

# *City Council Meeting*

*July 16, 2007*

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*Dinner will be provided by:*

## ***Dragon Inn***

*Chicken with Cashew Nuts  
Shrimp & Seasonal Vegetables  
Spicy Shredded Beef, Szechuan Style  
Sweet & Sour Pork  
Steamed Vegetables*

**COUNCIL COMMITTEE**

**July 16, 2007  
6:00 p.m. Council Chamber**

**Agenda**

**ANDREW WANG**

**CONSENT AGENDA**

**COU2006-57      Continue Special Use Permit for Communications  
Antenna at 7700 Mission Road**

**AGENDA**

**COU2007- 48      Consider Employee Benefit Program for 2007-08  
Doug Luther**

**Finance Committee Report  
David Voysey, Chairman**

**Village Vision Implementation  
Andrew Wang**

**COU2007-52      Consider Island and Statue Responsibility  
Bob Pryzby**

**Issue:****Renewal of employee benefit program agreements.****Background:**

The City provides a comprehensive benefit program to employees that includes health, dental, life, and other insurance coverage. Through a formula developed several years ago, the City and employees share the cost of these programs. The full scope of these programs includes:

- Health Insurance
- Dental Insurance
- Vision Insurance
- Life Insurance
- Long Term Disability Insurance
- Long Term Care Insurance

Last year, the City Council approved enhancements to the benefit offerings which provided vision coverage and allowed employees, at their cost, to obtain enhanced dental coverage.

**Health Insurance**

The largest component of the employee benefits program is health insurance, provided through United Healthcare. As we are all aware, the cost of health care continues to increase at a rate of 10 – 15% per year. Since 2003, the premiums in the City sponsored plan have increased an average of 10% per year with last year's increase being the largest, at 16.3%.

Working with CBIZ, the City's benefits consultant, the initial renewal quote provided by United for the 2007-2008 plan year was 7.72%. After a series of conversations and negotiations with United, the company agreed to a renewal rate with a 3.9% increase with no plan changes. This is significantly below the national average.

For many years, the City has sought to obtain a health insurance policy that ran concurrent with a calendar year. A calendar-year plan simplifies the budgeting process and can coordinate increases in the employee share of insurance costs with annual performance reviews and salary adjustments. As a result, staff requested that CBIZ inquire about a 16-month renewal from United Healthcare in order to obtain a 16 month policy which would expire at the end of 2008. United Healthcare agreed to a renewal option for a 16-month renewal at an increase of 6.0% with no plan changes.

**Option A:**

The following illustrates the effect of the proposed premium increase (based on current enrollment) and the current cost allocation formula of the City paying:

- 100% of the base premium for employee only coverage
- 83% of the base premium for employee + 1 coverage
- 75% of the base premium for family coverage

This option is based upon the 3.9% increase for a traditional 12 month plan expiring in August, 2008

<i>Base</i>	<b>06-07 Plan Year</b>			<b>07-08 Plan Year</b>		
	<b>Total</b>	<b>Employee</b>	<b>City</b>	<b>Total</b>	<b>Employee</b>	<b>City</b>
<b>EE Only</b>	335.24	0.00	335.24	348.31	0.00	348.31
<b>EE+1</b>	811.86	138.02	673.84	843.52	143.40	700.12
<b>Family</b>	1,196.44	299.12	897.32	1,243.12	310.80	932.32

<i>Buy-Up</i>	<b>06-07 Plan Year</b>			<b>07-08 Plan Year</b>		
	<b>Total</b>	<b>Employee</b>	<b>City</b>	<b>Total</b>	<b>Employee</b>	<b>City</b>
<b>EE Only</b>	414.88	79.64	335.24	431.07	82.76	348.31
<b>EE+1</b>	1,004.62	330.78	673.84	1043.80	343.68	700.12
<b>Family</b>	1,480.52	583.20	897.32	1538.26	605.94	932.32

When City staff began preparing the 2008 budget a 15% premium increase was assumed. As a result, this option will result in cost savings in the 2008 budget. Based on current participation, adopting this option would result in a \$70,000 savings in the 2008 budget.

**Option B:**

The following illustrates the effect of the proposed premium increase (based on current enrollment) and the current cost allocation formula of the City paying:

- 100% of the base premium for employee only coverage
- 83% of the base premium for employee + 1 coverage
- 75% of the base premium for family coverage

This option assumes a 6% premium increase and a 16 month agreement which would expire at the end of 2008

<i>Base</i>	<b>06-07 Plan Year</b>			<b>07-08 Plan Year</b>		
	<b>Total</b>	<b>Employee</b>	<b>City</b>	<b>Total</b>	<b>Employee</b>	<b>City</b>
<b>EE Only</b>	335.24	0.00	335.24	355.35	0.00	355.35
<b>EE+1</b>	811.86	138.02	673.84	860.57	146.30	714.27
<b>Family</b>	1,196.44	299.12	897.32	1,268.23	317.06	951.17

<i>Buy-Up</i>	<b>06-07 Plan Year</b>			<b>07-08 Plan Year</b>		
	<b>Total</b>	<b>Employee</b>	<b>City</b>	<b>Total</b>	<b>Employee</b>	<b>City</b>
<b>EE Only</b>	414.88	79.64	335.24	439.77	84.42	355.35
<b>EE+1</b>	1,004.62	330.78	673.84	1,064.91	350.64	714.27
<b>Family</b>	1,480.52	583.20	897.32	1,569.36	618.20	951.16

When City staff began preparing the 2008 budget a 15% premium increase was assumed. As a result, this option will result in cost savings in the 2008 budget. Based on current participation, adopting this option would result in a \$93,000 savings in the 2008 budget. The increased savings is because Option A

assumes a rate increase in September, 2008 which would represent the first four months of the 2008-2009 plan year.

**Option C:**

In 2006 the City enlisted the services of FBD Consulting to conduct a Compensation and Benefits Study; At that time, FBD compared benefit cost-sharing arrangements in other communities. The study found that the City's current coverage rates of 100% for Employee only and 83% for Employee + 1 coverage were consistent with other cities. However, the City's rate of 75% for family coverage was below the average of 80%. The consultant suggested the City consider increasing its contribution to family coverage. This suggestion was not incorporated into the 2006-2007 plan year, largely due to the significant premium increase last year.

With a more modest increase proposed this year and resulting cost savings, this option is again available and could be accommodated within the 2008 budget.

