municipal Offices will also be closed in observance of the holiday on Monday. Deffenbaugh will observe the New Year's Day holiday on Monday, January 2, 2006 with the normal Monday pickup being done on Tuesday. The Municipal Offices will also be closed in observance of the holiday on Monday.

Holiday tree recycling is available until January 16<sup>th</sup> at Harmon Park, Franklin Park, Porter Park and Meadowlake Park.

Mayor Shaffer reminded Council members of the information items distributed this evening regarding the paperless packet, convener reception and NEJC Chamber annual dinner.

The 50<sup>th</sup> Anniversary books, Prairie Village Our Story, and Prairie Village Gift Cards continue to be sold to the public.

#### **ADJOURNMENT**

With no further business to come before the Council, the meeting was adjourned at 7:55 p.m.

Joyce Hagen Mundy  
City Clerk

# CITY TREASURER'S WARRANT REGISTER

DATE WARRANTS ISSUED:

Warrant Register Page No.   1  

January 3, 2006

**Copy of Ordinance**  
2622

Ordinance Page No.       

An Ordinance Making Appropriate for the Payment of Certain Claims.

Be it ordained by the governing body of the City of Prairie Village, Kansas.

Section 1. That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of funds in the City treasury the sum required for each claim.

NAME	WARRANT NUMBER	AMOUNT	TOTAL
<b>EXPENDITURES:</b>			
Accounts Payable			
Check # 81906	11/29/2005	625.00	
Check # 81907-82009	12/5/2005	358,350.81	
Check # 82010-82016	12/9/2005	7,901.28	
Check # 82017	12/12/2005	2,500.00	
Check # 82018-82123	12/19/2005	348,203.91	
Check # 82124-82128	1/1/2006	60,023.38	
Check # 82129-82133	12/28/2005	546.41	
Payroll Expenditures			
December 9/2005		197,382.70	
December 23/2005		195,439.60	
Electronic Payments			
Intrust Bank - November credit card fees (General Oper)		271.48	
Intrust Bank - November credit card fees (Bonds)		356.51	
State of Kansas - October sales tax remittance		5.53	
Marshall & Ilsley - November Police Pension remittance		5,760.84	
Intrust Bank - November fee		315.16	
MHM - Section 125 admin fees		232.92	
UNUM Long-term Care Premium - November		867.09	
Intrust Bank - November purchasing card transactions		5,925.80	
<b>TOTAL EXPENDITURES:</b>			<b>\$ 1,184,708.42</b>
Voided Checks			
Store Financial Services	#81773	(189.00)	
Kim Cobb	#81818	(3,000.00)	
Holman Handsten Colville & Coates, P.C.	#81835	(1,661.00)	
A&L Masonry Repair	#81907	(2,500.00)	
Accurate Auto Prod Inc.	#81908	(91.80)	
Cintas	#81925	(81.01)	
<b>TOTAL VOIDED CHECKS:</b>			<b>(7,522.81)</b>
<b>GRAND TOTAL CLAIMS ORDINANCE</b>			<b>1,177,185.61</b>

Section 2. That this ordinance shall take effect and be in force from and after its passage.

Passed this 3rd day of January 2006.

Signed or Approved this 3rd day of January 2006.

(SEAL)

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
City Treasurer

\_\_\_\_\_  
Mayor

## **CONSIDER PROJECT 190841 MISSION ROAD – 71<sup>ST</sup> STREET TO 75<sup>TH</sup> STREET**

### **Background:**

Construction Change Order #3 is a deduction for concrete material not meeting the specification. Construction Change Order #4 is for adjustment of final pay quantities based on work completed.

### **Financial Impact:**

Construction Change Order #3 is for a deduction of \$2,583.08 and #4 for a deduction of \$65,080.09. The unexpended project funds will be transferred to Capital Infrastructure Program Street Unallocated.

### **Recommendation:**

Public Works Staff recommends the approval of Construction Change Order #3 for a deduction of \$2,583.08 and #4 for a deduction of \$65,080.09 to McAnany Construction for Project 190841 and the transfer of project unexpended funds to Capital Infrastructure Program Street Unallocated.

Jaya

CITY OF PRAIRIE VILLAGE

PUBLIC WORKS DEPARTMENT

CONSTRUCTION CHANGE ORDER NO. 3

Consultant's Name: Affinis Corp.

Project Title: 190841: 2005 CARS Program, Mission Road (75th Street to 71st Street)

Date Requested: 15-Nov-05

Owner's Project No.: 190841

Contract Date: 6-Jun-05

Contractor's Name: McAnany Construction, Inc.

REQUIRED CHANGES IN PRESENT CONTRACT

Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
0	\$0.00	L.S.	Deduct for concrete	1.0	\$2,583.08	\$2,583.08
TOTAL	\$0.00				TOTAL	\$2,583.08
			NET	Increase Decrease		\$2,583.08

Explanation of Changes

Project 190841; 2005 CARS Program (75th Street to 71st Street). This change order is to cover the following items:

This decrease in contract amount is a result of concrete material being out of specification. Attached is an itemized summary of the material, location and cost adjustment.




This change order increased the contract amount by \$2,583.08

Original Contract Price	\$ 582,195.50
Current Contract Price, as adjusted by previous Change Orders	\$ 629,089.00
NET <del>increase or</del> decrease this Change Order	\$ 2,583.08
New Contract Price	\$ 626,505.92

Change to Contract Time  
N/A


The Engineering Consultant **does not** anticipate a related Engineering Change Order .

  
\_\_\_\_\_  
Kristen E. Leathers, P.E.  
Project Engineer for Consultant

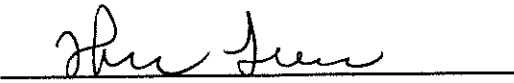
11/16/05  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Ronald L. Shaffer  
Mayor, City of Prairie Village, KS

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jake Allen, McAnany Construction, Inc.  
Project Manager for Contractor

12-1-05  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Thomas Trivens, City of PV

12/5/05  
\_\_\_\_\_  
Date

Revised 10/06/05 by KEL

190841																																				
#	DATE	LOCATION	FEATURE	SPEC	TESTED	SPEC	OFF	SUPPLIER	TICKET NO.	MIX #	Deduct %	Load Size	Item Quantity	Item Price	Deduct (\$)																					
1	7/6/05	50' S/O 71st	Inlet 5'x3'	Slump	4.5	4	0.5	Pennys	3006423	AS6425G44	12.50%	3	1	\$7,875.00	\$984.38																					
2	7/6/05	74th Terrace/Mission	E Curb	Alr,compression	3080.0	4000.0	-940.0	CM	79461	QKB4K0541	23.50%	8	79	\$30.00	\$556.95																					
3	7/7/05	15' n/o 74th Ter	E Curb	Alr	4.7	5.0	-0.3	CM	79483	QKB4K0541	6.00%	8	200	\$30.00	\$360.00																					
4	7/7/05	73rd St, S/W Radius	E Curb	Alr	4.7	5.0	-0.3	CM	79510	QKB4K0541	6.00%	8	200	\$30.00	\$360.00																					
5	7/8/05	100 feet S/O 74th Ter	Sidewalk	Alr	8.5	8.0	0.5	CM	79565	QKB4K0544	6.25%	10	90	\$57.20	\$321.75																					
															\$2,583.08																					
190847																																				
#	DATE	LOCATION	FEATURE	SPEC	TESTED	SPEC	OFF	SUPPLIER	TICKET NO.	MIX #	Deduct %	Load Size	Item Quantity	Item Price	Deduct (\$)																					
1	7/16/05	19+50 E/S	A Curb	Alr	4.2	5.0	-0.8	CM	79984/6	QF4K0539	18.00%	10	212	\$22.50	\$763.20																					
2	7/16/05	8+83 Linden	A Curb	Alr/Temp	4.7/91	5.0	-0.3	CM	79993/12	QF4K0539	6.00%	10	212	\$22.50	\$286.20																					
3	7/29/05	Linden Drive	Drwys	Compression	3930	4000	70	CM		QF4K0542	1.75%	4.5	27.8	\$59.00	\$28.70																					
4	8/9/05	84th Ter	A Curb	Temp	91.0	90.0	1.0	CM	81089	QKB4K0541	1.11%	10	212	\$22.50	\$53.00																					
															\$1,131.10																					
190848																																				
#	DATE	LOCATION	FEATURE	SPEC	TESTED	SPEC	OFF	SUPPLIER	TICKET NO.	MIX #	Deduct %	Load Size	Item Quantity	Item Price	Deduct (\$)																					
1	7/12/05	Corinth Square	E Curb	Temp	92.0	90.0	2.0	CM	79739	QKB4K0541	2.22%	8	200	\$32.00	\$142.22																					
2	7/26/05	83rd/Mission	Pavement	Alr, Compression	3270.0	5000.0	-1730.0			QF6K0540	34.60%		282.6	\$84.00	\$8,213.49																					
3	8/29/05	Mission Bank	Drwy	Slump	6.0	5.0	1.0	CM	29478	QKB4K0544	20.00%		58	\$74.00	\$858.40																					
															\$9,214.11																					
															<b>Grand Total Deduct</b>																					
															<b>\$12,928.29</b>																					
<table border="1"> <thead> <tr> <th>CM Mix #</th> <th>KCMMB Mix #</th> <th>Strength</th> </tr> </thead> <tbody> <tr> <td>QF4K0539</td> <td>QF4K05(1)</td> <td>4000</td> </tr> <tr> <td>QF4K0540</td> <td>QF4K05(2)</td> <td>4000</td> </tr> <tr> <td>QF4K0541</td> <td>QF4K05(3)</td> <td>4000</td> </tr> <tr> <td>QF4K0542</td> <td>QF4K05(4)</td> <td>4000</td> </tr> <tr> <td>QF5K0540</td> <td>QF5K05(2)</td> <td>5000</td> </tr> <tr> <td>QF5K0538</td> <td>QF5K05(4)</td> <td>5000</td> </tr> </tbody> </table>																CM Mix #	KCMMB Mix #	Strength	QF4K0539	QF4K05(1)	4000	QF4K0540	QF4K05(2)	4000	QF4K0541	QF4K05(3)	4000	QF4K0542	QF4K05(4)	4000	QF5K0540	QF5K05(2)	5000	QF5K0538	QF5K05(4)	5000
CM Mix #	KCMMB Mix #	Strength																																		
QF4K0539	QF4K05(1)	4000																																		
QF4K0540	QF4K05(2)	4000																																		
QF4K0541	QF4K05(3)	4000																																		
QF4K0542	QF4K05(4)	4000																																		
QF5K0540	QF5K05(2)	5000																																		
QF5K0538	QF5K05(4)	5000																																		
Note: QKB mixes are KCMMB approved																																				

July 06

CITY OF PRAIRIE VILLAGE  
PUBLIC WORKS DEPARTMENT  
CONSTRUCTION CHANGE ORDER NO. 4 (FINAL)

Consultant's Name: Affinis Corp.

Project Title: 190841: 2005 CARS Program, Mission Road (75th Street to 71st Street)

Date Requested: 2-Dec-05

Owner's Project No.: 190841

Contract Date: 6-Jun-05

Contractor's Name: McAnany Construction, Inc.

REQUIRED CHANGES IN PRESENT CONTRACT

Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adj. Amount
1,574.00	\$70,830.00	L.S.	2" Asphalt Surface	1630.77	\$45.00	\$73,384.65
1,433.00	\$75,949.00	S.Y.	Full Depth Pavement patch - Arterial	499.65	\$53.00	\$26,481.45
150.00	\$3,000.00	S.Y.	12" Subgrade modification	0.00	\$20.00	\$0.00
1,256.00	\$62,800.00	S.F.	Clay brick crosswalk	1275.00	\$50.00	\$63,750.00
158.00	\$5,372.00	L.F.	Replaced concrete curb & gutter	27.40	\$34.00	\$931.60
2,709.00	\$81,270.00	L.F.	Replaced Type E curb	2846.40	\$30.00	\$85,392.00
70.00	\$4,130.00	S.Y.	Replaced 6" Concrete Drive	60.61	\$59.00	\$3,575.99
41.00	\$3,444.00	S.Y.	Replaced 8" Concrete Drive	49.60	\$84.00	\$4,166.40
640.00	\$36,608.00	S.Y.	Replaced 4" sidewalk	811.57	\$57.20	\$46,421.80
504.00	\$44,100.00	S.Y.	ADA Ramp	525.86	\$87.50	\$46,012.75
413.00	\$12,803.00	S.F.	Truncated Dome Panel	412.00	\$31.00	\$12,772.00
30.00	\$6,300.00	L.F.	15" RCP	21.50	\$210.00	\$4,515.00
269.00	\$24,008.25	L.F.	21" RCP	280.00	\$89.25	\$24,990.00
640.00	\$10,080.00	L.F.	Underdrain	0.00	\$15.75	\$0.00
300.00	\$3,939.00	L.F.	Drain Tile Connection	0.00	\$13.13	\$0.00
11.00	\$9,240.00	Each	Manhole Adjustment	3.00	\$840.00	\$2,520.00
8.00	\$84.00	Each	Temporary Inlet Sediment Barrier	0.00	\$10.50	\$0.00
1,200.00	\$1,140.00	L.F.	Temporary Sediment Barrier (Silt Fence)	0.00	\$0.95	\$0.00
380.00	\$2,660.00	S.Y.	Bluegrass sod	825.00	\$7.00	\$5,775.00
380.00	\$2,660.00	S.Y.	Fescue sod	0.00	\$7.00	\$0.00
190.00	\$1,520.00	S.Y.	Zoysia sod	0.00	\$8.00	\$0.00
452.00	\$167.24	L.F.	4" White paint pavement marking	192.00	\$0.37	\$71.04
310.00	\$114.70	L.F.	4" Yellow paint pavement marking	0.00	\$0.37	\$0.00
95.00	\$498.75	L.F.	24" White paint pavement marking	60.00	\$5.25	\$315.00
9.00	\$708.75	Each	Arrow symbol paint	6.00	\$78.75	\$472.50
1.00	\$131.25	Each	ONLY symbol paint	0.00	\$131.25	\$0.00
1,493.00	\$791.29	L.F.	4" White thermoplastic pavement marking	1223.00	\$0.53	\$648.19
4,674.00	\$2,477.22	L.F.	4" Yellow thermoplastic pavement marking	4988.00	\$0.53	\$2,643.64
163.00	\$1,540.35	L.F.	12" White thermoplastic pavement marking	155.00	\$9.45	\$1,464.75
20.00	\$189.00	L.F.	12" Yellow thermoplastic pavement marking	21.00	\$9.45	\$198.45
194.00	\$2,444.40	L.F.	24" White thermoplastic pavement marking	204.00	\$12.60	\$2,570.40
13.00	\$2,047.50	Each	Arrow symbol thermoplastic	1.00	\$157.50	\$157.50
2.00	\$525.00	Each	ONLY symbol thermoplastic	1.00	\$262.50	\$262.50
2	\$2,000.00	Each	Land Corner Monument	1	\$1,000.00	\$1,000.00
<b>TOTAL</b>	<b>\$475,572.70</b>				<b>TOTAL</b>	<b>\$410,492.61</b>
				<b>NET</b>	<b>Increase Decrease</b>	<b>-\$65,080.09</b>

**Explanation of Changes**

Project 190841; 2005 CARS Program (75th Street to 71st Street). This change order is to cover the following items:

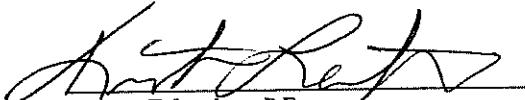
This decrease in contract amount is a result of the final adjustments to quantities based on work completed.

