

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE**

November 7, 2016

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

ROLL CALL

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

Also present were Teen Council members Tyler Ruzich and Luke Hafner.

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

INTRODUCTION OF STUDENTS & SCOUTS

Seven students were in attendance from Shawnee Mission East and Rockhurst High Schools for their American Government classes.

PUBLIC PARTICIPATION

No one was present to address the City Council.

CONSENT AGENDA

Ted Odell moved the approval of the Consent Agenda items for November 7, 2016:

1. Approval of the regular City Council meeting minutes of October 17, 2016
2. Approval of Claims Ordinance #2947
3. Approval of 50+ Program Facility Use Agreement with Johnson County Park & Recreation
4. Approval of extension of lease with ImageQuest for three multi-functional copier/scanner/fax/printer units for the administration area and maintenance of all administrative printers
5. Approval of the design agreement with Affinis Corporation for the design of the 2017 Paving Program in the amount of \$86,006

A roll call vote was taken with the following members voting “aye”: Weaver, Nelson, Schermoly, Noll, Mikkelson, Wang, Myers, Morehead, Runion, McFadden, Odell; voting “nay” Gallagher.

COMMITTEE REPORTS

JazzFest Committee

Brooke Morehead stated the final financial figures were in for the 2016 Jazz Festival with the committee having a balance as of 11/7/2016 of \$24,739. Expenditures for talent were less than previous year's and the committee hopes to increase that next year. An estimated 3500 people attended the event providing gate revenue of approximately \$10,000. She commended JazzFest Committee Chairman J.D. Kinney for his organizational and management skills.

Ted Odell asked if the committee needed the \$10,000 in funding from the City. Mrs. Morehead responded that the funds provide sufficient funding for the early commitment of the headlining talent. Joyce Hagen Mundy reminded the Council that the year the event closed early due to weather, all of the expenses for the festival still had to

be paid with minimal gate and sales revenue requiring the committee to ask for funds from the city. An outdoor event heavily dependent on weather, needs to have some reserve funds available.

Terrence Gallagher stated that at the recent Municipal Foundation meeting a JazzFest balance of over \$34,000 was reported. Ms Hagen Mundy replied that the balance reported was as of September 30 and did not include the payment of sales tax, liquor tax and merchandise costs as well as other late invoices.

Brooke Morehead thanked the Council for their support of the festival and recognized staff support by Joyce Hagen Mundy and Meghan Buom.

Council Committee of the Whole

COU2016-64 Consider approval of Agreement with The Standard for short-term Disability/long-term Disability insurance for employees

Sheila Myers moved the City Council approve changing from The Hartford to The Standard as the City's Disability provider. The motion was seconded by Brooke Morehead and passed unanimously.

COU2016-65 Consider adoption of the 2016 Uniform Public Offense Code and 2016 Standard Traffic Ordinance

Ashley Weaver moved the City Council adopt Ordinance 2356 regulating public offenses within the City of Prairie Village, Kansas; incorporating, by reference the "Uniform Public Offense Code for Kansas Cities" edition of 2016, with certain amendments, deletions and additions; and repealing existing Sections 11-101 through 11-109 of Article 1 of Chapter XI of the code of the City of Prairie Village, 2003 , entitled "Public Offenses & Traffic". The motion was seconded by Andrew Wang.

Dan Runion stated he was still not clear from the earlier discussion who makes the call for blood to be drawn under Section 10.3.1. Chief Schwartzkopf responded that if there were medical issues, the officer would always defer to the medical personnel. The determination to require a blood sample to be drawn would be made in consultation with the officer's supervisor. He noted that in the past five years this situation has never occurred. Mr. Runion stated the language is not clear and he wants to be certain that if it is not medically advisable, the medical personnel would be able to overrule the direction of the officer.

Katie Logan explained that this language was added at the state level to make it more difficult to charge an individual requiring proof that the individual was under the influence. Chief Schwartzkopf stated that primary test used by the department is not a blood test, but a breath analysis.

Mr. Runion asked who would make the call to determine the proviso that such an action would jeopardize the person's life, cause serious injury or impede medical care. Chief Schwartzkopf responded that if there were medical issues, the individual would be transported to the hospital with the department asking for the sample to be taken there and information given to the police department.