The following illustrates the effect of the proposed premium increase (based on current enrollment) and the current cost allocation formula of the City paying:

- 100% of the base premium for employee only coverage
- 83% of the base premium for employee + 1 coverage
- 80% of the base premium for family coverage

This option assumes a 6% premium increase and a 16 month agreement which would expire at the end of 2008

<i>Base</i>	06-07 Plan Year			07-08 Plan Year		
	Total	Employee	City	Total	Employee	City
EE Only	335.24	0.00	335.24	355.35	0.00	355.35
EE+1	811.86	138.02	673.84	860.57	146.30	714.27
Family	1,196.44	299.12	897.32	1,268.23	253.66	1,014.57
<i>Buy-Up</i>	06-07 Plan Year			07-08 Plan Year		
	Total	Employee	City	Total	Employee	City
EE Only	414.88	79.64	335.24	439.77	84.42	355.35
EE+1	1,004.62	330.78	673.84	1,064.91	350.64	714.27
Family	1,480.52	583.20	897.32	1,569.36	554.80	1,014.56

When City staff began preparing the 2008 budget a 15% premium increase was assumed. As a result, this option will result in cost savings in the 2008 budget. Based on current participation, adopting this option would result in a \$70,000 savings in the 2008 budget.

**Recommendation: Approve a 16 month renewal with United Healthcare with no plan changes and increase the City contribution for family coverage to 80%.**

**Dental Insurance**

The renewal for the current dental plan offered by the City through Delta Dental came in with a 9% increase in total premium for a September through August plan year. This is the first premium increase in two years from Delta Dental.

As with the health insurance renewal, it would be helpful if the plan dates could be changed to a calendar year. Delta Dental agreed to renew the plan with a 16-month renewal at an increase of 11% with no plan changes.

**Option A:**

The City continues to offer the dental benefit through Delta Dental of Kansas with a 9% increase in premiums with a September through August plan year. The cost structure would be as follows:

<b>Base</b>	<b>06-07 Plan Year</b>			<b>07-08 Plan Year</b>		
	<b>Total</b>	<b>Employee</b>	<b>City</b>	<b>Total</b>	<b>Employee</b>	<b>City</b>
<b>EE Only</b>	18.54	0.00	18.54	20.21	0.00	20.21
<b>EE+1</b>	35.04	16.50	18.54	38.41	17.20	20.21
<b>Family</b>	64.59	46.05	18.54	70.41	50.20	20.21

<b>Buy-Up</b>	<b>06-07 Plan Year</b>			<b>07-08 Plan Year</b>		
	<b>Total</b>	<b>Employee</b>	<b>City</b>	<b>Total</b>	<b>Employee</b>	<b>City</b>
<b>EE Only</b>	28.02	9.48	18.54	30.55	10.34	20.21
<b>EE+1</b>	52.96	34.42	18.54	57.73	37.52	20.21
<b>Family</b>	97.60	79.06	18.54	106.39	86.18	20.21

The 2008 budget was prepared based on an assumption of a 5% premium increase. The estimated expenses for 2008 would be greater than what was budgeted by \$686 (\$24,462 vs. \$25,148.) Savings achieved through lower than expected health insurance increases would allow the 2008 budget to accommodate this expense.

**Option B:**

The City continues to offer the dental benefit through Delta Dental of Kansas with an 11% increase in premiums and a 16-month renewal to convert to a January through December plan year. The cost structure would be as follows:

<b>Base</b>	<b>06-07 Plan Year</b>			<b>07-08 Plan Year</b>		
	<b>Total</b>	<b>Employee</b>	<b>City</b>	<b>Total</b>	<b>Employee</b>	<b>City</b>
<b>EE Only</b>	18.54	0.00	18.54	20.58	0.00	20.58
<b>EE+1</b>	35.04	16.50	18.54	38.90	18.32	20.58
<b>Family</b>	64.59	46.05	18.54	71.70	51.12	20.58

<b>Buy-Up</b>	<b>06-07 Plan Year</b>			<b>07-08 Plan Year</b>		
	<b>Total</b>	<b>Employee</b>	<b>City</b>	<b>Total</b>	<b>Employee</b>	<b>City</b>
<b>EE Only</b>	28.02	9.48	18.54	31.10	10.52	20.58
<b>EE+1</b>	52.96	34.42	18.54	58.80	38.22	20.58
<b>Family</b>	97.60	79.06	18.54	108.34	87.76	20.58

The 2008 budget was prepared based on an assumption of a 5% increase. Based on current participation, the estimated expenses for 2008 would be greater than what was budgeted by \$727 (\$24,462 vs. \$25,189). Savings achieved through lower than expected health insurance increases would allow the 2008 budget to accommodate this expense.

**Recommendation: Approve Option B.**

**Vision Insurance**

The City began offering vision insurance in the 2006-2007 plan year through Spectera with a two-year rate guarantee which would terminate August 31, 2008. Spectera has agreed to extend that agreement with a 0% rate increase to December 31<sup>st</sup>, 2008, should the City choose to change other benefits to a January – December plan year. The cost sharing is as follows:

	06-07 Plan Year			07-08 Plan Year		
	Total	Employee	City	Total	Employee	City
EE Only	7.63	0.00	7.63	7.63	0.00	7.63
EE+1	15.09	7.46	7.63	15.09	7.46	7.63
EE + Child(ren)	15.81	8.18	7.63	15.81	8.18	7.63
Family	24.81	17.18	7.63	24.81	17.18	7.63

The 2008 budget was prepared based on an assumption of a 5% increase. Based on current participation, the estimated expenses for 2008 would be less than what was budgeted by \$558 (\$10,263 vs. \$9,705). As there is no rate increase, the 2008 budget can accommodate this option.

**Recommendation. Approve a 16 month renewal with no change in premiums for a 16 month term expiring in December, 2008.**

**Life Insurance**

There was not a cost increase for the life insurance offered by the City through The Standard. This plan also has the option to convert to a January through December plan year, based on the decision made for health, vision, and dental renewal.

The 2008 budget was prepared based on an assumption of a 5% increase. Based on current participation, the estimated expenses for 2008 would be less than what was budgeted by \$1,304 (\$26,089 vs. \$24,785). As there is no rate increase, the 2008 budget can accommodate this option.

**Recommendation: Continue to provide live insurance to City employees through the Standard with no premium increase for a 16 month period expiring in December, 2008**

**Long Term Disability Insurance**

There was not a cost increase for the long-term disability insurance offered by the City through Lincoln Financial Group. This plan also has the option to convert to a January through December plan year, based on the decision made for health, vision, and dental renewal.

The 2008 budget was prepared based on an assumption of a 5% increase. Based on current participation, the estimated expenses for 2008 would be less than what was budgeted by \$1,141 (\$22,822 vs. \$21,681). As there is no rate increase, the 2008 budget can accommodate this option.

**Recommendation: Continue to provide Long Term Disability Insurance through Lincoln Financial Group for a 16 month period expiring in December 2008**

**Long Term Care Insurance**

There was no cost increase for the long-term care insurance offered by the City through UnumProvident.