This change order decreased the contract amount by \$65,080.09.

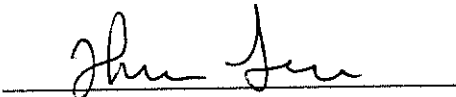
Original Contract Price	<u>\$ 582,195.50</u>
Current Contract Price, as adjusted by previous Change Orders	<u>\$ 626,505.92</u>
NET increase or decrease this Change Order	<u>\$ (65,080.09)</u>
New Contract Price	<u>\$ 561,425.83</u>

Change to Contract Time  
N/A

The Engineering Consultant does not anticipate a related Engineering Change Order .

  
Kristen E. Leathers, P.E.  
Project Engineer for Consultant

\_\_\_\_\_  
Date

  
Tom Trienens  
Manager of Engineering Services, City of Prairie Village, KS

\_\_\_\_\_  
Date 12/5/05

\_\_\_\_\_  
Ronald L. Shaffer  
Mayor, City of Prairie Village, KS

\_\_\_\_\_  
Date

  
Jake Allen, McAnany Construction, Inc.  
Project Manager for Contractor

\_\_\_\_\_  
Date 12-5-05

## **CONSIDER PROJECT 190847 2005 PAVING PROGRAM**

### **Background:**

Construction Change Order #4 is adjustment of concrete and asphalt material not meeting the specification. Construction Change Order #5 is the final adjustment of pay quantities based on work completed.

### **Financial Impact:**

Construction Change Order #4 is for a deduction of \$9,112.30 and #5 is for a deduction of \$31,485.09. The unexpended project funds will be transferred to the Capital Infrastructure Program Street Unallocated.

### **Recommendation:**

Public Works Staff recommends the approval of Construction Change Order #4 for a deduction of \$9,112.30 and #5 for a deduction of \$31,485.09 to McAnany Construction for Project 190847 and the transfer of project unexpended funds to Capital Infrastructure Program Street Unallocated.

07/15/05

CITY OF PRAIRIE VILLAGE  
 PUBLIC WORKS DEPARTMENT  
 CONSTRUCTION CHANGE ORDER NO. 4

Consultant's Name: Affinis Corp.  
 Project Title: 190847: 2005 Street Resurfacing Program  
 Date Requested: 15-Nov-05  
 Owner's Project No.: 190847 Contract Date: 6-Jun-05  
 Contractor's Name: McAnany Construction, Inc.

REQUIRED CHANGES IN PRESENT CONTRACT

Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
0	\$0.00	L.S.	Deduct for asphalt	1.0	\$7,981.20	\$7,981.20
0	\$0.00	L.S.	Deduct for concrete	1.0	\$1,131.10	\$1,131.10
TOTAL	\$0.00				TOTAL	\$9,112.30
			NET	Increase Decrease		\$9,112.30

**Explanation of Changes**

Project 190847; 2005 Street Resurfacing Program. This change order is to cover the following items:

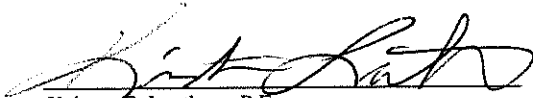
This decrease in contract amount is a result of asphalt and concrete material being out of specification. Attached is an itemized summary of the material, location and cost adjustment.

This change order decreased the contract amount by \$9,112.30

Original Contract Price	<u>\$ 982,750.40</u>
Current Contract Price, as adjusted by previous Change Orders	<u>\$ 1,024,706.06</u>
NET <del>increase or decrease</del> this Change Order	<u>\$ 9,112.30</u>
New Contract Price	<u><u>\$ 1,015,593.76</u></u>

Change to Contract Time:  
N/A

The Engineering Consultant **does not** anticipate a related Engineering Change Order .

  
\_\_\_\_\_  
Kristen E. Leathers, P.E.  
Project Engineer for Consultant

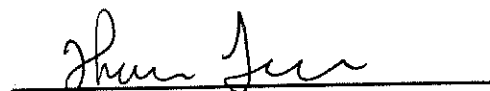
11/16/05  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Ronald L. Shaffer  
Mayor, City of Prairie Village, KS

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jake Allen, McAnany Construction, Inc.  
Project Manager for Contractor

12-1-05  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Thomas Trienens, City of PV

12/5/05  
\_\_\_\_\_  
Date

Proposed Final Adjustments for Out of Specification Asphalt  
15-Nov-05

190847 Streets Program

#	DATE	LOCATION	FEATURE	ITEM OUT OF SPEC	TESTED	SPEC	Difference	% Diff.	Deduct %	Quantity	Item Price	Total Deduct
1	8/9/05	Linden street	Base	Gradation (3/4")	86.0	85.0	1.0	1.18%	10.00%	222	\$50	\$1,110.00
				Gradation (1/2")	65.0	63.0	2.0	3.17%				
				Gradation (3/8")	58.0	55.0	3.0	5.45%				
				Gradation (#4)	44.0	39.0	5.0	12.82%				
				Gradation (#8)	33.0	30.0	3.0	10.00%				
				Gradation (#16)	26.0	23.0	3.0	13.04%				
				Gradation (#30)	21.0	18.0	3.0	16.67%				
				Gradation (#50)	16.0	12.0	4.0	33.33%				
				Gradation (#200)	9.7	6.7	3.0	44.78%				
2	9/20/05	Canterbury	Surface	Gradation (3/8")	86.0	82.0	4.0	4.88%	10.00%	241.0	\$52	\$1,263.20
				Gradation (#4)	74.0	61.0	13.0	21.31%				
				Gradation (#8)	58.0	47.0	11.0	23.40%				
				Gradation (#16)	42.0	36.0	6.0	16.67%				
				Gradation (#200)	7.5	7.4	0.1	1.35%				
3	9/20/05	Canterbury	Base	Gradation (3/4")	86.0	85.0	1.0	1.18%	10.00%	470.0	\$50	\$2,350.00
				Gradation (1/2")	64.0	63.0	1.0	1.59%				
				Gradation (#4)	45.0	39.0	6.0	15.38%				
				Gradation (#8)	35.0	30.0	5.0	16.67%				
				Gradation (#16)	28.0	23.0	5.0	21.74%				
				Gradation (#30)	22.0	18.0	4.0	22.22%				
				Gradation (#50)	15.0	12.0	3.0	25.00%				
				Gradation (#200)	8.9	6.7	2.2	32.84%				
4	10/24/05	78th Street	Base	Gradation (3/8")	56.0	55.0	1.0	1.82%	10.00%	430.0	\$50	\$2,150.00
				Gradation (#4)	46.0	39.0	7.0	17.95%				
				Gradation (#8)	35.0	30.0	5.0	16.67%				
				Gradation (#16)	29.0	23.0	6.0	26.09%				
				Gradation (#30)	23.0	18.0	5.0	27.78%				
				Gradation (#50)	15.0	12.0	3.0	25.00%				
				Gradation (#200)	7.3	6.7	0.6	8.96%				
5	10/25/05	78th Street	Surface	Gradation (#4)	65.0	61.0	4.0	6.56%	10.00%	215.0	\$52	\$1,118.00
				Gradation (#16)	38.0	36.0	2.0	5.56%				
				Gradation (#30)	29.0	27.0	2.0	7.41%				
				Gradation (#50)	19.0	16.0	3.0	18.75%				
				Gradation (#200)	4.7	5.4	-0.7	-12.96%				
Summary												\$7,981.20



Revised 10/06/05 by KEL																																					
190841																																					
#	DATE	LOCATION	FEATURE	SPEC	TESTED	SPEC	OFF	SUPPLIER	TICKET NO.	MIX #	Deduct %	Load Size	Item Quantity	Item Price	Deduct (\$)																						
1	7/6/05	50' S/O 71st	Inlet 5'x3'	Slump	4.5	4	0.5	Pennys	3006423	AS6425G44	12.50%	3	1	\$7,875.00	\$984.38																						
2	7/6/05	74th Terrace/Mission	E Curb	Air, compression	3060.0	4000.0	-940.0	CM	79461	QKB4K0541	23.50%	8	79	\$30.00	\$556.95																						
3	7/7/05	15' n/o 74th Ter	E Curb	Air	4.7	5.0	-0.3	CM	79483	QKB4K0541	6.00%	8	200	\$30.00	\$360.00																						
4	7/7/05	73rd St, S/W Radius	E Curb	Air	4.7	5.0	-0.3	CM	79510	QKB4K0541	6.00%	8	200	\$30.00	\$360.00																						
5	7/8/05	100 feet S/O 74th Ter	Sidewalk	Air	8.5	8.0	0.5	CM	79565	QKB4K0544	6.25%	10	90	\$57.20	\$321.75																						
															\$2,583.08																						
190847																																					
#	DATE	LOCATION	FEATURE	SPEC	TESTED	SPEC	OFF	SUPPLIER	TICKET NO.	MIX #	Deduct %	Load Size	Item Quantity	Item Price	Deduct (\$)																						
1	7/16/05	19+50 E/S	A Curb	Air	4.2	5.0	-0.8	CM	79984/6	QF4K0539	16.00%	10	212	\$22.50	\$763.20																						
2	7/16/05	8+83 Linden	A Curb	Air/Temp	4.7/91	5.0	-0.3	CM	79993/12	QF4K0539	6.00%	10	212	\$22.50	\$286.20																						
3	7/29/05	Linden Drive	Drwys	Compression	3930	4000	70	CM		QF4K0542	1.75%	4.5	27.8	\$59.00	\$28.70																						
4	8/9/05	84th Ter	A Curb	Temp	91.0	90.0	1.0	CM	81089	QKB4K0541	1.11%	10	212	\$22.50	\$53.00																						
															\$1,131.10																						
190848																																					
#	DATE	LOCATION	FEATURE	SPEC	TESTED	SPEC	OFF	SUPPLIER	TICKET NO.	MIX #	Deduct %	Load Size	Item Quantity	Item Price	Deduct (\$)																						
1	7/12/05	Corinth Square	E Curb	Temp	92.0	90.0	2.0	CM	79739	QKB4K0541	2.22%	8	200	\$32.00	\$142.22																						
2	7/26/05	83rd/Mission	Pavement	Air, Compression	3270.0	5000.0	-1730.0			QF5K0540	34.60%		282.6	\$84.00	\$8,213.49																						
3	8/29/05	Mission Bank	Drwy	Slump	6.0	5.0	1.0	CM	29478	QKB4K0544	20.00%		58	\$74.00	\$858.40																						
															\$9,214.11																						
															<b>Grand Total Deduct</b>	<b>\$12,928.29</b>																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>CM Mix #</th> <th>KCMMB Mix #</th> <th>Strength</th> </tr> </thead> <tbody> <tr> <td>QF4K0539</td> <td>QF4K05(1)</td> <td>4000</td> </tr> <tr> <td>QF4K0540</td> <td>QF4K05(2)</td> <td>4000</td> </tr> <tr> <td>QF4K0541</td> <td>QF4K05(3)</td> <td>4000</td> </tr> <tr> <td>QF4K0542</td> <td>QF4K05(4)</td> <td>4000</td> </tr> <tr> <td>QF5K0540</td> <td>QF5K05(2)</td> <td>5000</td> </tr> <tr> <td>QF5K0538</td> <td>QF5K05(4)</td> <td>5000</td> </tr> </tbody> </table>																	CM Mix #	KCMMB Mix #	Strength	QF4K0539	QF4K05(1)	4000	QF4K0540	QF4K05(2)	4000	QF4K0541	QF4K05(3)	4000	QF4K0542	QF4K05(4)	4000	QF5K0540	QF5K05(2)	5000	QF5K0538	QF5K05(4)	5000
CM Mix #	KCMMB Mix #	Strength																																			
QF4K0539	QF4K05(1)	4000																																			
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QF5K0540	QF5K05(2)	5000																																			
QF5K0538	QF5K05(4)	5000																																			
Note: QKB mixes are KCMMB approved																																					

8/11/05

CITY OF PRAIRIE VILLAGE

PUBLIC WORKS DEPARTMENT

CONSTRUCTION CHANGE ORDER NO. 5 (FINAL)

Consultant's Name: Affinis Corp.

Project Title: 190847: 2005 Street Resurfacing Program

Date Requested: 2-Dec-05

Owner's Project No.: 190847

Contract Date: 6-Jun-05

Contractor's Name: McAnany Construction, Inc.