Mr. Mikkelson agreed there was ambiguity in the language as to who makes the decision as to whether the life is in danger. He believes it should be the medical professional, but noted the language does not clearly state that. He believes that is the intent of the language and asked council members if they concurred.

Mr. Runion stated that he wants the police officers to have a clear understanding that they may direct the blood sample to be drawn; however, the medical professional has authority to say no. Chief Schwartzkopf stated just because a police officer directs a

blood sample to be drawn, the medical professional may refuse to do so at that time and it would not be an issue.

A roll call vote was taken on the motion to adopt Ordinance 2356 with the following members voting “aye”: Weaver, Nelson, Schermoly, Noll, Mikkelson, Wang, Myers, Morehead, Runion, McFadden, Odell and Gallagher.

Sheila Myers moved the City Council adopt Ordinance 2357 regulating traffic within the City of Prairie Village, Kansas; incorporating by reference the “Standard Traffic Ordinance for Kansas Cities,” edition 2016; with certain amendments, deletions and additions; amending and repealing existing Sections 11-601 through 11-607 of Article 6 of Chapter XI of the code of the City of Prairie Village, 2003, entitled “Standard Traffic Ordinance”. The motion was seconded by Ashley Weaver.

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

COU2016-66 Consider approval of an agreement with Black & McDonald for maintenance of the streetlight system

Brooke Morehead moved the City Council authorize the Mayor to execute the agreement with Black & McDonald for the maintenance of the city’s streetlight systems in the amount of \$176,175. The motion was seconded by Ashley Weaver and passed 11 to 0 with Ted Odell abstaining due to a professional conflict of interest.

COU2016-67 Consider approval of an agreement with Integrity Line Location Services for underground line location services related to the streetlight system

Serena Schermoly moved the City Council authorize the Mayor to execute the agreement with Integrity Line Location Services for underground line location services

related to the streetlight system. The motion was seconded by Sheila Myers and passed by a vote of 11-0 with Ted Odell abstaining due to a professional conflict of interest.

JazzFest Committee

Mayor Laura Wassmer recognized J.D. Kinney, Chairman of the JazzFest Committee. Mr. Kinney thanked his committee and the City Council and staff for their support making possible a great 2016 Prairie Village Jazz Festival on September 10th.

Serena Schermoly noted that earlier the question had been raised as to the need for the \$10,000 currently budgeted by the City for the committee. Mr. Kinney replied that since the initial budgeted funds of \$10,000 were authorized, the committee has tried to keep its expenses in line and to slowly create a cushion in the event the festival does not have bright sunny skies and a crowd of thousands attending as it has in the past recognizing that the expenses incurred would still need to be paid. The funding provides two important things: First, the ability to look for and secure talent eight to ten months prior to the festival which had not been possible in past years. Secondly, it enables the committee to grow backup funds in the case of a difficult year. For example, he noted that sponsorships for the past year were \$7,500 less than the previous year, yet the committee was able to secure Marilyn Maye early in the year as its headliner. The funding allows the committee to continue to grow the festival and its financial stability.

Brooke Morehead commended Mr. Kinney for his leadership and asked the Council to ratify his reappointment as chairman of the committee. Mr. Kinney responded that he is evaluating family priorities and will determine by the end of the year if he will continue as chairman and again thanked the Council for its support.

MAYOR'S REPORT

Mayor Wassmer reported she attended the monthly Northeast Johnson County Mayor's meeting; met with the director of First Call, one of the agencies funded by UCS; attended the Prairie Village Foundation meeting reporting that the Foundation is actively preparing for the Holiday Tree Lighting on December 1st, Shop with a Cop on December 8th and the Gingerbread House event on December 9th. Mayor Wassmer encouraged Council members to attend the Lathrop & Gage open house on November 17th, the NE Johnson County Chamber Gala on November 19th and the Mayor's Volunteer Appreciation event on December 9th. The Mayor reported on the recent Statuary Committee meeting and the committee's restoration plans.

STAFF REPORTS

Public Safety

- Chief Schwartzkopf reported that the annual prescription drug take back event collected 321 pounds of medications
- Officers Josh Puthoff and Lacey Daly were recognized by Mothers Against Drunk Driving (MADD) for their work.
- Several Department members will be participating in a Special Olympics event this Friday handing out medals.
- Two officers will be travelling to Iowa to participate in the funeral services for two Urbandale officers killed in the line of duty.