The 2008 budget was prepared based on an assumption of a 0% increase. As there is no rate increase, the 2008 budget can accommodate this option.

**Recommendation: Continue to provide Long Term Care Insurance through Unum Provident with no change in premiums.**

## **2008 Budgetary Impact**

Based on the recommendations below, the cost to the City for the 2007-2008 Plan Year, the approximate total cost for health benefits in 2008 would be \$865,696 (below); the amount budgeted for all health related costs in 2008 was \$938,722, a difference of \$73,036.

	<b>Recommendation</b>	<b>2008 Budget</b>	<b>Difference</b>
Health	775,473	846,186	(70,713)
Dental	25,189	24,462	727
Vision	9,705	10,263	(558)
Life	24,785	26,089	(1,304)
LTC	6,038	6,038	0
EAP	2,825	2,873	(48)
LTD	21,681	22,822	(1,141)
<b>Total</b>	<b>865,696</b>	<b>938,722</b>	<b>(73,036)</b>

### **Recommendation:**

Staff recommends that the City Council authorize the following employee benefit plans for 2007-08:

1. The current health insurance plans provided by United Healthcare with no change in benefit and 16-month renewal for a January – December plan year for a 6.0% increase in premiums while increasing the City portion to 80% of the family premium cost.
2. The current dental insurance plans provided by Delta Dental with no change in benefit and 16-month renewal for a January – December plan year for an 11% increase in premiums.
3. The City continues to offer vision insurance through UHC/Spectera and a 16-month renewal for a January – December plan year with no change in premium.
4. The City retain The Standard for Life and AD&D insurance coverage with no change in premium and convert to a January – December plan year.
5. The current long term disability insurance plan provided by Lincoln Financial Group, with no change in premium and convert to a January – December plan year.
6. The current long term care insurance plan provided by UnumProvident, with no change in premium.



## FINANCE COMMITTEE REPORT ECONOMIC DEVELOPMENT RESERVE FUND

During the 2008 budget process, the City Council directed the Finance Committee to explore revenue and expenditure trends and provide recommendations to the City Council.

At its 26 April, 2007 meeting (minutes attached) the Committee recommended the City establish the following reserve funds:

1. Workers Comp and Property/Casualty Reserve Fund and transfer funds from the 2007 budget into this fund. - This recommendation was considered and approved by the City Council.
2. Equipment Reserve Fund - This item is included on the 16 July, 2007 Council Committee of the Whole Agenda
3. Economic Development Reserve Fund
4. Capital Improvement Reserve Fund - This item has not yet been presented to the Council.

This report specifically addresses the issue of the Economic Development Reserve Fund.

To date, funds received from a ¼ cent county-wide sales tax approved by voters in 2003 and renewed in 2005 has generated approximately \$2 million in revenue for the City. These funds have been kept in a separate account in the City's accounting system. The following expenditures have also been made from these special sales tax revenues for the following purposes:

- Village Vision Strategic Investment Plan: \$185,895
- Skate Park Construction: 200,000
- Council Retreat: \$7,500

This account currently has a balance of approximately \$1.6 million. Approximately \$500,000 in additional revenue from this revenue source will be collected in 2008. It should also be noted that this tax is scheduled to sunset at the end of 2008.

Establishing an Economic Development Reserve Fund by ordinance would formally " earmark " funds for economic development. Once the fund is established, the ordinance authorizing the fund would specify the ways these funds could be used. During the City's annual budgeting process, the Governing Body could authorize transfers into and out of this fund to finance initiatives consistent with the stated purposes for the money identified in the authorizing ordinance.

In developing the ordinance language for creating an Economic Development Fund, there are several important policy considerations and decisions that should be made. These include issues such as:

1. How should “economic development” be defined?
2. Should the authorizing language specify the sources of funds?
3. Should a minimum expenditure level be required to take money out of the fund?
4. Should the fund specify that money from the fund can be used to pay the salaries, etc. of City employees?
5. Should money in the fund be used to reimburse the City for the cost of providing economic development incentives? This would most likely come in the form of “making the city whole” for foregoing property tax revenue due to redevelopment incentives such as TIF.

Council members may identify other specific language which should be included in the authorizing ordinance. The purpose of these questions is to generate discussion and debate amongst Council members regarding how narrow or broadly “economic development” should be defined in the authorizing ordinance. Based on direction provided by the Council, staff will draft an ordinance for Council consideration.

**Issue:**

Should the City Council establish an equipment reserve fund?

**Background:**

The City's current draft of the 2008 budget includes \$250,000 toward the future purchase of a Public Safety Communications System for the Police Department. During budget worksessions, staff recommended the City establish a separate fund for this future expenditure.

State statutes permit cities to establish equipment reserve funds. The reason these funds are permitted is that equipment purchases are often large expenditures which may not be feasible to fully fund in one budget year. Establishing a reserve fund allows the City to create a "savings account" for a specific purpose and allocate funds over time until enough money is available to fully finance the purchase without issuing debt. Examples of uses of equipment reserve funds are large capital equipment purchases such as street sweepers, heavy equipment, fire engines, etc.

Establishing an equipment reserve fund would formally allocate funds for future capital equipment purchases. On an annual basis, the City Council can determine how much money should be added to the equipment reserve fund, as well as how much money should be expended from the fund for equipment purchases.

Once funds are placed in the equipment reserve fund, they may only be used for the purposes stated in the ordinance establishing the fund.

It is not recommended that *all* capital equipment purchases be funded through an equipment reserve. However, the reserve fund is an effective way to set money aside for large future planned expenditures.

If the fund is established, the City Council will be asked to make a transfer of \$250,000 from the General Fund to the Equipment Reserve during 2008.

**Recommendation**

**RECOMMEND THE CITY COUNCIL ADOPT AN ORDINANCE ESTABLISHING AN EQUIPMENT RESERVE FUND.  
COUNCIL ACTION REQUIRED**

ORDINANCE NO.

AN ORDINANCE ESTABLISHING A MUNICIPAL EQUIPMENT RESERVE FUND IN THE CITY OF PRAIRIE VILLAGE

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

SECTION I. Fund Established

In accordance with K.S.A. 12-1,117 there is hereby established a municipal equipment reserve fund which shall be used by the City to finance the acquisition of equipment necessary for the performance of all services and functions of the city. The Governing Body shall provide for the transfer of moneys from other City funds lawfully available for purchase of equipment to the municipal equipment reserve fund. For purposes of this ordinance, the word "equipment" shall mean machinery, vehicles, and any other equipment or personal property including, computer hardware and software.