REQUIRED CHANGES IN PRESENT CONTRACT

Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
303	\$1,212.00	S.Y.	Cold Milling	0.0	\$4.00	\$0.00
1,347	\$70,044.00	Tons	2" Asphalt Surface (Type 3)	1341.50	\$52.00	\$69,758.00
2,660	\$133,000.00	Tons	4" Asphalt Base (Type 1)	2611.60	\$50.00	\$130,580.00
3,692	\$88,608.00	Tons	4" Granular Subbase	3661.37	\$24.00	\$87,872.88
464	\$9,280.00	S.Y.	12" Subgrade Modification	387.30	\$20.00	\$7,746.00
9,199	\$206,977.50	L.F.	New Concrete Curb & Gutter	9266.70	\$22.50	\$208,500.75
1,207	\$71,213.00	S.Y.	Replaced Concrete Drive	1306.18	\$59.00	\$77,064.62
155	\$10,385.00	S.Y.	Replace 4" Concrete & 2" Asp	12.50	\$67.00	\$837.50
663	\$38,454.00	S.Y.	Replaced Sidewalk	665.40	\$58.00	\$38,593.20
92	\$8,096.00	S.Y.	ADA Ramps	99.21	\$88.00	\$8,730.48
88	\$2,816.00	S.F.	Truncated Dome Panel	84.00	\$32.00	\$2,688.00
73	\$6,862.00	L.F.	Type A Handrail	25.00	\$94.00	\$2,350.00
1,150	\$18,112.50	L.F.	Underdrain (EST)	960.00	\$15.75	\$15,120.00
580	\$7,615.40	L.F.	Drain Tile Connection (EST)	0	\$13.13	\$0.00
6	\$60.00	Each	Temporary Inlet Sediment Bar	0	\$10.00	\$0.00
4,580	\$4,351.00	L.F.	Temporary Sediment Barrier (	0	\$0.95	\$0.00
1,094	\$7,658.00	S.Y.	Bluegrass Sod	510	\$7.00	\$3,570.00
1,094	\$7,658.00	S.Y.	Fescue Sod	2,220	\$7.00	\$15,540.00
548	\$4,384.00	S.Y.	Zoysia Sod	0	\$8.00	\$0.00
26	\$2,600.00	Each	Sprinkler Head (EST)	20	\$100.00	\$2,000.00
260	\$2,600.00	L.F.	Sprinkler Pipe (EST)	34	\$10.00	\$340.00
	\$0.00	L.S.	City Trash pickup	1	-\$280.12	-\$280.12
	\$0.00	L.S.	Material testing Canterbury	1	-\$510.00	-\$510.00
	\$0.00					\$0.00
<b>TOTAL</b>	<b>\$701,986.40</b>				<b>TOTAL</b>	<b>\$670,501.31</b>
			<b>NET</b>	<b>Increase</b>	<b>Decrease</b>	<b>-\$31,485.09</b>

Explanation of Changes

Project 190847; 2005 Street Resurfacing Program. This change order is to cover the following items:

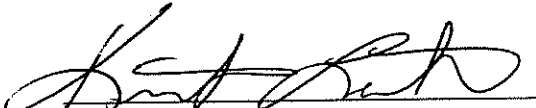
This decrease in contract amount is a result of the final adjustments to quantities based on work completed.

This change order decreased the contract amount by \$31,485.09.

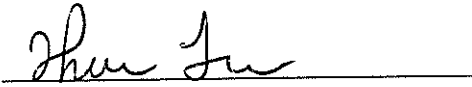
Original Contract Price	<u>\$ 982,750.40</u>
Current Contract Price, as adjusted by previous Change Orders	<u>\$ 1,015,593.76</u>
NET <del>increase</del> or decrease this Change Order	<u>\$ (31,485.09)</u>
New Contract Price	<u>\$ 984,108.67</u>

Change to Contract Time:  
N/A

The Engineering Consultant does not anticipate a related Engineering Change Order .

  
\_\_\_\_\_  
Kristen E. Leathers, P.E.  
Project Engineer for Consultant

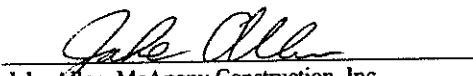
12/5/05  
Date

  
\_\_\_\_\_  
Tom Trienens  
Manager of Engineering Services, City of Prairie Village, KS

12/5/05  
Date

\_\_\_\_\_  
Ronald L. Shaffer  
Mayor, City of Prairie Village, KS

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jake Allen, McAnany Construction, Inc.  
Project Manager for Contractor

12-5-05  
Date

**CONSIDER PROJECT 190848 PROJECT MISSION ROAD – 83<sup>RD</sup>  
STREET TO SOMERSET DRIVE**

**Background:**

Construction Change Order #1 is adjustment of concrete and asphalt material not meeting the specification. Construction Change Order #1 is the final adjustment of pay quantities based on work completed.

**Financial Impact:**

Construction Change Order #1 is for a deduction of \$9,214.11 and #2 is for a deduction of \$1,257.72. The unexpended project funds will be transferred to the Capital Infrastructure Program Street Unallocated.

**Recommendation:**

Public Works Staff recommends the approval of Construction Change Order #1 for a deduction of \$9,214.11 and #2 is for a deduction of \$1,257.72 to McAnany Construction for Project 190848 and the transfer of project unexpended funds to Capital Infrastructure Program Street Unallocated.

Jepcl

CITY OF PRAIRIE VILLAGE  
PUBLIC WORKS DEPARTMENT  
CONSTRUCTION CHANGE ORDER NO. 1

Consultant's Name: Affinis Corp.  
Project Title: 2005 CARS Program, Mission Road (83rd Street to Somerset Drive)  
Date Requested: 15-Nov-05  
Owner's Project No.: 190848 Contract Date: 6-Jun-05  
Contractor's Name: McAnany Construction, Inc.

REQUIRED CHANGES IN PRESENT CONTRACT

Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
0	\$0.00	L.S.	Deduct for concrete	1.0	\$9,214.11	\$9,214.11
TOTAL	\$0.00				TOTAL	\$9,214.11
			NET	Increase	Decrease	\$9,214.11

Explanation of Changes

Project 190848; 2005 CARS Program (83rd Street to Somerset Drive). This change order is to cover the following items:

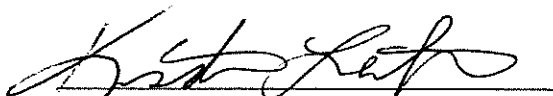
This decrease in contract amount is a result of concrete material being out of specification. Attached is an itemized summary of the material, location and cost adjustment.

This change order decreased the contract amount by \$9,214.11

Original Contract Price	\$ 230,117.46
Current Contract Price, as adjusted by previous Change Orders	\$ 230,117.46
NET <del>increase or</del> decrease this Change Order	\$ 9,214.11
New Contract Price	\$ 220,903.35

Change to Contract Time  
N/A

The Engineering Consultant **does not** anticipate a related Engineering Change Order .



Kristen E. Leathers, P.E.  
Project Engineer for Consultant

11/16/05  
Date

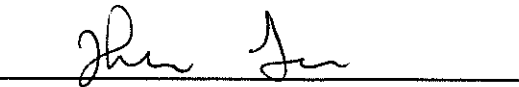
Ronald L. Shaffer  
Mayor, City of Prairie Village, KS

Date



Jake Allen, McAnany Construction, Inc.  
Project Manager for Contractor

12-1-05  
Date



Thomas Triereus, City of PV

12/5/05  
Date

Revised 10/06/05 by KEL

190841															
#	DATE	LOCATION	FEATURE	SPEC	TESTED	SPEC	OFF	SUPPLIER	TICKET NO.	MIX #	Deduct %	Load Size	Item Quantity	Item Price	Deduct (\$)
1	7/6/05	50' S/O 71st	Inlet 5'x3'	Slump	4.5	4	0.5	Pennys	3006423	AS6425G44	12.50%	3	1	\$7,875.00	\$984.38
2	7/6/05	74th Terrace/Mission	E Curb	Air, compression	3060.0	4000.0	-940.0	CM	79461	QKB4K0541	23.50%	8	79	\$30.00	\$556.95
3	7/7/05	15' n/o 74th Ter	E Curb	Air	4.7	5.0	-0.3	CM	79483	QKB4K0541	6.00%	8	200	\$30.00	\$360.00
4	7/7/05	73rd St, S/W Radius	E Curb	Air	4.7	5.0	-0.3	CM	79510	QKB4K0541	6.00%	8	200	\$30.00	\$360.00
5	7/8/05	100 feet S/O 74th Ter	Sidewalk	Air	8.5	8.0	0.5	CM	79585	QKB4K0544	6.25%	10	90	\$57.20	\$321.75
<b>\$2,583.08</b>															

190847															
#	DATE	LOCATION	FEATURE	SPEC	TESTED	SPEC	OFF	SUPPLIER	TICKET NO.	MIX #	Deduct %	Load Size	Item Quantity	Item Price	Deduct (\$)
1	7/16/05	19+50 E/S	A Curb	Air	4.2	5.0	-0.8	CM	79984/6	QF4K0539	16.00%	10	212	\$22.50	\$763.20
2	7/16/05	8+83 Linden	A Curb	Air/Temp	4.7/9.1	5.0	-0.3	CM	79993/12	QF4K0539	6.00%	10	212	\$22.50	\$286.20
3	7/29/05	Linden Drive	Drwys	Compression	3930	4000	70	CM		QF4K0542	1.75%	4.5	27.8	\$59.00	\$28.70
4	8/9/05	84th Ter	A Curb	Temp	91.0	90.0	1.0	CM	81089	QKB4K0541	1.11%	10	212	\$22.50	\$53.00
<b>\$1,131.10</b>															

190848															
#	DATE	LOCATION	FEATURE	SPEC	TESTED	SPEC	OFF	SUPPLIER	TICKET NO.	MIX #	Deduct %	Load Size	Item Quantity	Item Price	Deduct (\$)
1	7/12/05	Corinth Square	E Curb	Temp	92.0	90.0	2.0	CM	79739	QKB4K0541	2.22%	8	200	\$32.00	\$142.22
2	7/26/05	83rd/Mission	Pavement	Air, Compression	3270.0	5000.0	-1730.0			QF5K0540	34.60%		282.6	\$84.00	\$8,213.49
3	8/29/05	Mission Bank	Drwy	Slump	6.0	5.0	1.0	CM	29478	QKB4K0544	20.00%		58	\$74.00	\$858.40
<b>\$9,214.11</b>															

**Grand Total Deduct \$12,928.29**

CM Mix #	KCMMB Mix #	Strength
QF4K0539	QF4K05(1)	4000
QF4K0540	QF4K05(2)	4000
QF4K0541	QF4K05(3)	4000
QF4K0542	QF4K05(4)	4000
QF5K0540	QF5K05(2)	5000
QF5K0538	QF5K05(4)	5000

Note: QKB mixes are KCMMB approved

**CITY OF PRAIRIE VILLAGE**  
**PUBLIC WORKS DEPARTMENT**  
**CONSTRUCTION CHANGE ORDER NO. 2**

Consultant's Name: Affinis Corp.

Project Title: 190848: 2005 CARS Program, Mission Road (83rd Street to Somerset Drive)

Date Requested: 2-Dec-05

Owner's Project No.: 190848

Contract Date: 6-Jun-05

Contractor's Name: McAnany Construction, Inc.

**REQUIRED CHANGES IN PRESENT CONTRACT**

Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adj. Amount
3,851.00	\$7,702.00	S.Y.	Cold Milling	4227.00	\$2.00	\$8,454.00
450.00	\$20,250.00	L.S.	2" Asphalt Surface	491.00	\$45.00	\$22,095.00
280.00	\$14,840.00	S.Y.	Full Depth Pavement patch - Arterial	200.00	\$53.00	\$10,600.00
73.00	\$1,460.00	S.Y.	12" Subgrade modification	0.00	\$20.00	\$0.00
138.00	\$4,692.00	L.F.	Replaced concrete curb & gutter	212.80	\$34.00	\$7,235.20
965.00	\$30,880.00	L.F.	Replaced Type E curb	1192.80	\$32.00	\$38,169.60
107.00	\$4,280.00	L.F.	New Type D curb	106.00	\$40.00	\$4,240.00
445.00	\$25,810.00	S.Y.	Replaced 4" sidewalk	493.00	\$58.00	\$28,594.00
125.00	\$11,250.00	S.Y.	ADA Ramp	139.27	\$90.00	\$12,534.30
115.00	\$2,415.00	S.F.	Truncated Dome Panel	84.00	\$21.00	\$1,764.00
160.00	\$2,520.00	L.F.	Underdrain	0.00	\$15.75	\$0.00
130.00	\$1,706.90	L.F.	Drain Tile Connection	0.00	\$13.13	\$0.00
2.00	\$1,680.00	Each	Manhole Adjustment	1.00	\$840.00	\$840.00
4.00	\$42.00	Each	Temporary Inlet Sediment Barrier	0.00	\$10.50	\$0.00
670.00	\$636.50	L.F.	Temporary Sediment Barrier (Silt Fence)	0.00	\$0.95	\$0.00
125.00	\$875.00	S.Y.	Bluegrass sod	0.00	\$7.00	\$0.00
125.00	\$875.00	S.Y.	Fescue sod	555.00	\$7.00	\$3,885.00
65.00	\$650.00	S.Y.	Zoysia sod	0.00	\$10.00	\$0.00
395.00	\$146.15	L.F.	4" White paint pavement marking	121.00	\$0.37	\$44.77
448.00	\$165.76	L.F.	4" Yellow paint pavement marking	0.00	\$0.37	\$0.00
3.00	\$9.45	L.F.	12" Yellow paint pavement marking	0.00	\$3.15	\$0.00
87.00	\$456.75	L.F.	24" White paint pavement marking	35.00	\$5.25	\$183.75
1.00	\$78.75	Each	Arrow symbol paint	2.00	\$78.75	\$157.50
762.00	\$403.86	L.F.	4" White thermoplastic pavement marking	450.00	\$0.53	\$238.50
1,718.00	\$910.54	L.F.	4" Yellow thermoplastic pavement marking	1674.00	\$0.53	\$887.22
393.00	\$3,713.85	L.F.	12" White thermoplastic pavement marking	39.00	\$9.45	\$368.55
83.00	\$784.35	L.F.	12" Yellow thermoplastic pavement marking	91.00	\$9.45	\$859.95
276.00	\$3,477.60	L.F.	24" White thermoplastic pavement marking	99.00	\$12.60	\$1,247.40
8.00	\$1,260.00	Each	Arrow symbol thermoplastic	2.00	\$157.50	\$315.00
<b>TOTAL</b>	<b>\$143,971.46</b>					<b>\$142,713.74</b>
				<b>NET</b>	<b>Increase Decrease</b>	<b>-\$1,257.72</b>

**Explanation of Changes**

Project 190848; 2005 CARS Program (83rd Street to Somerset Drive). This change order is to cover the following items:

This decrease in contract amount is a result of the final adjustments to quantities based on work completed.

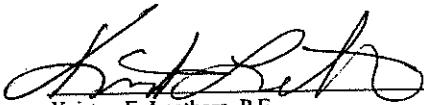


This change order decreased the contract amount by \$1,257.72.


Original Contract Price	<u>\$ 230,117.46</u>
Current Contract Price, as adjusted by previous Change Orders	<u>\$ 220,930.35</u>
NET increase or decrease this Change Order	<u>\$ (1,257.72)</u>
New Contract Price	<u><u>\$ 219,672.63</u></u>

Change to Contract Time  
N/A

The Engineering Consultant **does not** anticipate a related Engineering Change Order .