Public Works

- Keith Bredehoeft announced that the first public meeting on the Delmar/Fontana project will be held on Thursday, November 10th at 6 p.m. to discuss the current status of the project. The second meeting will be held on December 8th.
- The City Hall Courtyard project continues with concrete scheduled to be poured this week, followed by final grade and irrigation for landscaping next week.
- Work continues at Meadowbrook with streets and curb on the west side of the development. Mr. Bredehoeft announced that the city's project on Roe and utility work has been delayed until next spring.
- The Bond funds for the street light system were received on Monday with the streetlights being purchased on Tuesday.

Administration

- Lisa Santa Maria reported the City received the GFOA Award of Excellence for its 2016 CAFR and announced that the City had received its first franchise check from Google for video provider services.
- Mrs. Santa Maria provided an update on the final tax levy rate and area sales tax rates. 2017 budget books were distributed and are also available on the city's website.

Eric Mikkelson congratulated Lisa on receipt of the GFOA Award and noted from the information presented shows that the city tax rate is the lowest it has been in the past six years.

- Wes Jordan announced that First Washington will present their annual report at the November 21st meeting.
- Also Johnson County Park & Recreation will also be present to review the final master plan for Meadowbrook Park and plans for the activity center. The Parks Master Plan will go before their Board on November 16th and the Planning Commission on December 6th
- Staff followed up on the question raised at the last meeting regarding adding elected officials to the city's insurance coverage. The new health care provider has indicated that this is possible and more information will be presented at the November 21st meeting.
- The exterior grant committee will be meeting and the 2016 annual report will be presented in the near future.
- Quinn Bennion noted that municipal campus would be very busy tomorrow with construction, morning and evening court sessions and voting. Staff and election workers will park off-site to ensure adequate parking.
- Mr. Bennion stated he is very pleased with the Meadowbrook Park Master Plan.

Eric Mikkelson confirmed that the main opening of the park has been delayed. Mr. Bennion replied because of the delayed bidding of the activity center its anticipated completion date is April, 2018. He urged the Council to encourage the Park District to open trails and other amenities earlier.

OLD BUSINESS

Ted Odell asked what the status of the build-out of Google in Prairie Village. He stated he read in a recent professional journal that Google was "pausing" their development of Google Fiber. Keith Bredehoeft stated he felt that the infrastructure for Google was complete in Prairie Village. Mayor Wassmer noted that her Google service was installed recently.

NEW BUSINESS

There was no New Business to come before the Council.

Committee meetings scheduled for the next two weeks include:

PV Arts Council	11/09/2016	5:30 p.m.
Council Committee of the Whole	11/21/2016	6:00 p.m.
City Council	11/21/2016	7:30 p.m.

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The Prairie Village Arts Council is pleased to present the art of Jonathan Crabtree, Jeff Foster & Louanne Hein in the R.G. Endres Gallery during the month of November. The artist reception will be from 6:30 to 7:30 p.m. on Friday, November 11th.

The National League of Cities Conference will be held in Pittsburg from November 15-19, 2016.

The 32nd Annual Prairie Village Peanut Butter Week in support of Harvesters Food Bank was held October 10 - 16, 2016. Five area churches, 6 area schools, 2 retirement centers and the municipal buildings collected 3,477 pounds of peanut butter were collected. Thanks to all who contributed.

Save the Date - The Northeast Johnson County Chamber of Commerce Annual Gala will be held on Saturday, November 19th.

Save the Date for the Mayor’s Holiday Tree Lighting on Thursday, December 1st from 6 p.m. to 7 p.m.

Save the Date for the Annual Volunteer Appreciation Event on Friday, December 9th at 6:30 p.m. at Milburn Country Club.

Save the Date for the annual Gingerbread House decorating parties on Sunday, December 6th at 1:30 p.m. at Corinth Elementary.

Executive Session

Ted Odell moved pursuant to KSA 75-4319 (b) (6) that the Governing Body, recess into Executive Session in the Multi-Purpose Room for a period not to exceed 20 minutes for the purpose of discussing possible acquisition of property. Present will be

the Mayor, City Council, City Administrator, Assistant City Administrator and City Attorney. The motion was seconded by Terrence Gallagher passed unanimously.

The Council meeting was reconvened at 8:45 p.m.

ADJOURNMENT

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

Joyce Hagen Mundy
City Clerk