SECTION II. Policy Objective

It is the policy objective of the Governing Body that the municipal equipment reserve fund shall be used to finance needed replacement and acquisition by setting aside a reserve amount each year as needed for specific large dollar equipment purchases identified during the annual budget process.

SECTION III. Take Effect. That this ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.

\_\_\_\_\_  
Ronald L. Shaffer, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Joyce Hagen Mundy  
City Clerk

\_\_\_\_\_  
Charles E. Wetzler  
City Attorney

**FINANCE COMMITTEE**  
**April 26, 2007**

The Finance Committee met April 26, 2007. Present: Chairman David Voysey, Bill Griffith, Wayne Vennard and Charles Clark. Staff present: Barbara Vernon, Karen Kindle and Doug Luther. Tom Singleton, representing Lowenthal Singleton Webb & Wilson, Certified Public Accountants was also present.

**GASB 45 Presentation**

Tom Singleton explained that GASB stands for Governmental Accounting Standards Board. It is an independent, private-sector organization that establishes standards of financial accounting and reporting for U.S. state and local governments. Government and industry recognize GASB as the official source of generally accepted accounting principles for government entities.

GASB standards help government officials demonstrate accountability to constituents and to primary users of the information that results from GASB standards. Government financial reports are used by legislative and oversight officials as well as creditors and persons involved in the municipal bond industry.

GASB 45, a new reporting requirement, was issued to provide more complete financial reporting of costs and financial obligations that governments incur when they provide post employment benefits other than pensions (OPEB) as part of the compensation for services rendered by their employees. In the past these costs were recorded on a "pay-as-you-go" basis. With implementation of GASB 45, governments will report as a liability unfunded actuarial accrued liabilities for past service costs. This will require the government to quantify the cost of, for example, allowing retirees to continue as a member of the City's health care plans until they are eligible for Medicare. Each year the liability for this benefit will be recalculated and the liability increased. Every two years the benefit liability will have to be calculated by an actuary in the same way the Police Pension Plan liability is quantified. On alternate years the liability can be updated using basic assumptions. Tom Singleton said that when some organizations have realized the magnitude of the liability they are creating, they revisit and often change these benefits to reduce the impact on their financial statements.

Kansas State Statute requires government employers that have group health care benefits plans for employees to make coverage under such programs available to retired employees and their dependents until the former employee reaches age 65, stops making payments or becomes covered by another plan.

The OPEB liability does not have to be funded but if the City chooses to do so, the money must be transferred into a qualified trust. At this point in time, Kansas Statutes do not allow cities and counties to establish the type of trust required. There was a bill in the legislative session seeking to correct this but as of this meeting the Governor had not yet

signed it. Singleton said he believes most Kansas employers will not fund the liability initially.

Prairie Village must have the liability calculation prepared by January 1, 2008. The actuarial firm retained to prepare actuarial calculations for the Police Pension Plan is experienced in preparing these OPEB calculations for other cities. They estimate the cost to make this initial calculation for Prairie Village will be approximately \$7,000.

Singleton recommended the City have the actuary run the calculations using each of the five different actuarial methods allowed by GASB 45 before determining which method to adopt.

### **Reserve Funds Budget Proposal**

Karen Kindle explained the need to strengthen the financial planning process of the City. In the past Prairie Village has done this by building a sizable Fund Balance to use for general and/or specific future expenditures.

The State adopted statutes that enable cities to establish Funds for specific purposes. Most major cities in the state use these statutes as a way to establish funds in which to invest for future liabilities and/or projects.

### **Insurance Reserve Funds**

The State allows cities to accumulate funds in an Insurance Reserve Fund to pay the cost of small claims. In the past the City's low deductibles on insurance policies did not create a significant effect on the operating budgets when a loss occurred. Departmental budgets were prepared on the assumption a certain number of claims would be made during the year. Recently the Council approved increased deductibles in property, casualty and workers compensation policies, increasing the City's risk. State statutes allow the City to establish Risk Management Reserve Funds to set money aside annually to cover this increased risk. This Fund would be restricted to use for insurance claims. It would earn interest on the balance annually and expenditures from the Fund would be approved and reported to the Council on a regular basis. An ordinance approved by Council is necessary to establish this Fund.

### **Equipment Reserve Fund**

Another item requiring future planning is replacement of major equipment such as the police radio system. At a recent Council meeting, Chief Grover explained that in a few years the radio system would need replacement at a cost of over \$1 million. State statutes allow the City to establish an Equipment Reserve Fund to set money aside over time to fund this type of large equipment purchase. Council would need to adopt an ordinance in order to establish this Fund.

### **Capital Improvement Reserve Fund**

The City has been using a Capital Improvement Fund for designated budgeted capital improvement projects for several years. Last year an amount was deposited in that account as a reserve for future renovation of the swimming pool. When the Council

reserved those funds last year, they agreed to continue setting money aside annually in order to avoid issuing bonds when renovations were necessary. State statutes allow this type of Fund as a way to reserve funds for future capital expenditures. An ordinance is needed to properly establish this as a Capital Improvement Reserve fund.

Home Rule Fund

State statutes allow the City to adopt a home rule ordinance establishing an Economic Development Fund. For the past three years the City has accumulated revenue from the County School Sales tax as a reserved portion of the General Fund. This money is technically available to be used for expenditures in the General Fund. Transferring these funds into a special Economic Development Fund would make clear the intent of the Council to use this revenue source for economic development.

Fiscal Impact

If these Funds are approved by Council, the current reserved balances within the General Fund would be transferred into each of the funds. Current reserved fund balances in the General Fund as of 3/30/2007 would be transferred as follows:

To: Insurance Fund - Workers Compensation Reserve                      \$1,534.12

To: Economic Development Fund  
 Johnson County School Tax/Economic Development Reserve    \$1,574,546.95

Equipment Reserve Fund transfer would be made in 2008 if Council appropriates \$250,000 of General Fund Balance for the Police radio system requested in the 2008 budget.

Capital Improvement Reserve Fund is already an operating fund, transfers will be made as budgeted.

Additional transfers will be requested in 2007 for the Insurance Reserve Fund. Savings of \$35,000 in 2007 have resulted from the change in Workers Compensation coverage. Increasing deductibles in Property and Casualty policies saved the City \$34,135. These amounts can be transferred to the Insurance Fund to cover payments that may be required during the year.

Committee members discussed the staff recommendation:

**Recommendation:**

1. The City establish the following new reserve funds: Workers Comp Insurance Reserve Fund, Property and Casualty Insurance Reserve Fund, Equipment Reserve Fund and Economic Development Fund.
2. Approve the transfer of the Insurance Reserve Fund and Economic Debt Fund amounts indicated above as these amounts are already included in 2007 budgeted expenditures.
3. The City adopt an ordinance establishing the Capital Improvement Reserve Fund as required by statute.