  
\_\_\_\_\_  
Kristen E. Leathers, P.E.  
Project Engineer for Consultant

12/5/05  
Date

  
\_\_\_\_\_  
Tom Trienens  
Manager of Engineering Services, City of Prairie Village, KS

12/5/05  
Date

\_\_\_\_\_  
Ronald L. Shaffer  
Mayor, City of Prairie Village, KS

\_\_\_\_\_  
Date

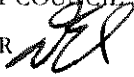
  
\_\_\_\_\_  
Jake Allen, McAnany Construction, Inc.  
Project Manager for Contractor

12-5-05  
Date

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CITY OF PRAIRIE VILLAGE

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TO: MAYOR & CITY COUNCIL  
FROM: DOUG LUTHER   
SUBJECT: 2006 UTILITY ASSISTANCE PROGRAM  
DATE: 20 DECEMBER, 2005  
CC:

---

The City annually contracts with Johnson County Human Services & Aging to administer the Utility Assistance Program. This program helps low income Prairie Village residents with paying their utility bills.

In order for Prairie Village residents to participate in the program, the City must enter into a Letter of Understanding with Johnson County for administration of this program.

Funding for the Utility Assistance Program is funded through the Prairie Village Municipal Foundation. Therefore, there is no financial impact associated with entering into the Letter of Understanding.

This item has been placed on the 3 January, 2006 Consent agenda for your consideration.

**RECOMMEND THE CITY COUNCIL APPROVE A LETTER OF UNDERSTANDING WITH THE JOHNSON COUNTY DEPARTMENT OF HUMAN SERVICES AND AGING FOR ADMINISTRATION OF THE UTILITY ASSISTANCE PROGRAM FOR PRAIRIE VILLAGE RESIDENTS.**

**COUNCIL ACTION REQUIRED  
CONSENT AGENDA**

**LETTER OF UNDERSTANDING  
JOHNSON COUNTY UTILITY ASSISTANCE PROGRAM**

**2006 PROGRAM YEAR**

This Letter of Understanding is entered into by and between the Johnson County Department of Human Services & Aging and the city of **The City of Prairie Village** for the administration of **UTILITY ASSISTANCE PROGRAM** available to residents of the City.

The parties do mutually agree to as follows:

**I. ELIGIBILITY**

Human Services & Aging will determine eligibility using the following factors:

- A. Verify that the applicant is a resident of the City and that the name of the applicant, spouse or another adult living in the household is on the utility bill.
- B. Verify that the applicant's household has a gross income at or below the 150% of Poverty Guidelines as published in the Federal Register.
- C. Verify with the utility that, the client has made a self-payment on the utility bill within the previous three months.

**II. BENEFIT & SERVICE PROVIDED**

In providing utility assistance benefits to eligible City applicants, Human Services & Aging will:

- A. Determine the amount of payment to be made to the utility based on the amount of arrearage or the maximum benefit, whichever is lower.
- B. Use 50% City funds and 50% County funds allocated for utility assistance. Each household will be eligible to receive assistance only once per year.
- C. Process payments to the utility vendors through the county's voucher system.
- D. Provide energy conservation materials and referrals for other services to utility assistance clients.
- E. Provide the City with quarterly reports on the number of households served and funds expended.

III. CONSIDERATION

In consideration of the above provisions the City will contribute \$ 0  
for the services listed in this Letter of Understanding for the **calendar year of 2006**.

At the end of the program year, any unobligated funds will be automatically transferred to the next program year or returned to the City upon request.

IV. SPECIAL PROVISIONS

- A. Any exceptions to the above procedures will be discussed, and mutually agreed upon by a designated representative of the City and the County.
- B. The benefit amount to City residents will be reduced by 50%, when either City or County funds have been exhausted.
- C. This Letter of Understanding may be terminated by either party upon thirty days written notice.

Executed in duplicate and on the date listed below.

**CITY OF The City of Prairie Village, KANSAS**

**Johnson County Human  
Services & Aging**

\_\_\_\_\_  
Signature

Trish Moore  
Trish Moore  
Director, Human Services & Aging

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Issue:**

**Consider appointments to the Prairie Village Sister City and Arts Council**

**Background:**

Mayor Shaffer is pleased to place before you the appointment of Richard N. Bills to the Prairie Village Sister Committee for a three-year term ending April, 2008 and Pam Marshall to the Prairie Village Arts Council to complete the unexpired term of Joan Kemp expiring in April, 2006. Their volunteer applications are attached.

**Recommendation:**

**Ratify the Mayor's appointment of Richard Bills to the Prairie Village Sister City Committee for a three-year term expiring in April, 2008 and Pam Marshall to the Prairie Village Arts Council to complete the unexpired term of Joan Kemp expiring in April, 2006.**

**CONSENT AGENDA**



City of Prairie Village

APPLICATION TO VOLUNTEER

Please complete this form and return it to the City Clerk's Office, 7700 Mission Road, Prairie Village, Kansas 66208. If you have any questions, please contact the City Clerk's Office at 913-381-6464 or send an e-mail to cityclerk@pvkansas.com.

Name Richard N. Bills Spouse's Name na

Address 3530 West 83rd Street Zip 66208.5103 Ward

Telephone: Home 913.381.4242 Work 913.636.0400 Fax 913.381.4242

E-mail na Other Number(s):

Business Affiliation Architect

Business Address

What Committee(s) interests you? Sister City Committee, Arts Council Committee, Tree Committee (in that order)

Please tell us about yourself, listing any special skills or experiences you have which would qualify you for a volunteer with the City of Prairie Village.

Lived in Prairie Village since 1965. Served on the Underground Utilities Committee. Have been involved in community service since 1959 as a member of Kiwanis International.

Thank you for your interest in serving our community.



**City of Prairie Village  
APPLICATION TO VOLUNTEER**

Please complete this form and return it to the City Clerk's Office, 7700 Mission Road, Prairie Village, Kansas 66208. If you have any questions, please contact the City Clerk's Office at 913-381-6464 or send an e-mail to [cityclerk@pvkansas.com](mailto:cityclerk@pvkansas.com).

Name Bob Marshall Spouse's Name                       
 Address 3410 W. 73<sup>rd</sup> Terrace Zip 66208 Ward 3  
 Telephone: Home 913-831-2574 Work 816-561-4480 Fax                       
 E-mail catpajamas10@aol.com Other Number(s):                       
 Business Affiliation Sheehan's Irish Imports  
 Business Address 1412 Westport Rd. KCMO 64111  
 What Committee(s) interests you? Arts Council  
Architectural Review

Please tell us about yourself, listing any special skills or experiences you have which would qualify you for a volunteer with the City of Prairie Village.

I served 2 3-yr. terms on my Homes Assoc. Board (P.Hills) and 1yr. as president. I'm very interested in art, architecture & design. I've been attending the P.V. art show almost every year of the 20 yrs. I've lived in P.V. I'd love to have a chance to judge the art! Also, I worked part-time in the HACED office for 7 yrs. I believe I have a lot to offer either committee.

Thank you for your interest in serving our community.


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**CITY OF PRAIRIE VILLAGE**

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**TO:** CITY COUNCIL  
**FROM:** DOUG LUTHER   
**SUBJECT:** PLANNING SERVICES AGREEMENT  
**DATE:** 12/27/2005  
**CC:**

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At its 21 November, 2005 meeting, the Council Committee of the Whole directed Staff to contract with Bucher Willis & Ratliff to provide Planning Consultant services on an interim basis.

The attached agreement contains a proposed planning services agreement. Notable changes from the 2005 Agreement include:

- A statement that the Planning Consultant will provide assistance with the Village Vision Projects
- Hourly rates for the most commonly used services would increase 3% under the proposed agreement
- The proposed agreement does not have a specific termination date. However, the City may terminate the agreement at any time and for any reason upon 30 days' notice.

This item has been placed on the 3 January, 2006 Consent Agenda for your consideration.



**AGREEMENT FOR PLANNING ADVISORY SERVICES**

THIS AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, in the year Two Thousand and Six.

BY AND BETWEEN the City of Prairie Village, Kansas, hereinafter called the "City", and Bucher, Willis & Ratliff Corporation, hereinafter called the "Consultant".

NOW, THEREFORE, IN CONSIDERATION OF THE COVENANTS AND AGREEMENTS herein contained, the parties hereto hereby agree as follows:

**ARTICLE I  
SCOPE OF SERVICES**

The Consultant shall perform the following services:

- A. Provide a general planning advisory service consisting of the preparation of technical reports and the provision of advice regarding planning, zoning and subdivision problems.
- B. Prepare special studies, surveys, designs and reports which may include zoning, subdivision, traffic, parks, redevelopment, utilities and other matters in the field of planning.
- C. Assist in the preparation, review and critique of the Village Vision and assist City Staff in its implementation.
- D. Attend meetings of the Prairie Village Planning Commission, Board of Zoning Appeals, City Council and other organizations and committees, as needed.

The Consultant shall perform the above services only upon the authorization of the City Administrator, the Assistant City Administrator, or the Planning Commission Chairman.

**ARTICLE II  
COMPENSATION**

The City agrees to compensate the Consultant for performing the services described in Article I on a per hour basis at the rates and charges given below.

**Planning**

Principal for time passed through to specific applications .....	\$142.00
Principal for City services .....	\$129.00
Senior Planner .....	\$115.00
Planner II .....	\$90.00
Planner I .....	\$80.00
Senior Landscape Architect .....	\$125.00
Landscape Architect II .....	\$95.00
Landscape Architect I .....	\$70.00
Planning Technician .....	\$60.00
Secretary .....	\$55.00

Engineering

Senior Traffic Engineer.....	\$125.00
Traffic Engineer IV.....	\$105.00
Traffic Engineer III.....	\$95.00
Traffic Engineer II.....	\$85.00
Traffic Engineer I.....	\$75.00
Engineering Technician II.....	\$70.00
Engineering Technician I.....	\$60.00

Architecture

Senior Architect.....	\$125.00
Architect III.....	\$115.00
Architect II.....	\$105.00
Architect I.....	\$90.00
Architect Intern II.....	\$70.00
Architect Intern I.....	\$60.00
Architectural Technician.....	\$70.00
Mechanical Engineer.....	\$105.00
Electrical Engineer.....	\$95.00

Meals, Mileage at the IRS-approved rate, Lodging, Computer, Printing  
 And Other Out-of-Pocket Expenses..... Actual Cost

A statement shall be submitted by the Consultant monthly itemizing the position, number of hours, services performed and other expenses for the work specifically requested by the City as outlined in the preceding Article I. The City shall make payment within thirty (30) calendar days of the date of said statement.

**ARTICLE III  
 MISCELLANEOUS PROVISIONS**

1. Insurance

The Consultant will furnish the City with a certificate evidencing comprehensive general liability insurance for at least \$1,000,000 each occurrence combined single limit for bodily injury and/or death and property damage, which certificate shall show the City as an additional insured party and also shall state that the policy cannot be canceled or materially altered without giving the City at least thirty (30) days' written notice.

2. Termination

This Agreement shall be effective beginning January 1, 2006, until terminated by the City. The City may terminate this Agreement at any time and for any reason by giving to the Consultant a notice in writing at least thirty (30) days prior to the effective date of such termination. In the event the City terminates this Agreement as herein provided, the City agrees to pay to the Consultant any and all sums due and owing for services rendered in accordance with the terms of this Agreement of the effective date of such termination.

IN WITNESS WHEREOF, said parties have affixed their name, the day and year first written above.

**CONSULTANT:**

**BUCHER, WILLIS & RATLIFF CORPORATION**

**CITY:**

**THE CITY OF PRAIRIE VILLAGE, KANSAS**

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Ronald A. Williamson, FAICP, Principal  
Executive Vice President

---

Ronald L. Shaffer, Mayor

**ATTEST:**

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Joyce Hagen Mundy, City Clerk

## COUNCIL COMMITTEE OF THE WHOLE

November 21, 2005

The Council Committee of the Whole met on Monday, November 21, 2005 at 6:00 p.m. The meeting was called to order by Council President Kay Wolf with the following members present: Al Herrera, Bill Griffith, Ruth Hopkins, Steve Noll, Greg Colston, Andrew Wang, Laura Wassmer, Pat Daniels, Jeff Anthony, Diana Ewy Sharp and David Belz. Staff members present: Barbara Vernon, City Administrator; Charles Grover, Chief of Police; Captain Wes Jordan; Bob Pryzby, Director of Public Works; Doug Luther, Assistant City Administrator and Joyce Hagen Mundy, City Clerk.

### **COU2005-40 Consider Planning Commission Recommendation**

Ken Vaughn, 5603 West 77<sup>th</sup> Terrace , Chairman of the Planning Commission reported pursuant to KSA 12-745 which empowers the Planning Commission "to employ such persons deemed necessary or contract for such services as the commission requires" the Commission directed staff to publish and send out request for proposals for the position of City Planning Consultant. Seven requests were sent to area firms with the firms of Gould Evans and Bucher Willis & Ratliff responding. On Monday, November 14<sup>th</sup>, the Planning Commission interviewed representatives from both firms.

The Commission considered the services needed by the City including planning, traffic engineering and other engineering studies as well as architectural design comments. Both firms have in-house planners. Gould Evans uses outside firms for engineering services, Bucher Willis & Ratliff has in-house engineers and architects. The immediate access to these services is valuable in expediting the review of applications.

In terms of experience, the Gould Evans staff has extensive experience and background in major project planning and development of comprehensive plans for governmental units across the country. Although some members of their staff began their careers as planners in cities, this has not been their major focus in recent years. The staff of Bucher Willis & Ratliff serves as the planning staff for several cities. They have some on-going contracts as well as assisting cities that are temporarily without a staff planner. Two members of their staff perform these services on a regular basis.

The Planning Commission expressed concern with the ability of Gould Evans staff to be responsive and timely on a day to day basis since this is not the type of work they normally do. Commission members who have worked with Gould Evans reported they were not always responsive and timely in completing projects. Past experience with Bucher Willis & Ratliff has proven them to be both responsive and timely in addressing the city's needs.

Mr. Vaughn stated the Commission unanimously selected the firm of Bucher Willis & Ratliff as the best qualified firm to serve as Planning Consultant to the City and support to the Planning Commission and city staff.