During the past the Council has made an effort to reduce debt by refinancing for shorter periods of time and financing capital projects on a current basis. The advantage of having an Equipment Reserve Fund and a Capital Improvement Reserve Fund is that when the City knows a major project or equipment purchase will be necessary in the near future, a portion of the cost can be set aside annually by depositing a portion of the cost in an interest bearing Fund for the specific project or equipment.

The Insurance Reserve and Economic Development Reserve Funds are currently part of the General Fund Balance. If they are established as separate Funds, criteria for use of the money will be clear and financial reports will clearly identify revenues and expenditures within the Fund for better accountability in the future.

Committee members agreed to take the recommendations to the City Council for action.

### **CPM Software Budget Proposal**

Karen Kindle reviewed with committee members information prepared as a 2008 Budget Decision Package. They agreed the document includes information the Council will need to make this decision during discussions of the 2008 budget.

### **Future Agenda Items**

Wayne Vennard asked staff to prepare information about the economic impact of leasing or issuing bonds for major projects/purchases. He said there may be a better way to finance equipment like the Police Radio system. Vennard suggested staff check with small cities that have used these methods.

David Voysey  
Chairman



## COU2007-52 CONSIDER ISLAND AND STATUE RESPONSIBILITY

### Background:

Over the years, the questions of ownership have risen relative to the islands and the infrastructure located on the streets and their subsequent maintenance and repair. This memo is intended to present a policy that will offer a process for providing answers and guidance. Specific questions have been about the operation, maintenance and repair of islands and the infrastructure on all city owned property such as the landscaping, plantings, statues and fountains. Public Works has attempted to reach accommodating solutions with various residents that are not covered by policy.

One of the issues is the clear assignment of responsibility. Some of the islands are big enough to be considered mini-parks and are of interest to the Park & Recreation Committee. The changes in landscaping - shrubs and trees - on the islands are of interest to the Tree Board. The art works on the islands are of interest to the Arts Council. The local homes association has maintained many of the infrastructures on the islands over the years. Ultimately, all these issues are directed to Public Works who have undertaken leadership relative to this valuable city asset.

City Municipal Code 1-806 states the duties of Parks and Recreation Committee as recommending policies and guidelines on park and recreation facilities to the governing body.

City Municipal Code 13-301 states the duties of the Tree Board as recommending proper development and maintenance of trees, shrubs and other plantings on City owned property to the governing body.

City Council Policy CP216 -*Planting, Maintenance, Removal and Replacement of Trees* is written to provide policy on trees on City owned property, right-of-way and easements granted by the City.

City Council Policy CP220 - *Maintenance of Plantings, Statues and Structures on Islands* was written to provide policy on turf, plantings, statues, fountains and utilities on City owned islands.

The issue of ownership of the island infrastructure is proposed as follows:

- The islands are within the street right-of-way and therefore are city property.
- The statues are owned by the appropriate neighborhood association until documentation of ownership states otherwise is on record with the Public Works Department. Therefore, the operation, maintenance and repair are the sole responsibility of the homes association.
- The fountains are owned by the City until documentation of ownership states otherwise is on record with the Public Works Department. The City will operate, maintain, and repair the fountains.

- The landscaping including turf, shrubs, trees and paths are the responsibility of the City for the operation, maintenance and repair. Residents and homes association may provide assistance and/or assume specified responsibility for landscaping through documentation with the Public Works Department.

It is proposed that the an ad-hoc committee consisting of one member from the Parks and Recreation Committee, one member from the Tree Board, one member from the Arts Council be appointed as an overview committee on the infrastructure on all city owned islands and other city owned property. Their responsibility will be to ensure the beauty and charm of the city owned property by providing guidance on the operation, maintenance, repair, changes and improvements to the Public Works Director.

**Financial Impact:**

There is no financial impact by forming this ad-hoc overview committee. Any expenditure will be part of the normal budget process.

**Suggested Motion:**

The City Council moves to approve the creation of an ad-hoc overview committee by appointing one member from the Parks and Recreation Committee, one member from the Tree Board, and one member from the Arts Council as an overview committee on the infrastructure on all city owned islands and city owned property. Their responsibility will be to ensure the beauty and charm of the city owned property by providing guidance on the operation, maintenance, repair, changes and improvements to the Public Works Director.

**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE  
Monday, July 16 2007  
7:30 p.m.**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. PLEDGE OF ALLEGIANCE**

**IV. PUBLIC PARTICIPATION**

**V. SPECIAL PRESENTATION – VILLAGEFEST**

**VI. 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 – July 2, 2007
2. Claims Ordinance 2640
3. Grant an exemption from City provided solid waste services for 2008 to the following Homes Associations:
  - Town & Country Homes Association
  - Countryside East Homes Association
  - Normandy Square Homes Association
4. Approve Construction Change Order #2 with J. M. Fahey Construction Company in the amount of \$3,500.00 for the replacement of two manhole covers on two curb inlets on 81<sup>st</sup> Street.
5. Deny the claim of Robin L. Harding for property damage sustained on May 7, 2007 and direct Staff to forward the claim to the City's insurance carrier.
6. Authorize publication of Notice of Hearing for the 2008 budget in the amount of \$22,968,884.

**By Committee:**

7. Approve Engineering Change Order #1 on Project 190864: 2008 Paving Program with HNTB Corporation in the amount of \$68,900.00 and authorize the transfer of \$70,000.00 from Project 190875 to Project 190864. (Council Committee of the Whole Minutes – July 2, 2007)
8. Adopt an ordinance establishing a Risk Management Reserve Fund and approve the transfer of \$85,000.00 from the General Fund to the Risk Management Reserve Fund. (Council Committee of the Whole Minutes – July 2, 2007)

**VII. COMMITTEE REPORTS**

**VIII. OLD BUSINESS**

**IX. NEW BUSINESS**

**X. ANNOUNCEMENTS**

**XI. 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**

**July 16, 2007**

CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
JULY 2, 2007

The City Council of Prairie Village, Kansas, met in regular session on Monday, July 2, 2007, at 7:30 p.m. in the Council Chambers of the Municipal Building.

**ROLL CALL**

Mayor Ron Shaffer called the meeting to order and roll call was taken with the following Council members present: Al Herrera, Ruth Hopkins, Michael Kelly, Andrew Wang, Laura Wassmer, Pat Daniels, Charles Clark, Wayne Vennard, Diana Ewy Sharp and David Belz.

Also present were: Barbara Vernon, City Administrator; Charles Wetzler, City Attorney; Wes Jordan, Chief of Police; Bob Pryzby, Public Works Director; Doug Luther, Assistant City Administrator; and Joyce Hagen Mundy, City Clerk.