Pat Daniels asked Mr. Vaughn to comment on the other firms that were mailed a request for proposal. Mr. Vaughn stated he could not as they did not respond. Mr. Vaughn stated in his professional experience over the past 40 years, whenever he received a request for proposal for work he was interested in he responded. He confirmed the Commission followed the city's procedures for a fair and open solicitation of proposals.

Jeff Anthony asked if Commission gave any consideration to the potential conflict of interest with the firm of Bucher Willis & Ratliff. Mr. Vaughn was aware of the Council's concern; however, the Commission members did not see the on-going day to day routine review of planning applications as a conflict. Mr. Vaughn stated that, personally, if the firm was being considered for a major City sponsored redevelopment project, perhaps this would be a concern.

Diana Ewy Sharp asked if there was any consideration given to securing an in-house planner for the City. Mr. Vaughn responded there was minimal discussion of this option. He acknowledged it would be great to have in-house planning capability, but noted to provide a legitimate in-housing planning department capable of performing annually the services needed would cost in the range of \$100,000 to \$200,000. He stated the City is fortunate that either Gould Evans or Bucher Willis & Ratliff have people on staff that can serve as public employees for cities providing planning services on a consulting basis. Gould Evans has employees with former city planning experience and Bucher Willis & Ratliff provide planning services to several cities on an on-going basis.

Pat Daniels move the City Council accepts the recommendation of the Planning Commission to employ the firm of Bucher Willis & Ratliff for city Planning Consultant Services for a three year term. The motion was seconded by Al Herrera.

Bill Griffith, stated as much as he read the minutes of the Planning Commission and noted the Commission's feeling that Bucher Willis & Ratliff was clearly the most qualified candidate, he continues to be concerned with the potential conflict of interest problem and stated this process frankly is probably a good example of that in that the recommendation comes from a body that is appointed by the Mayor. He feels if you look at that from 10,000 feet you would be taken back. On the ground those people can be independent, the Council can be independent, and however, sometimes the perception of impropriety is as equal to actual impropriety. Therefore, he would like to have a better solution.

Ruth Hopkins agreed with Mr. Griffith and is extremely concerned with the potential for conflict of interest. She felt the will of the Council was not to rehire Bucher Willis & Ratliff as Planning Consultant and stated she will not support the motion and would like to see the Planning Commission reconsider its recommendation either by rebidding or hiring in-house as she is extremely uncomfortable with this solution.

Jeff Anthony agreed with previous comments stating the issue of perceived independence is as important as independence regardless of the number of legal opinions received stating there is no conflict of interest and will be voting against the motion.

Diana Ewy Sharp voiced concern that the Planning Commission is appointed by "the Mayor" and is very frustrated that she does not feel the City can continue with Ron Williamson from Bucher Willis & Ratliff as she feels he has done an excellent job for the City in the past and is expertly qualified. However, she feels it comes back as a reflection on the City Council and if Council moves forward it will not come back on the Planning Commission or the Mayor, but on the City Council. She would like a new recommendation of the Planning Commission or for the City to explore hiring in-house.

David Belz does not support the recommendation and feels he is being played. He learned from previous processes with stormwater engineering consultants that many companies may not come forward if they feel another company has a lock on the city's business; therefore, he is not surprised the other five companies did not respond. However, the process with the Planning Commission making the recommendation he feels smacks of political cover up.

Andrew Wang, stated the Council has received a recommendation from a qualified committee of experts in the area of planning for a consultant for this post. He is bothered by the Council defining what other people perceive that hasn't been expressed at least to him, although he has had much expressed on McCrum Park, sidewalks on Canterbury, the no smoking ordinance, either last winter when this first came up or in the past few weeks. He doesn't think in many other issues the Council jumps to the conclusion the residents of Prairie Village are seeing something and makes it decision on how they think residents see something without any substantiating information. The City has an open process where consultants of any background can respond to a bid process, I don't see how you turn down the overwhelming recommendation of a committee put in place to make planning decisions/recommendations for the City. I'd rather deal with perceptions when they get voiced rather than ahead of time, if anyone cares to have a perception.

Laura Wassmer agreed with Andrew -- she voted last time to take a wait and see approach and personally has not seen anything come up that appears to be a conflict of interests and has not heard anything from constituents, press, voicing any concern about the use of Bucher Willis & Ratliff as the City's Planning Consultant. It is very difficult to go against a planning commission recommendation on a fear of perception, not a reality of perception.

Pat Daniels stated he can emphasize with those who want the complete absence and appearance of impropriety. He agrees with the recommendation of the Planning Commission, who is directly impacted by the services provided as found and stated Secondly, Bucher Willis & Ratliff not only does an exceptional job working with Prairie Village, but with several other municipalities. Thirdly, as far as the conflict of interest is concerned, he does not feel his vote on the City Council is a knee-jerk reaction to the Mayor nor does he feel any council action taken in response to the recommendation of

the Planning Commission or a Planning Consultant is going to be a knee-jerk reaction. All of the Planning Commission members were appointed by the Mayor prior to his employment with Bucher Willis & Ratliff and as with all committee appointments Planning Commission appointments must be ratified by the City Council. He does not see a conflict of interest by any means.

Mr. Daniels feels the Council's sensitivity to impropriety is important, however, weighing all factors, especially as the City looks ahead to the implementation of the Village Vision process, the continuity, experience and qualifications provided by Butcher Willis & Ratliff merit the Council's support of the Planning Commission recommendation.

Council President Kay Wolf called for a vote on the motion to accept the recommendation of the Planning Commission to retain the firm of Bucher Willis & Ratliff to serve as the City's Planning Consultant for a period of three years with three one-year renewals.

The following votes were cast: "aye" Herrera, Colston, Wang, Wassmer, Daniels and Wolf and "nay" Griffith, Hopkins, Noll, Anthony, Ewy Sharp and Belz. The motion was defeated with a vote of 6 to 6.

Bill Griffith stated he felt if the City went through the bid process again the response would be different and therefore is not ready to take action on awarding the contract to Gould Evans. He feels that backing up and going out for bid again would yield the best results although he is confident that is not the action desired by either the Planning Commission or the staff.

Al Herrera asked for the value of the agreement. Mrs. Vernon responded it was \$30,000. Mr. Herrera stated he does not have a problem voting to accept the recommendation of the Planning Commission. He feels it is wrong to ask a committee to request bids, interview and make a recommendation based on qualifications and then after doing so to send it back because the Council does not like the recommendation. He feels a decision needs to be made this evening. He stated there has been no question regarding the qualifications of Bucher, Willis & Ratliff. He has not received any comments from any residents substantiating the perceived conflict. Mr. Herrera noted the agreements are technically three one year agreements that can be terminated.

Al Herrera moved the City Council accept the Planning Commission recommendation and retain the firm of Bucher Willis & Ratliff as the City's Planning Consultant for a one year agreements with the Planning Commission evaluating the service at the end of the year. The motion was seconded by Pat Daniels.

Ruth Hopkins stated the proposed motion is actually the same as the previous motion as the City Council has the right to review the agreement at the end of the year.

Jeff Anthony says the governing body has a fiduciary duty to the residents to protect the best interest of the City, which means looking down the road and anticipating both the good and bad. He acknowledged there are no problems now but what if there were problems later, how would it look. He stated he will not support this motion as the Council needs to look forward to protect its citizens.

Andrew Wang stated if the Council were to look forward and protect the best interest of the citizens it would approve an agreement with the most qualified candidate for the open position of planning consultant as recommended by our Planning Commission. He doesn't see how you are looking out for the best interest of the City if we have an open process that has been followed, you have a recommendation by committee of experts and for reasons other than the qualifications of the consultant that the Council votes that recommendation down.

Diana Ewy Sharp as a follow up to Mr. Anthony's comments, stated when the City was considering the school safety zones on Mission Road and the City received the report of the traffic safety study done by Bucher Willis & Ratliff that if the outcome had been different there could have some questions about the firm that had done the study and that is her primary concern for moving forward. She doesn't know what will happen in the future but stated "employing a firm that the Mayor is a partner of as a city leader she stated she has to be more responsible than accepting that."

Pat Daniels stated that at the very least he felt the City needed to have the assurance of continuity from January 1 to the end of the Village Vision process. We have been through a number of years with the Mayor employed by Bucher Willis & Ratliff and with Ron Williamson of Bucher Willis & Ratliff as Planning Consultant. He feels for the very least the continuity of Bucher Willis & Ratliff for the next four to six months needs to be secure. He supports a one-year agreement, but would also strongly support an agreement of a minimum of six months. He noted those speaking against this continuity have not been involved in this planning process and its importance.

Ruth Hopkins called the question, which passed by a vote of 11 to 1.

Council President restated the motion as follows: The City Council accept the Planning Commission recommendation and retain the firm of Bucher Willis & Ratliff as the City's Planning Consultant for a one year agreements with the Planning Commission evaluating the service at the end of the year.

The following votes were cast: "aye" Herrera, Colston, Wang, Wassmer, Daniels and Wolf and "nay" Griffith, Hopkins, Noll, Anthony, Ewy Sharp and Belz. The motion was defeated with a vote of 6 to 6.

Laura Wassmer moved the City Council extend the agreement with Bucher Willis & Ratliff to provide City Planning Services through June 1, 2006. The motion was seconded by Pat Daniels.



The following votes were cast: "aye" Herrera, Colston, Wang, Wassmer, Daniels and Wolf and "nay" Griffith, Hopkins, Noll, Anthony, Ewy Sharp and Belz. The motion was defeated with a vote of 6 to 6.

Jeff Anthony moved to City Council return the process the Planning Commission to resend out requests for proposal and communicate with the seven initial the action of the City Council. The motion was seconded by David Belz. Ruth Hopkins asked if part of that direction could be the consideration of an in-house planner. She acknowledged the financial restraints of a full time planner, but felt the possibility of a part-time planner or a shared planner with another municipality would be financially possible. The amendment was accepted.

Council President Kay Wolf asked for a vote on the following motion:

**RECOMMEND THE CITY COUNCIL RETURN THE PLANNING  
CONSULTANT SELECTION PROCESS TO THE PLANNING  
COMMISSION WITH DIRECTION TO RE-SEND REQUESTS FOR  
PROPOSALS TO THE SEVEN INITIAL FIRMS AND TO CONSIDER  
THE HIRING OF AN IN-HOUSE PLANNER.  
COUNCIL ACTION REQUIRED  
CONSENT AGENDA**

Barbara Vernon noted the agreement with Bucher Willis & Ratliff expires on December 31, 2005 and how planning advisory services to staff and the Planning Commission would be handled after that time.

Recognizing the constraints of the December 31<sup>st</sup> termination of the Contract with Bucher Willis & Ratliff, Bill Griffith made the following motion, which was seconded by Ruth Hopkins and passed unanimously:

**RECOMMEND THE CITY COUNCIL DIRECT STAFF TO  
CONTRACT WITH BUCHER WILLIS & RATLIFF TO PROVIDE  
PLANNING CONSULTANT SERVICES ON AN INTERIM BASIS  
UNTIL A NEW PLANNING CONSULTANT IS HIRED  
COUNCIL ACTION REQUIRED  
CONSENT AGENDA**

#### **COU2005-41 Consider 2006 Salary Ordinance**

Doug Luther reviewed the process for the establishment of salary ranges for city positions as established by Council Policy #110. The ranges establish a minimum and maximum pay level for the 29 salary classification within the City.

Annually, staff reviews City salary ranges for comparability and competitiveness with other local governments in Johnson County. The salary ranges for 2006, as in the past,

## COUNCIL COMMITTEE OF THE WHOLE

December 19, 2005

The Council Committee of the Whole met on Monday, December 19, 2005 at 6:00 p.m. The meeting was called to order by Council President Jeff Anthony with the following members present: Mayor Ron Shaffer, Al Herrera, Bill Griffith, Ruth Hopkins, Steve Noll, Greg Colston, Andrew Wang, Laura Wassmer, Pat Daniels, Wayne Vennard, Diana Ewy Sharp and David Belz. Staff members present: Barbara Vernon, City Administrator; Tammy Somogye, City Attorney's Office; Charles Grover, Chief of Police; Sgt. Curtis Winn; Bob Pryzby, Director of Public Works; Doug Luther, Assistant City Administrator; Josh Farrar, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

Council President Jeff Anthony announced there were residents in attendance who wished to address the Council regarding traffic concerns on Cherokee.

Marsha Bjerkan, 2711 West 73<sup>rd</sup> Street, spoke on behalf of residents on Cherokee Street regarding their concerns with the speed of traffic on Cherokee from 75<sup>th</sup> and Belinder to 71<sup>st</sup> and Mission Road. This is a very long street with no stop signs and street merging into Cherokee at several locations. She noted the speed limit is 25 mph and yet, time and again, cars will be clocked at 40 mph. The residents have spent the past several months researching this problem and presented the following three possible solutions to the Council for consideration:

- Roundabouts (similar to what downtown Overland Park did to address the same issue) possible locations are where Chadwick and Cherokee come together and 73<sup>rd</sup> Terrace or 72<sup>nd</sup> Terrace or 71<sup>st</sup> Terrace
- Place raised intersections/speed bumps on Cherokee Drive
- Cameras that will record the speed and the car license (any speeders will be ticketed if they are recorded going over the speed limit of 25 mph).

The residents feel this issue has to be addressed for the sake of the current Cherokee Drive residents and for their future. Action is necessary to maintain the value of their neighborhood, to attract families with children to the neighborhood and retain existing residents who are concerned with the excessive speed and the safety of their children and pets.

Kisa White, 7308 Cherokee Drive, handed out information attained from the civil engineer in Overland Park in charge of roundabouts regarding the impact of roundabouts on traffic. Ms White noted the proposed location for the roundabouts are fitting with the existing island and statue. The round-about would not only address the traffic problem, but enhance the beauty of the neighborhood.

The current long street contains hills and curves limiting visibility and is often used as a cut-through to the Prairie Village Shopping Center. The street has only one crosswalk, which does not have a crossing guard. Ms White in an effort to document the problem,

has spoken with Sgt. Hunter to attain speed information. The 2004 Traffic Study showed the average speed on Cherokee as 35 miles per hour. The Police Department also set up the speed trailer on Cherokee in front of Ms White's residence and she recorded the traffic readings as cars past and prepared a CD with that information for the Council.

Teri Powell, 7460 Cherokee Drive, advised the Council the same problems exist at the top of the hill as at the bottom of the hill – it isn't just a downhill speed problem.

Al Herrera asked where the residents were proposing around-about. Ms White responded there were three potential locations along Cherokee where current traffic T's exist.