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

**PUBLIC PARTICIPATION**

Cheryl and Don Landes, 8421 Cedar, were present to hear the presentation by Ruth Hopkins on the Shadowcliff Environmental Conference - Climate Change and Sustainable Governance.

Peter Shell with Boy Scout Troop #16 was in attendance to earn his "Citizenship in the Community" merit badge.

**CONSENT AGENDA**

Andrew Wang moved the approval of the Consent Agenda for Monday, July 2, 2007:

1. Approve Regular Council Meeting Minutes - June 18, 2007
2. Approve Claims Ordinance 2639
3. Approve disposal of the following items from the Public Safety Investigations Dept. by Surplus Exchange or auction:
  - Two 25 inch televisions (asset no. X-202)
  - Two SVHS recorders (asset nos. 00802 and 00803)
4. Approve Construction Changer Order #3 for Project SP107: 2007 Street Repair Program with Musselman and Hall Contractors, Inc. in the amount of \$14,674.44.
5. Approve the Design Agreement with The Larkin Group for \$5,100.00 with a transfer of \$33,100 from Project 190640, Meadow Lake Field Improvements to Project 190649: Windsor Ball Field Improvements.

6. Approve Engineering Change Order #2 for Project 190864: 2008 Paving Program to HNTB for \$9,900.00 for design of replacement for failing concrete pavement.
7. Approve Engineering Services Agreement with The Larkin Group, Inc. for \$23,280.00 to provide a compliance review of the NPDES permit for the City.
8. Approve the Letter of Understanding with Deffenbaugh setting the unit price for solid waste, recyclable, and yard waste collection services for participants in the City's Solid Waste Management program at \$12.95/household/month for calendar year 2008.
9. Approve a fee for 2008 of \$13.10/household/month for City collection of solid waste, recyclable material, and yard waste.
10. Approve the Regional Public Works Mutual Aid Agreement as proposed by MARC.

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

## COMMITTEE REPORTS

### **Villagefest Committee**

Diana Ewy Sharp reviewed the activities planned for the celebration. She urged Council members to attend the patriotic service beginning at noon, which will honor a Prairie Village soldier killed in Iraq. Bob Pryzby reported on the "Chinook Helicopter". The copter will land at 9 a.m. and take off at 1:45. He noted the copter, which will carry a hummer, has just returned from duty in Afghanistan and urged residents to view the exhibit and express appreciation to the service personnel who will be in attendance for their service on our behalf. Chief Jordan noted there will be several different activities happening during the day and stated the coordination of activities has been handled very well by the committee.

### **Park and Recreation**

Diana Ewy Sharp advised the Council of increased vandalism occurring in the City's parks, particularly in Franklin and Harmon Parks. She has talked with Chief Jordan regarding increased patrols and Bob Pryzby is exploring the installation of security lighting.

## OLD BUSINESS

There was No Old Business to come before the Council.

## NEW BUSINESS

Charles Clark noted information provided in the City Administrator's report on recent statutes adopted that may have significant impact on the city's court system. Doug Luther explained Senate

Bill 31, adopted in 2007, gives municipal courts concurrent jurisdiction with District Courts on some violations. In the past, municipal courts have not heard felony cases which are filed directly with the District Court. Under the new legislation, if the District Court decided not to consider a case, it could be sent back to the municipal court for prosecution. Mr. Luther stated he is working with the judges and city prosecutor on how the City will respond to the new legislation. The League of Kansas Municipalities is also studying the issue and will provide guidance and information to cities. The impact of the legislation will depend on the number of charges filed and the number of cases the District Attorney's offices chooses to return to the municipal court for prosecution.

### **Shadowcliff Environmental Conference Report - Ruth Hopkins**

Ruth Hopkins reported on the Shadowcliff Environmental Conference held at Grand Lake, Colorado covered environmental issues that will impact Prairie Village in several ways over time. The conference was held in a resort that emulated the environment that is being proposed to ensure sustainability. The cabin contained dorm-type rooms with no television or telephone. The food was provided from a garden located on the site and was primarily vegetarian in nature.

The conference was attended by representatives of a broad spectrum including: Dennis Moore's legislative assistant, Ronnie Metsker of Kansas House of Representatives, Johnson County Commissioner Ed Peterson, representatives of the cities of Roeland Park, Mission, Overland Park, Johnson County Transportation, Johnson County Stormwater, Sierra Club, Black & Veatch and Bucher Willis & Ratliff.

The seminars were based on the United Nations definition of sustainability: "Choices that meet the needs of the present without compromising the ability of future generations to meet their own needs." The desired outcome of the conference is to get Johnson County to sign the US Mayor's Climate Protection Agreement. This is being presented initially to the Northeast Johnson County Mayors with the hope to get their approval and then all Johnson County Mayors. Mrs. Hopkins noted Johnson County is hiring a "Sustainability Officer" to assist the county in ways to implement the agreement and will be available to assist cities.

Ruth Hopkins noted that although cities can not do this alone, there are several things that can be done locally. Among the things the Climate Protection Agreement addresses is the reduction of carbon emissions to 1990 levels. The following suggested actions were given:

- Fuel efficient vehicles (Mrs. Hopkins noted although there are currently very few options for public works vehicles, work is being done in that area.)
- Reduce idling
- Compact fluorescent bulbs
- Programmable thermostats
- Energy audits of city buildings
- Rain barrels/compost bins are being offered by the City of Mission to their residents.

Diana Ewy Sharp stated she would like to see the text of the proposed 'Mayor's Climate Protection Agreement.

Michael Kelly asked if any alternate views were presented at the conference. Mrs. Hopkins responded the presentations were all supportive of sustainability.

Al Herrera stressed the need to hear alternate views before any action is taken. He stated he has read substantial information not supportive of the KYOTO agreements and feels it will be costly for public works and public safety to implement.

Pat Daniels stated he was very empathetic to the issue from the broader standpoint of awareness. He noted the one issue the European countries were unified on is addressing environmental concerns. Corporate leaders have written the President and political leaders urging them to step forward and address these issues. He feels it the responsibility of every individual, city, county and nation to do what it can.

Al Herrera again noted there is scientific documentation opposing the findings being presented and believes both sides should be considered before any action is taken by the City.

Laura Wassmer stated that regardless of where one stands on this issue, there are responsible actions that can and should be taken to preserve our environment. She feels such action is both environmentally responsible and fiscally responsible. She is not ready to sign off on the KYOTO agreement, but she is making changes to be more environmentally responsible.

## ANNOUNCEMENTS

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

Sister City	07/09/2007	7:00 p.m.
Planning Commission	07/10/2007	7:00 p.m.