Laura Wassmer asked if stop signs at the T's were not working. Bill Griffith responded the T's are 3-way intersections with 1 stop sign. Ms White responded they do not necessarily stop traffic, just get it to drive at or below the 25 mph speed limit.

Carol Kobza, 7401 Cherokee Drive, stated the residents took an on-line survey of residents within the area and has 35 signatures and their support is growing.

Marsha Bjerkan thanked the Council for the opportunity to present their concerns and encouraged them to further investigate what solutions have been effective in other cities to address this problem.

Pat Daniels expressed his appreciation to the group for their comments and excellent preparation.

Al Herrera noted he has traveled on Cherokee and experienced the aggressive traffic, tail-gating and higher speeds.

Kisa White asked what happens next. Dave Biegelsen, 7180 Cherokee Drive, stressed the importance of action being taken on this problem.

Jeff Anthony advised Ms White to set up a meeting with the Chief of Police and Director of Public Works to discuss the situation and possibly one or two representatives of the group to talk about specific needs. The City Staff would then investigate and gather information to present to the City Council on possible solutions.

Laura Wassmer stressed the need for the City to gather more information before taking action and advised those present that they would be invited to attend the meeting when this information is placed on the agenda and presented to the Council.

### **Johnson County Update**

Jeff Anthony welcomed County Commissioner Ed Peterson to address the Council on behalf of the Johnson County Commissioners. Mr. Peterson stated he was present to

review with the City the County's 2006 budget. The budget includes total expenditures of \$671 million with \$90 of that being reserve, for an actual operating budget of \$581 million. The County increased its mill levy 1.8 mills resulting in a \$10 million increase in property tax revenue.

Commissioner Peterson stated the driving force behind the increased budget was the construction of the new jail at the cost of \$1.5 million. Construction on the jail would begin in 2006 with the county issuing bonds for additional funding. He noted the general departmental budgets have remained relatively stable.

Commissioner Peterson presented statistics reflecting county expenditures for the past ten years. The statistics did not present a clear relationship between increases in personal income and increased expenditures. A further review of the budget reflected those items having significant impact on the budget over the past ten years.

The first item was the collection of the Bi-State Economic Development Sales Tax which began in 1997 and is a direct pass through account. The second item was transfers and cost allocations, another direct pass through. These two items totaled more than \$100,000 in 2004.

The three principal drivers of the increased budget are 1) wastewater, 2) Sheriff and 3) Corrections. Large swings in the wastewater construction and operating costs were noted over the past ten years. He noted the county is attempting to establish a long-range plan to mitigate these swings in cost. The biggest problem the sheriff faces is the escalating number of prisoners – more than 1000 per day with the county only having bed space for 550. The remaining prisoners are sent to other institutions. The escalating cost of correction programs was noted. Commissioner Peterson explained a new and successful program in place to address substance abuse problems for prisoners. The program includes therapy/counseling and work related activities. The program has a 7 out of 10 success ratio as compared to the traditional 2 out of 10 ratio and has a waiting list of over 200 individuals.

Commissioner Peterson noted when these three driving forces are removed the county's operating budget for 2006 the budget reflects an increase of only 5.84% with a personal income change of 6.13%.

Mr. Peterson announced the CARS program would continue to be funded at its current level. He noted he would like to see that level increased. The County will continue to face a need for new facilities – it is projected the new jail will be at capacity when completed. The county will be asking for additional sales tax funds from the legislature to address these needs. If this is not approved, a mill increase of 7 mills will be necessary.

Ruth Hopkins asked Mr. Peterson to address the issue of a county-wide no smoking policy. He responded there will be a vote on the issue and if the vote is timed properly, he feels the majority will approve the policy. He noted the county's problem is the lack of enforcement capability; however, as the agency responsible for health issues, he feels

it is appropriate for the county to address this issue. However, he noted if passed by the county, it would not be binding on the cities.

Al Herrera asked why the Commission would want to approve such a policy when Kansas City, Missouri and Wyandotte County are refusing to consider the issue. Mr. Peterson responded that ideally the issue would be addressed by all areas at once.

#### **LEG2005-45 Consider ADA Appeal of James Olenick**

Barbara Vernon stated the initial complaint of Mr. Olenick regarding accessibility of the skate park was sent to Mr. Pryzby on August 2, 2005. The appeal, which called for the closure of the skate park until it was fully ADA accessible was heard by the ADA Compliance Committee on October 20, 2005. Mrs. Vernon noted that by the time the City received the complaint, the skate park was fully accessible and therefore the appeal was denied by the ADA Compliance Committee. She noted in Mr. Olenick's presentation to the City Council, he appeared to change his request to address education of staff on their ADA responsibilities.

Mrs. Vernon noted Tammy Somogye, with the City Attorney's Office was present to advise the Council or answer questions. Ms Somogye stated the Council's responsibility was to affirm, modify or reject the decision of the ADA Compliance Committee.

Laura Wassmer questioned the skate park's current accessibility. Mr. Pryzby responded the Access Board has issued guidelines for playground and recreation areas. Nothing in those guidelines provide information on a skateboard park. Mr. Pryzby stated he has made the north shelter accessible to the skate facility and the sidewalk leading to the accessible parking spot.

Ms Wassmer asked if the gravel flat spot toward the parking lot was going to be changed. Mr. Pryzby responded it was a decision of him and the Chief of Police as a safety issue to use the gravel to prevent skate boarders from skating down onto the parking lot area.

Bill Griffith asked if the gravel could be taken out and another surface installed. He felt it would be appropriate to remove what could be perceived as an ADA violation. Mr. Pryzby responded he could remove it if it is the desire of the Council.

Wayne Vennard asked if ADA regulations were applicable to skate parks. Mr. Pryzby responded the ADA recreation guidelines do not address skate parks. It was his feeling that if an individual wanted to use the skate park, they would use the area with minimum slope and they have full access to that area.

Jeff Anthony stated what he heard Mr. Olenick saying was that he wanted continuing education for city employees. Bob Pryzby responded it could be done, but noted that he as ADA Coordinator addresses all ADA inquiries from residents and reviews all city

facilities and programs for ADA compliance. He has received extensive training and attends a week-long ADA Conference annually.

Bill Griffith made the following motion, which was seconded by Al Herrera and passed unanimously:

**RECOMMEND THE CITY COUNCIL AFFIRM THE DECISION  
OF THE ADA COMPLIANCE COMMITTEE DENYING THE  
APPEAL OF MR. JAMES OLENICK  
COUNCIL ACTION REQUIRED  
CONSENT AGENDA**

**LEG2005-44      Consider YMCA Partnership**

Barbara Vernon reported that several months ago she was contacted by the YMCA of Greater Kansas City regarding the possibility of exploring a joint venture with the YMCA that could maximize resources and organizational capacity to respond to current and future needs for the Community Center in Prairie Village. Mrs. Vernon noted that during Village Vision meetings discussion of a new and or expanded community center was discussed often.

The YMCA is considering future plans for improvements to their facility at 79<sup>th</sup> & Delmar. This is one of their most active facilities in the area and its membership needs to grow. The building is old and needs major renovations, expansion would also be possible if parking were available to facilitate more members.

She, Bob Pryzby and Josh Farrar toured two new Platte County/YMCA partnerships, met with managers and were able to ask questions regarding the operations of the facilities and the partnership with the County. In their situation, the county owned the land and the facilities and was responsible for the facilities. A joint committee works together to direct programming and fees. Mrs. Vernon stated she visited a similar operation in California.

The YMCA would like to pursue further discussions and Ms Vernon asked the Council what they desired.

Steve Noll asked where Johnson County fit into the picture and asked if the YMCA has spoken with Johnson County

Bill Griffith expressed support for continuing discussions with the YMCA.

Greg Colston noted the examples given were for county partnerships and asked about any city partnerships. Mrs. Vernon responded the City of Roeland Park went into a partnership with the county for their community center facility.

Laura Wassmer expressed support for continuing discussions, but noted she would like to see the county involved.

Bill Griffith asked how the issue of religious affiliation would be addressed in the partnership. Mrs. Vernon stated she sees that as a potential issue. Josh Farrar noted at the sites visited they did not actively promote that aspect in the day to day operations but acknowledged the core values in their operation.

Wayne Vennard asked if the partnership would be 50/50. Mrs. Vernon responded in other situations the facilities are owned by one party and the other is responsible for programming. She noted it is still very early in discussions to know how the partnership might evolve.

Mr. Vennard expressed concern that the city maintains a sufficient level of control. Mrs. Vernon responded in the situations visited there was a joint board overseeing the operations composed of members of both the YMCA and the government that made decisions.

Al Herrera asked if the Y had drawings of what they would like to see and noted his support for ongoing discussions.

Diana Ewy Sharp stated it was fine to explore the possibility but noted that realistically this could be a very difficult agreement to negotiate. She also noted the final report from Village Vision has not been published so we are not certain what the residents really want.

David Belz stated he felt in concept this was a very good idea, but expressed concern that the city be able to maintain control over operations and programming particularly as they relate to Prairie Village residents. Mrs. Vernon stated she has the same concerns.

Jeff Anthony stated he was hearing a consensus among the Council to proceed with discussions with the YMCA and asked if the Council wished to have an ad hoc committee appointed to investigate this further?

Diana Ewy Sharp asked Mr. Pryzby and Mr. Farrar for their opinions. Mr. Pryzby responded there is a lot of commonality but a whole lot of issues to be resolved. He noted similar discussions of a new community center were raised when it was felt that Somerset Elementary School would become available. He noted such a partnership would provide more complete meeting and recreational facilities for residents.

Josh Farrar stated that logistically he wants to make certain the city has very strong input into the programming aspects of the joint partnership.

There was general agreement to appoint an ad hoc committee and continue discussion. The following Council members volunteered to serve on an ad-hoc committee to investigate this partnership: Laura Wassmer, Greg Colston and Bill Griffith. Ruth

Hopkins recommended the committee also include representatives of the city's park and recreation committee. Ms Sharp and Mr. Belz said they will request volunteers from the Park Committee

### **LEG2005-43 Consider Petition received from Canterbury Street residents**

Mr. Pryzby stated he had verified the signatures on the petition and found some discrepancies in ownership. He noted that he felt the Council had made a decision of this issue that was clear. The petition requests a number of pieces of information

- The cost per side (including the cost to utility companies if lines need to be moved)
- The estimated amount of time needed to complete the installation of the sidewalk on both sides of the street; including movement of utility lines
- Cost of alterations and projected affect to existing driveways and front yards for construction on the west side
- Cost to the utility companies even though it is part of the electricity rates
- A safety evaluation for the proper placement of the sidewalk

Mr. Pryzby noted most of this information could be determined by the City with the exception of utility company costs; however, to do so would cost between \$5000 and \$10,000 in engineering fees.

The petition has been reviewed by the City Attorney and in his opinion it is not a valid petition and does not require any Council Action

Al Herrera noted this issue has severely split the neighborhood and he feels the Council should stay with their past action and do nothing in response to this request.

Laura Wassmer noted that because the Council did not stay with its policy, it created a miserable situation. She feels it is time for the Council to step to the plate and make the decisions required of it and get the residents out of it. She stated the petition should be denied.

Diana Ewy Sharp stated she is terribly disappointed that this neighborhood has been placed in this situation. She agreed the Council needs to make a decision and stop and take any blame for the decision.. Mr. Belz agreed with the Council staying with its decision.

Pat Daniels moved the City Council deny the petition. Barbara Vernon advised the Council the City Attorney stated the petition was not valid.

Pat Daniels made the following motion, which was seconded by Laura Wassmer and passed unanimously:

**RECOMMEND THE CITY COUNCIL MOVE FORWARD  
WITH THE CONSTRUCTION OF A SIDEWALK ON**



**THE WEST SIDE OF CANTERBURY AS APPROVED BY  
THE CITY COUNCIL ON NOVEMBER 21, 2005  
COUNCIL ACTION REQUIRED  
CONSENT AGENDA**

Bill Griffith stated he felt the City Council needed to take up the issue of the petition process. He's found that it has created more problems and has been seen as being unresponsive to residents. He feels the policy needs to be refined or dissolved.

Al Herrera stated he felt the policy works. He feels the residents can make comments and the Council can determine if sidewalks should be constructed, noting there are some very valid instances where the construction of sidewalks was not appropriate or necessary and money was saved by their not being constructed.

Laura Wassmer recommended the petition ability be removed from the policy. Jeff Anthony stated if that is done, the City is basically saying sidewalks **will** be constructed regardless of what you say.

Bill Griffith stated this is not the case. The process followed makes sense, but the petition pits neighbor against neighbor and creates distrust and a lot of additional work.

Pat Daniels suggested a couple of Council members look into the policy and report back with recommendations to the entire Council. He likes the structure of the existing policy, but feels that it is essential that the Council stay with the policy if it is going to keep it.

Al Herrera questioned if Mr. Daniels felt the existing policy was good, why he would suggest a committee go back and look at it. He noted Mr. Pryzby has gone through the details of the policy previously with the Council and he likes the current policy.

Pat Daniels stated he would like to review the requirement for 5' sidewalks and 4' retrofit sidewalks.

Bob Pryzby told the Council the petition in the city's ordinances provides a means for citizens to ask for the construction or reconstruction of sidewalks. This can be done without a petition. He reminded the Council again that 51% of the residents signing the petition does **not** require the Council to do anything.

Over the years he has been asked to notify residents of planned sidewalks and provide the opportunity for them to voice their opinions to the Council. The decision of what action is to be taken is purely the decision of the Council and what they feel is appropriate or best for the City.

Pat Daniels stated there are a number of issues relative the sidewalk construction that need to be set down. Mr. Pryzby responded he would like to sit down with the Council to discuss this issue at a Council Committee of the Whole meeting. He has been working with these issues for 12 years. He noted he could present information, show examples of

different locations within the City and factors that influence the construction of sidewalks. Mayor Shaffer stated he would like to see examples to help clarify the issue.

Mr. Pryzby noted there was significant discussion on sidewalks during the Village Vision process.

Laura Wassmer agreed but felt the initial question that needed to be answered by the Council was: "Does the City Council agree with the current policy requiring sidewalks on all arterial, collector and residential streets."

Council President Jeff Anthony called for an informal response to the question and asked Council members agreeing with the existing sidewalk policy requiring sidewalks to raise their hands. Eight Council members raised their hands in support of the existing sidewalk policy.

Andrew Wang stated he has voted pro-sidewalk in all of the instances brought before the Council, but he feels it is useful to know about the impact the sidewalks will have on the residents.

Steve Noll asked if the Council wanted a policy that allowed exceptions.

Al Herrera noted the street plan identifying streets with proposed sidewalk construction is presented to the Council with sufficient time for the Council members to drive those streets and look at the possible problems or concerns.

David Belz stated he has walked almost every street in Prairie Village and feels that the city may have been platted so sidewalks are not needed on every street. He noted there are a significant number of streets and/or cul-de-sacs that go nowhere. Only the people who live on that street drive them and if that is the case, are sidewalks necessary.

Ruth Hopkins stated that she lives on one of those streets and they may have been intended to not have sidewalks, but noted with the increased speed of traffic she is no longer convinced that sidewalks are not recommended for safety of residents.

#### **LEG2005-42      Consider dissolution of Residential Parking District**

Chief Grover asked the Council to consider dissolving the restricted residential parking district as located on Eaton, 74<sup>th</sup> Terrance and 74<sup>th</sup> Street. The background on the establishment of this parking district was presented in the committee packet. In April, 2001, the Council found the criteria necessary for the establishment of a restricted residential parking district to exist.

However, after the relocation of LockLine from the office building at 7400 State Line Road, the Police Department reexamined the five criteria set forth in the residential parking district to determine if they were still present. It is the findings of the Police Department that these criteria are not long met.

Diana Ewy Sharp confirmed the Police Department has not had any calls on parking problems from the residents in this area.

Laura Wassmer made the following motion, which was seconded by Bill Griffith and passed unanimously:

**RECOMMEND THE CITY OF PRAIRIE VILLAGE ADOPT AN  
ORDINANCE TO DISOLVE THE CURRENT RESTRICTED  
RESIDENTIAL PARKING DISTRICT LOCATED ON EATON,  
74<sup>TH</sup> TERRACE AND 74<sup>TH</sup> STREET AS THE CRITERIA REQUIRED  
BY THE ORDINANCE NO LONGER EXIST  
COUNCIL ACTION REQUIRED  
CONSENT AGENDA**

Mayor Shaffer noted this action only dissolves this particular restricted residential parking district and that the ordinance allowing for the creation of restricted residential parking districts was still in place.

With no further business to come before the City Council, Council President Jeff Anthony adjourned the meeting at 7:30 p.m.

Jeff Anthony  
Council President

## MAYOR'S ANNOUNCEMENTS

Tuesday, January 3, 2006

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

Planning Commission	1/03/2006	7:00 p.m.
Tree Board	1/04/2006	6:00 p.m.
Park & Recreation Committee	1/11/2006	7:00 p.m.
City Council	1/03/2006	7:30 p.m.
Sister City	1/09/2006	7:00 p.m.

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The Prairie Village Arts Council is pleased to feature a mixed media exhibit by Gary Mehl and Art Whorton in the R.G. Endres Gallery during the month of January. The opening reception will be held on January 13<sup>th</sup>, from 6:30 – 7:30 p.m.

**Prairie Village Gift Cards are now on sale at the Municipal Building.** This is a great way to encourage others to “Shop Prairie Village”

Donations to the Mayor’s Holiday Tree Fund are being taken. The funds 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. As of December 30<sup>th</sup>, \$7,726.00 has been collected.

Remember to Mark Your Calendar for the Employee Appreciation Dinner on Friday, February 3, 2006 at the New Dinner theatre. Seating begins at 6 pm.

Holiday tree recycling is available until January 16<sup>th</sup> at Harmon Park, Franklin Park, Porter Park and Meadowlake Park.

There will be **no trash services** provided on Monday, January 16<sup>th</sup> in observance of the Martin Luther King Jr, holiday. Pick-up will be delayed one day all week.

City offices will be closed on January 16<sup>th</sup> in observance of the Martin Luther King Jr holiday.

The City Council will **NOT** meet on Monday, January 16<sup>th</sup>, but **will meet on Tuesday, January 17<sup>th</sup>.**

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

**INFORMATIONAL ITEMS**  
**January 3, 2006**

1. Planning Commission Agenda-January 3, 2006
2. Park and Recreation Committee Minutes-December 14, 2005
3. Mark your Calendar
4. Council Committee Agenda

**PLANNING COMMISSION AGENDA  
CITY OF PRAIRIE VILLAGE  
MUNICIPAL BUILDING - 7700 MISSION ROAD  
TUESDAY, JANUARY 3, 2006  
\*\*Multi-Purpose Room\*\*  
7:00 P. M.**

**I. ROLL CALL**

**II. APPROVAL OF PC MINUTES – December 6, 2005**

**III. PUBLIC HEARINGS**

**IV. NON-PUBLIC HEARINGS**

**PC2006-101 Request for Sign & Sign Standards Approval  
79<sup>th</sup> Street Shops  
7910 State Line Road  
Applicant: Connor Treanor, Block & Company**

**PC2006-102 Request for Building Line Modification  
3308 West 71<sup>st</sup> Street  
Applicant: Daniel Andersen for Don Early**

**V. OTHER BUSINESS**

**Discussion on City Planning Consultant**

**PC2005-06 Proposed Ordinance Revisions PVMC 19.44.025  
entitled “Height and Area Exceptions - Fences”  
Applicant: City of Prairie Village, Ron Williamson**

**Discussion of Regulations for Service Stations (19.34.050)**

**VI. ADJOURNMENT**

Plans available at City Hall if applicable

If you can not be present, comments can be made by e-mail to  
[Cityclerk@Pvkansas.com](mailto:Cityclerk@Pvkansas.com)

**\*Any Commission members having a conflict of interest, shall acknowledge that conflict prior to the hearing of an application, shall not participate in the hearing or discussion, shall not vote on the issue and shall vacate their position at the table until the conclusion of the hearing.**

**Park and Recreation Committee  
December 14, 2005  
Meeting Minutes**

The Park and Recreation Committee met on December 14, 2005 in the Council Chambers of Prairie Village City Hall. Members present were Diana Ewy Sharp – Chairperson, David Belz – Vice Chairperson, Kathy Peterson, Mary Beth Smith, David Voysey, Peggy Couch, A.J. LoScalzo, and Andy Peterson. Staff present was Joshua Farrar and Bob Pryzby.

**CALL TO ORDER**

Diana Ewy Sharp called the meeting to order at 7:05 p.m.

**PUBLIC PARTICIPATION**

There was no one present for public participation.

**CONSENT AGENDA**

David Belz moved to approve the consent agenda for Wednesday, December 14, 2005.

1. Approve Committee minutes from November 9, 2005
2. PK2005-12: Consider 2006 Pool Fees

**COUNCIL ACTION REQUIRED  
LEGISLATIVE/FINANCE COMMITTEE**

3. PK2005-14: Consider 2006 Team Fees

**COUNCIL ACTION REQUIRED  
LEGISLATIVE/FINANCE COMMITTEE**

The motion was seconded and approved unanimously.

**REPORTS**

**Recreation Report**

Josh Farrar told the Committee that the Head Swim Coach, Head Dive Coach, and both Tennis Professionals would be returning for the 2006 season. Jen Holland will not return as Synchronized Swim Coach, but Laura Arther, the Assistant Coach should be ready to take over. Josh also reported that Kim Cobb, the Pool Manager for many years will not be returning.

Josh also told the Committee he expects that pool members should be able to renew online this year and that he has been exploring healthier food options for the pool.

**Public Works Report**

Bob Pryzby reported crews were clearing leaves from the parks and doing some mulch replacement. He is currently thinking about the 2007 budget and will likely bring something to the Committee in January. Crews were nearly done with the plantings for Prairie Park, but would likely wait until spring to put down sod. The furniture for the park is being placed.

## **OLD BUSINESS**

### **Update on Entrance Sign Project**

Two members of the Arts Council volunteered to work with the Park Committee and Bob presented sketches from Bob Endres. The first meeting will take place on January 12 at 7 p.m. in Bob Pryzby's Office. Committee members asked about the cost of the project, how many signs it would involve and about the potential for replacing park signs to create uniformity throughout the City. Bob said he did not know the price for the proposal and Ryan King is creating an inventory of signs which will be ready before the January 12 meeting. Bob reminded the Committee that park signs were in the process of being replaced with the white background/blue writing signs and he had not considered them to be part of this project, but it could be an option.

### **Porter Park Ball Field Update**

Bob explained he will wait for spring to start this project.

### **Skate Park Plaque**

Kathy Peterson presented a paragraph with the proposed language for the Skate Park plaque. She said the plaque would cost approximately \$2,400 and the Skate Park SHARE Committee had volunteered to fundraise to meet the cost. A number of Doctors who knew Jake when he was in the hospital also volunteered to pay for the plaque. Kathy said the plaque would likely be two feet by two feet and mounted at the base of the art sculpture. David Belz asked if amount contributed by the City Council should be incorporated into the language. After some discussion the Committee agreed to incorporate this wording. Mary Beth Smith made a motion, seconded by Peggy Couch, and passed unanimously.

## **MOTION**

**THE PARKS & RECREATION COMMITTEE RECOMMENDS APPROVAL OF THE LANGUAGE PRESENTED FOR HARMON PARK SKATE PARK PLAQUE WITH AN AMENDMENT INCORPORATING THE TOTAL AMOUNT FUNDED BY THE CITY AND PENDING MUNICIPAL FOUNDATION APPROVAL.**

**COUNCIL ACTION REQUIRED  
MUNICIPAL FOUNDATION**

## **NEW BUSINESS**

### **PK2005-13: Consider Twilight Pool Entry Fee**

Joshua Farrar explained that some Council members raised concerns with this fee when it was approved over the summer and asked that it be reconsidered for 2006. Joshua said the reduced fee was used 658 times between August 1 and the end of the season. The total cost for the reduced fee was \$1,316.00. A number of Committee members questioned the City Council's concerns by saying there was potentially an increase in the total number of users after 5:30 because of the reduced fee. Diana also said it is important to consider the fact that the pool is a service to residents and the reduced fee is intended to induce more people to take advantage of that service. Committee members asked if some type of survey could be used to see if people were taking advantage of the



reduced fee if it were continued through 2006. Josh said he could work on the issue. Peggy Couch made a motion, seconded by Kathy Peterson, and passed unanimously.

**MOTION**

**THE PARKS & RECREATION COMMITTEE RECOMMENDS CONTINUATION OF THE TWILIGHT POOL ENTRY FEE AT A PRICE OF \$3.00 AFTER 5:30 P.M.**

**COUNCIL ACTION REQUIRED  
LEGISLATIVE/FINANCE COMMITTEE**

**PK2005-15: Consider Swim Team Program Addition**

Joshua Farrar explained the Swim Coach's recommendation to offer semi-private coached swim lessons for participants of the Swim Team. He said the program would be administered to offer an additional service to team participants and also offer an opportunity for Assistant Coaches to earn more over the course of the summer. The lessons would be held between 10:30 a.m. and 12:00 p.m. when the meter pool is closed for Synchronized Swim Team practice. Assistant Coaches would be sure to work around that practice and also use the adult pool. Committee members agreed the program was a good idea and could also be made available to family of swim team members as long as team members received priority. Peggy Couch made a motion, seconded by David Voysey, and passed unanimously.

**MOTION**

**THE PARKS & RECREATION COMMITTEE RECOMMENDS APPROVAL OF AN ADDITION TO THE SWIM TEAM PROGRAM BY OFFERING LESSONS TO BE TAUGHT BY SWIM TEAM ASSISTANT COACHES FOR A FEE OF \$5.00 PER ½ HOUR PER PARTICIPANT AND LIMITED TO THREE PARTICIPANTS PER ½ HOUR PER COACH.**

**COUNCIL ACTION REQUIRED  
LEGISLATIVE/FINANCE COMMITTEE**

**PK2005-16: Consider Facility Reservation Fees**

Joshua Farrar explained the current facility reservation fee structure and how it is administratively incompatible with the recently updated RecNet software. He made the distinction that the reservation fees for the Community Center and ball fields were being changed simply for administrative convenience and to allow the opportunity for online scheduling viewing and eventually reservation. A fee for park pavilion reservation was being added in order to generate revenue related to a service provided by the City. He explained that the \$5.00/ hour and \$10.00/hour fees were generally in line with other Cities throughout the County.

Committee members discussed the impact these changes would have on citizens. Josh explained that the group that would be most effected were those in the "civic" category. These groups reserve the Community Center more than any other, and depending on the number of times per year which they make reservations, could be the ones who would

feel the greatest increase in fees. Committee members agreed the impact could be difficult for a select few users, but felt overall the change was necessary. David Voysey made a motion, seconded by Kathy Peterson and passed unanimously.

**MOTION**

**THE PARKS & RECREATION COMMITTEE RECOMMENDS APPROVAL OF THE FACILITY RESERVATION FEE SCHEDULE AS PRESENTED.**

**COUNCIL ACTION REQUIRED  
LEGISLATIVE/FINANCE COMMITTEE**

**Recreational Water Illness**

Bob Pryzby presented an article on recreational water illness which described a 2002 event which occurred in the Kansas City metro area. He said the City is very active in monitoring chemical levels in the pool, but this can't always be relied upon as the only safeguard. Pool patrons must take responsibility for their children in a number of ways. He suggested that the City begin a campaign this summer to educate all pool patrons, especially the parents of young children on the dangers of recreational water illness. He said three main rules would be emphasized, 1.) Don't drink the pool water; 2.) Do not change diapers on the pool deck or throw diapers in the waste baskets on the deck; 3.) Take small children on frequent bathroom breaks.

The Committee suggested the article presented be distributed at pool membership sign up and made available throughout the pool during the season. Josh said lifeguards could be instructed and reminded at in-service training sessions to keep an eye out for these behaviors.

**PK2005-11: Consider 2006 British Soccer Camp Contract Amendment**

Josh Farrar explained that British Soccer would like to offer an additional camp in 2006 to make up for the camps that the Kansas City Comets will not be offering. He explained the camps would be administered in the exact same way as other British Soccer camps. The additional week would be held during the week of June 5, 2006 through June 9, 2006 in Meadowlake Park. British Soccer is open to moving the Park to Porter Park if necessary. Kathy Peterson made a motion, seconded by A.J. LoScalzo and passed unanimously.