Park & Recreation Committee	07/11/2007	7:00 p.m.
Council Committee of the Whole	07/16/2007	6:00 p.m.
City Council	07/16/2007	7:30 p.m.

---

The Prairie Village Arts Council is pleased to feature a mixed media exhibit by the Senior Arts Council in the R.G. Endres Gallery during the month of July. The opening reception will be July 13<sup>th</sup> from 6:30 to 7:30 p.m.

The City Offices will be closed July 4<sup>th</sup> to observe the Independence Day holiday. Deffenbaugh also observes this holiday and trash pick-up will be delayed one day.

Recreation memberships are now on sale at the City Clerk's Office.

- July 3 - Dive Team Meet - Slides and Diving well close at 5:00 p.m.
- July 4 - VillageFest 2007 - Free swim for all Prairie Village residents - Pool complex closes at 6:00 p.m.
- July 13 - Moonlight Swim - Pool Complex remains open until 10:00 p.m.
- July 17 - All-City Swim Team Meet - Pool Complex closed all day to public
- July 29 - Water Show at 8:30 p.m. Pool complex closes at 5:00 p.m.

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

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

#### ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at

8:10 p.m.

Joyce Hagen Mundy  
City Clerk

# CITY TREASURER'S WARRANT REGISTER

DATE WARRANTS ISSUED:

Warrant Register Page No. 1

July 16, 2007

**Copy of Ordinance**  
2640

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			
86756-86849	6/1/2007	438,815.26	
86850-86854	6/8/2007	7,470.11	
86855-86991	6/15/2007	853,008.15	
86992-87012	6/22/2007	89,405.80	
87013-87119	6/27/2007	176,147.24	
Payroll Expenditures			
6/8/2007		240,860.79	
6/22/2007		261,215.32	
Electronic Payments			
Intrust Bank -credit card fees (General Oper)		397.59	
State of Kansas - sales tax remittance		71.58	
Marshall & Ilsley - Police Pension remittance		6,654.52	
Intrust Bank - fee		415.33	
KCP&L		9,288.24	
MHM - Section 125 admin fees		287.92	
Intrust Bank - purchasing card transactions		11,503.63	
United Health Care		70,849.87	
Kansas Gas		1,537.49	
<b>TOTAL EXPENDITURES:</b>			<b>\$ 2,167,928.84</b>
Voided Checks			
Shore Line # 86830		(40.00)	
Govnt. Traing Inst. # 86796		(125.00)	
AlphaGraphics # 86861		(3,074.15)	
Jack O'Hare # 86920		(500.00)	
Bob Allen # 86876		(372.02)	
E. Edwards # 86899		(110.00)	
<b>TOTAL VOIDED CHECKS:</b>			<b>(4,221.17)</b>
<b>GRAND TOTAL CLAIMS ORDINANCE</b>			<b>2,163,707.67</b>

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

Passed this 16th day of July 2007.

Signed or Approved this 16th day of July 2007.

(SEAL)

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

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

\_\_\_\_\_  
*Mayor*

## **Consider Solid Waste Exemptions for 2008**

**Issue:** Should the City Council grant exemptions from City provided solid waste collection services?

**Background:** The Municipal Code allows Homes Associations to request an exemption from City-provided solid waste services provided they as a homes association provide service at the same or a higher level of service to their residents. For the past several years, Town & Country, Countryside East and Normandy Square Homes Associations have provided solid waste services through their associations. They have again submitted application for exemption from city-provided solid waste services in 2008. Approval of these applications for exemption will be included on the Consent Agenda.

**Recommendation:**

**RECOMMEND THE CITY GRANT AN EXEMPTION FROM  
CITY PROVIDED SOLID WASTE SERVICES FOR 2008 TO  
THE FOLLOWING HOMES ASSOCIATIONS:**

**TOWN & COUNTRY HOMES ASSOCIATION**

**COUNTRYSIDE EAST HOMES ASSOCIATION**

**NORMANDY SQUARE HOMES ASSOCIATION**

**COUNCIL ACTION REQUIRED**

**CONSENT AGENDA**

**CONSIDER PROJECT 190860 – 2007 PAVING PROGRAM  
CONSTRUCTION CHANGE ORDER #2**

**Background:**

The plans called for the replacement of two manhole covers on two curb inlets on 81<sup>st</sup> Street. Upon further investigation it was discovered that the concrete lids also needed to be replaced for an additional amount of \$3500.00 (0.2% increase in current contract amount).

**Financial Impact:**

Funds are available in the Capital Infrastructure Program under Project 190860.

**Suggested Motion:**

Move to approve Construction Change Order #2 with J. M. Fahey Construction Company in the amount of \$3500.00.

Jayce

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

Consultant's Name: Shafer, Kline & Warren, Inc.

Project Title: 2007 Paving Program Project No. 190860

Date Requested: 3-Jul-07

Owner's Project No.: 190860-04 81st Street, Dearborn to Nail Contract Date: \_\_\_\_\_

Contractor's Name: J. M. Fahey Construction Co.

REQUIRED CHANGES IN PRESENT CONTRACT

Item Number	Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
42	2	\$ 1,400.00	EA	Type 2 Ring & Cover	0.0	\$ 700.00	\$ 0.00
42C	0	\$ 0.00	EA	Precast Concrete Top Complete	2.00	\$ 2,450.00	\$ 4,900.00
	0	\$ 0.00					\$ 0.00
	0	\$ 0.00					\$ 0.00
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		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
TOTAL		\$ 1,400.00					TOTAL
					Net	Increase <del>Decrease</del>	\$ 3,500.00

### Explanation of Changes

Project 190860; 2007 Street Paving Program. This change order is to cover the following items:

The plans and specifications called for the replacement of two manhole covers on two curb inlets on 81st street  
Upon investigation we discovered the precast concrete lids also needed to be replaced. This Change order provides  
for the removal and replacement of the existing tops and the restoration of the inlets.

This change order increased the contract amount by \$3,500.00

Original Contract Price for 78th Street	<u>\$ 1,870,805.95</u>
Current Contract Price, as adjusted by previous Change Orders	<u>\$ 1,883,410.95</u>
NET increase or decrease this Change Order	<u>\$ 3,500.00</u>
New Contract Price	<u>\$ 1,886,910.95</u>

Change to Contract Time:  
N/A

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

William M. Asbury  
William M. Asbury  
Project Manager, Shafer, Kline & Warren, Inc.

7/3/07  
Date

Tom Trienens  
Tom Trienens, P.E.  
Manager of Engineering Services, City of Prairie Village, KS

7/9/07  
Date

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

\_\_\_\_\_  
Date

Kevin Connell  
Kevin Connell  
Project Manager, J. M. Fahey Construction Co.