**MOTION**

**THE PARKS & RECREATION COMMITTEE RECOMMENDS APPROVAL OF THE 2006 BRITISH SOCCER CAMP CONTRACT WITH AN AMENDMENT TO INCLUDE A SECOND WEEK LONG CAMP TO BE HELD IN MEADOWLAKE PARK.**

**OLD BUSINESS (Continued)**

**Business Plan Presentation**

Before beginning Bob Pryzby suggested the Committee be up front and ask the other community program committees about their willingness to cooperate in the area of parks,

community and recreation programs. He reminded the Committee of the Kansas City Star's articles on rating the suburbs. While Prairie Village was ranked high at number four, the one item the Star said was really lacking were great community and recreation programs. He felt these ratings could be a rallying point to inspire all of the City's Committees to work together on the issue. The Committee agreed and decided an invitation should be sent to all the members of the other committees to attend the next Park & Recreation Committee meeting.

Bob Pryzby walked the Committee through Sections one and two of the draft business plan. Specifically, he explained the five ordinances directly relating the Parks & Recreation Committee.

- Chapter I. Administration. Article 8: Committees
- Chapter XIII. Article 3: City Tree Board
- Chapter XII. Public Property. Article 1: City Parks
- Chapter XII. Public Property. Article 2: Municipal Swimming Pool
- Chapter XII. Public Property. Article 3: Tennis Program

He made a point to show the Committee areas of the ordinance where authority is discussed and areas that may be outdated, duplicated or in need of revision.

Bob also read through a list of Council Policies identified by staff as pertaining to the Parks & Recreation Committee. Once again identifying areas that may be outdated, duplicated or in need of revision.

The meeting adjourned at 9:00 p.m.

**Council Members**  
**Mark Your Calendars**  
**January 3, 2006**

**Mark Your Calendars**  
**2006**

<b>January, 2006</b>	Gary Mehl & Art Whorton mix media exhibit in the R.G. Endres Gallery
January 5	2006 Johnson County Convener Reception
January 13	Prairie Village Arts Council reception for art exhibit
January 16	Martin Luther King Day – City offices closed
January 17 Tuesday	City Council Meeting
January 24	Filing Deadline for 2006 elections, noon
January 26	City Hall Day at the Capitol
<b>February, 2006</b>	<b>Not Filled yet</b> exhibit in the R.G. Endres Gallery
February 3	Employee Appreciation – New Dinner Theater
February 6	City Council Meeting
February 10	Prairie Village Arts Council reception for art exhibit
February 20	President’s Day – City offices closed
February 21 Tuesday	City Council Meeting
February 28	Primary Election
<b>March, 2006</b>	Virginia Fortner watercolor exhibit in the R.G. Endres Gallery
	Sister City local young artists exhibit in the R. G. Endres Gallery
March 6	City Council Meeting
March 10	Prairie Village Arts Council reception for art exhibit
March 11-15	NLC Congressional City Conference in Washington DC
March 20	City Council Meeting
<b>April, 2006</b>	Ms. Bobbi Toyne & Bess Duston mixed media exhibit in the R.G. Endres Gallery
April 3	City Council Meeting
April 4	General Election
April 14	Prairie Village Arts Council reception for art exhibit
April 17	City Council Meeting
<b>May, 2006</b>	Studio West pastel exhibit in the R.G. Endres Gallery
May 1	City Council Meeting
May 12	Prairie Village Arts Council reception for art exhibit
May 15	City Council Meeting
May 29	City Offices closed in observance of Memorial Day
<b>June 2006</b>	Kevin Spykerman oils and illustrations exhibit in the R.G. Endres Gallery
June 5	City Council Meeting
June 9	Prairie Village Arts Council reception for art exhibit
June 19	City Council Meeting

<b>July 2006</b>	<b>Not filled yet</b> exhibit in the R.G. Endres Gallery
July 3 Tuesday	City Council Meeting
July 4	City Offices closed in observance of 4 <sup>th</sup> of July
July 4	Villagefest
July 17	City Council Meeting
<b>August 2006</b>	<b>Not filled yet</b> exhibit in the R.G. Endres Gallery
August 7	City Council Meeting
August 21	City Council Meeting
<b>September 2006</b>	Dale Cole's Photography exhibit in the R.G. Endres Gallery
September 4 Tuesday	City Offices Closed observance of Labor Day
September 5	City Council Meeting
September 18	City Council Meeting
<b>October 2006</b>	Senior Arts Council mixed media exhibit in the R.G. Endres Gallery
October 2	City Council Meeting
October 7-10	League of Kansas Annual Conference in Topeka
October 16	City Council Meeting
<b>November 2006</b>	Mid-America Pastel Society's exhibit in the R.G. Endres Gallery
November 6	City Council Meeting
November 7	Johnson County Election
November 20	City Council Meeting
November 23-24	City offices closed in observance of Thanksgiving
<b>December 2006</b>	Marearl Denning photography and ceramics exhibit in the R.G. Endres Gallery
December 1	Mayor's Holiday Gala
December 4	City Council Meeting
December 5-9	NLC Congress of Cities Conference in Reno Nevada
December 18	City Council Meeting
December 25	City Offices Closed in observance of Christmas

**ANIMAL CONTROL COMMITTEE**

AC96-04 Consider ban the dogs from parks ordinance (assigned 7/15/96)

**COMMUNICATIONS COMMITTEE**

COM2000-01 Consider redesign of City flag (assigned 7/25/2000)  
COM2000-02 Consider a brochure to promote permanent local art and history (assigned Strategic Plan for 1<sup>st</sup> Quarter 2001)  
COM2000-04 Consider the installation of marquees banners at City Hall to announce upcoming civic events (assigned Strategic Plan for 1<sup>st</sup> Quarter of 2001)

**COMMUNITY STANDARDS COMMITTEE****COUNCIL COMMITTEE**

COU99-13 Consider Property Audits (assigned 4/12/99)  
COU2000-42 Consider a proactive plan to address the reuse of school sites that may become available (assigned Strategic Plan for 4<sup>th</sup> Quarter 2001)  
COU2000-44 Provide direction to PVDC regarding its function / duties (assigned 2000 Strategic Plan)  
COU2000-45 Review current City definition for blight and redefine it where appropriate (assigned 2000 Strategic Plan)  
COU2004-10 Develop programs to promote and encourage owner occupied housing (transferred from PVDC on 3/15/2004)  
COU2004-11 Identify potential redevelopment areas and encourage redevelopment proposals (transferred from PVDC on 3/15/2004)  
COU2004-12 Pursue development of higher value single-family housing (transferred from PVDC on 3/15/2004)  
COU2004-13 Proactively encourage redevelopment to increase property values (transferred from PVDC on 3/15/2004)  
COU2004-14 Meet with the Homes Association of the Country Club District (HACCD) to obtain their input regarding deed restrictions (transferred from PVDC on 3/15/2004)  
COU2005-15 Consider planning meetings for the Governing Body (assigned 9/6/2005)  
COU2005-16 Consider how to improve the Council's effectiveness as a team (assigned 9/6/2005)  
COU2005-17 Consider how to expand leadership opportunities for Council members (assigned 9/6/2005)  
COU2005-18 Develop a school zone policy (assigned 9/6/2005)  
COU2005-19 Consider committee term limits for elected officials and residents (assigned 9/6/2005)  
COU2005-20 Develop a sidewalk policy (assigned 9/6/2005)  
COU2005-21 Develop a policy for use of Fund Balance (assigned 9/6/2005)  
COU2005-22 Consider Council mentoring program (assigned 9/6/2005)  
COU2005-23 Consider sponsoring social events with other jurisdictions (assigned 9/6/2005)  
COU2005-24 Develop and improve parliamentary procedures (assigned 9/6/2005)  
COU2005-25 Consider changing procedure for selecting Council President (assigned 9/6/2005)  
COU2005-26 Consider automated Council packets (assigned 9/6/2005)  
COU2005-27 Consider concept of Outcomes Measurement or Quantifying Objectives (assigned 9/6/2005)  
COU2005-28 Consider more effective public notice of Council and Committee vacancies (assigned 9/6/2005)  
COU2005-29 Consider City service to remove oak pollen in gutters and curbs (assigned 9/6/2005)

- COU2005-30 Consider \$500 deposit from landlords for remediation of code violations (assigned 9/6/2005)
- COU2005-31 Consider amending weed ordinance (assigned 9/6/2005)
- COU2005-32 Consider City service to eliminate weeds in the street (assigned 9/6/2005)
- COU2005-40 Consider Planning Commission Recommendation – Planning Consultant (assigned 11/14/2005)
- COU2005-42 Consider Dissolving the Restricted Residential Parking District (assigned 12/13/2005)
- COU2005-43 Consider petition received from Canterbury Street residents (assigned 12/14/2005)
- COU2005-44 Consider YMCA Partnership (assigned 12/14/2005)
- COU2005-45 Consider ADA Appeal of James Olenick (assigned 12/14/2005)

**LEGISLATIVE/FINANCE COMMITTEE**

- LEG2000-07 Consider current policies and procedures for code violations (Transferred from CCW 3/18/2002)
- LEG2000-25 Review fee schedules to determine if they are comparable to other communities and adjust where appropriate (assigned Strategic Plan for 1<sup>st</sup> Quarter of 2001)
- LEG2003-12 Consider Resident survey - choices in services and service levels, redevelopment (assigned 8/7/2003)
- LEG2004-31 Consider Lease of Park Land to Cingular Wireless (assigned 8/31/2004)
- LEG2005-38 Consider proposed ordinance revisions to PVMC 19.44.025 entitled “Height and Area Exceptions – Fences” (assigned 11/2/2005)
- PK2005 -11 Consider Use of right-of-way island at Somerset and Lee Blvd (assigned to L/F Committee)
- LEG2005-42 Consider a letter of interest in participating in the First Suburbs Coalition/Fannie Mae home improvement and remodeling loan program (assigned 12/15/2005)
- LEG2005-43 Consider 2006 Pool Fees (assigned 12/15/2005)
- LEG2005-44 Consider 2006 Team Fees (assigned 12/15/2005)
- LEG2005-45 Consider 2006 Twilight Pool Program Addition (assigned 12/15/2005)
- LEG2005-46 Consider Facility Reservation Fees (assigned 12/15/2005)
- LEG2005-47 Consider British Soccer Camp Amendment (assigned 12/15/2005)
- LEG2005-48 Consider Swim Team Program Addition (assigned 12/15/2005)
- LEG2005-49 Consider Building Permit and Plan Review Fees (assigned 12//21/2005)

**PARKS AND RECREATION COMMITTEE**

- PK97-26 Consider Gazebo for Franklin Park (assigned 12/1/97)
- PK2003-06 Consider Capital Improvement Plan for 2004-2006 (assigned 8/13/2003)

**PLANNING COMMISSION**

- PC2000-01 Consider the inclusion of mixed-use developments in the City and create guidelines criteria and zoning regulations for their location and development (assigned Strategic Plan)
- PC2000-02 Consider Meadowbrook Country Club as a golf course or public open space – Do not permit redevelopment for non-recreational uses (assigned Strategic Plan 2<sup>nd</sup> Qtr 2001)

**POLICY/SERVICES**

- POL2003-14 Consider Project 190845: Mission Road – 75<sup>th</sup> St to 79<sup>th</sup> St (CARS) (assigned 7/3/2003)
- POL2004-06 Consider Project 190715: 2005 Storm Drainage Repair Program (assigned 2/25/2004)
- POL2004-08 Consider Project 190841: Mission Road – 71<sup>st</sup> to 75<sup>th</sup> (CARS) (assigned 2/25/2004)
- POL2004-09 Consider Project 190848: Mission Rd – Somerset to 83<sup>rd</sup> (CARS) (assigned 2/25/2004)

- POL2004-10 Consider Project: 190847: 2005 Street Paving Program (assigned 2/25/2004)
- POL2004-11 Consider Project 190849: Roe Avenue – Somerset to 95<sup>th</sup> St. (CARS) (assigned 2/25/04)
- POL2004-12 Consider Project 190714: 2004 Storm Drainage Repair Program (assigned 3/30/2004)
- POL2004-11 Consider Project 190847: 2005 Street Paving Program (assigned 7/29/2004)
- POL2004-15 Consider Project 190707: Somerset, Delmar to Fontana Street (assigned 8/26/2004)
- POL2004-16 Consider Project 190708: Tomahawk Road Nall to Roe (assigned 8/26/2004)
- POL2004-18 Consider Sidewalk Policy (assigned 9/18/2004)
- POL2005-02 Consider Project 190616: Harmon Park Skate Facility (assigned 1/31/2005)
- POL2005-03 Consider Project 190850: Reeds Street – 69<sup>th</sup> to 71<sup>st</sup> St. (assigned 1/31/2005)
- POL2005-04 Consider Project 190809: 75<sup>th</sup> Street and State Line Road (assigned 2/1/2005)
- POL2005-11 Consider Project 190715: 2005 Storm Drainage Repair Program (assigned 6/2/2005)
- POL2005-12 Consider Project 190854: 2005 Pavement Repair Program (assigned 6/2/2005)
- POL2005-13 Consider Project 191012: 2005 Concrete Repair Program (assigned 6/2/2005)
- POL2005-14 Consider Project 190852: 2005 Crack/Slurry Seal Program (assigned 6/2/2005)
- POL2005-17 Consider revising bidding ordinance (assigned July 19, 2005)
- POL2005-21 Consider Project 190851: 2006 Paving Program - Sidewalks (assigned 8/30/2005)
- POL2005-23 Consider Project 190857: Roe Avenue – 95<sup>th</sup> to 91<sup>st</sup> Street (CARS) (assigned 8/28/2005)
- POL2005-28 Consider Charter Ordinance No. 12 “Public Improvements” (assigned 11/1/2005)
- POL2005-29 Consider Council Policy No. 041 “Selection of Professional Consulting Services (assigned 11/1/2005)
- POL2005-30 Consider Project 190855: Tomahawk Road Bridge (assigned 11/1/2005)
- POL2005-31 Consider Canterbury Street Sidewalk Petition (assigned 11/1/2005)
- POL2005-33 Consider establishment of school crossing guard policy (assigned 11/14/2005)
- POL2005-34 Consider Project 190717: 2006 Storm Drainage Repair Program (assigned 11/20/2005)
- POL2005-35 Consider illicit water discharge (assigned 11/30/2005)
- POL2005-36 Consider Policy/Services Committee Agenda item deletions (assigned 12/21/2005)**
- POL2005-37 Consider Council Policy 042 entitled “Construction Estimate” (assigned 12/21/2005)**
- POL2005-38 Consider Agreement with the City of Overland Park (assigned 12/21/2005)**

**PRAIRIE VILLAGE ARTS COUNCIL**

- PVAC2000-01 Consider a brochure to promote permanent local art and history (assigned Strategic Plan for the 1<sup>st</sup> Quarter of 2001)