7/9/07  
Date

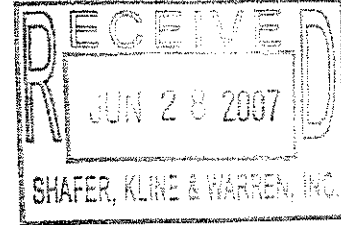


# J.M. FAHEY CONSTRUCTION COMPANY

408 High Grove Road  
Grandview, Missouri 64030  
(816) 763-3010  
(816) 763-3862 FAX  
www.jmfahey.com

June 27, 2007

Mr. Mike Asbury  
Shafer, Kline & Warren, Inc.  
11100 W. 91<sup>st</sup> Street  
Overland Park, KS 66214



Re: JMFCC Project No. 07015  
City of Prairie Village Project No. 190860  
2007 Paving Program  
Change Order Proposal #3 – W. 81<sup>th</sup> Street Inlet Throat Adjustment

Mr. Asbury:

J.M. Fahey Construction Company (JMFCC) appreciates the opportunity to provide this Change Order Proposal to replace the cast-in-place inlet throats with precast concrete tops at Sta. 1+70 on W. 81<sup>st</sup> Street.

JMFCC will install the precast concrete slabs, install and adjust the new ring and cover to grade, and pour a concrete collar around the manhole ring. The unit price to complete this work is Two Thousand Four Hundred Fifty Dollars (\$2,450) per inlet. For both inlets, the total cost of the work is Four Thousand Nine Hundred Dollars (\$4,900).

Please contact us if you have any questions regarding this proposal.

Sincerely,

**J. M. FAHEY CONSTRUCTION COMPANY**

Kevin J. Connell  
Construction Division Manager

## Consider Claim against the City

### Background:

On July 6, 2007, the City received the attached claim against the City by Robin L. Harding of 7354 Rosewood against the City of Prairie Village. Ms Harding alleges the City is responsible for property damage sustained to her home on May 7<sup>th</sup> caused by the divergence of water into her basement from a nearby public works project. Ms Harding is seeking damages in the amount of \$3,491.99.

The City Attorney has reviewed the claim and advises the City Council to deny the claim and forward it to the city's insurance carrier.

### Recommendation:

**MOVE THE CITY COUNCIL DENY THE CLAIM OF ROBIN L. HARDING FOR PROPERTY DAMAGE SUSTAINED ON MAY 7, 2007 AND DIRECT STAFF TO FORWARD THE CLAIM TO THE CITY'S INSURANCE CARRIER.**



(913) 663-1300 Fax (913) 663-3834  
E-mail: [Benny@HardinglawKC.com](mailto:Benny@HardinglawKC.com)

Missouri Office:  
999 Bedford  
N. Kansas City, MO 64116

June 28, 2007

Clerk of the City of Prairie Village, Kansas  
7700 Mission Road  
Prairie Village, KS 66208

Re: Robin Harding, 7354 Rosewood, Prairie Village, Kansas v.  
City of Prairie Village, et al.  
Notice

Dear Clerk:

On May 7, 2007, my client, Robin Harding sustained property damage to her home caused by the divergence of water into her basement from the nearby public works project currently underway. Ms. Harding promptly notified Mr. Tom Trienens of the City's Public Works Department of the damage she had sustained. On May 9, 2007, I met with Mr. Trienens and he summarily dismissed her claim without even entering her home to see the site of the damages. Since that time, we have consulted with a professional engineer who has confirmed for us the location of numerous nearby storm sewer inlets that have been adversely impacted by the construction be it caused by the Public Work Department or utility companies working in the area as part of the Public Works projects that caused the sufficient divergence of water so that the same backed up in her basement and caused the damages sustained by her. Please accept this letter as further compliance with the notice requirements of K.S.A. 12-105(b) and the Kansas Tort Claims Act K.S.A. 75-6101, *et seq.*

As a matter of formality please be advised that:

The name and address of the claimant is: Robin L. Harding  
7354 Rosewood  
Prairie Village, Kansas 66208

The factual basis of her claim:

In the early morning hours of May 7, 2007, a rainstorm descended upon the City. Previously, the City's Public Works Department had undertaken a project along Tomahawk that required the relocation of easements. The combination of work performed by the Public Works Department and the utilities in the relocation of easements caused a divergence of water to back up in my client's basement and cause property damage.

Public Official: Tom Trienens  
City of Prairie Village Public Works Department

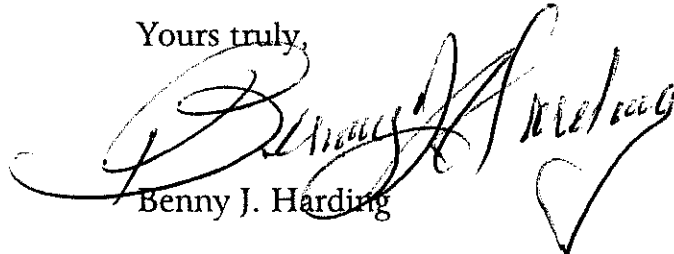
Statement of Nature/Extent of Damages Suffered:

Ms. Harding sustained the following costs and expenses as a result of the acts of the Public Works Department:

Water removal and cleanup	\$ 861.99
House cleaning and sanitization of the affected area	\$ 130.00
Damage to washer and dryer	\$ 500.00 (approx.)
Monetary damages	\$2,000.00 (approx.)

Pursuant to Kansas law, Claimant is not permitted to file suit against a municipality until 120 days of receipt of notice. May we request that you notify your insurance carrier and please accept this notice as compliance with further formality and be advised that it is the intention of the Claimant to bring suit on this claim unless a satisfactory resolution can be negotiated.

Yours truly,



Benny J. Harding

BJH:lsm

## CONSIDER NOTICE OF HEARING FOR THE 2008 BUDGET

### Issue:

Should the Council authorize staff to publish a Notice of Budget Hearing for the 2007 Budget with total net expenditures of \$22,968,884 and tax requirement of \$5,223,069?

### Background:

State statute requires cities to conduct a public hearing on the proposed budget for the coming year by August 15<sup>th</sup> of the current year. The public hearing for the annual budget is the public's opportunity to make comments and suggestions about the budget proposed for the coming year. After the hearing, the Council can change the budget, then adopt it as amended unless the change increases total expenditures. A public hearing must be conducted and budget approved in order to submit to the County Clerk by August 25<sup>th</sup>.

If the Council decides to increase expenditures or increase the tax requirement after the Public Hearing Notice is published, the Notice must be amended and republished. Expenditure decreases have no impact on publication or public hearing requirements.

The Notice of Budget Hearing must be published at least ten days before the public hearing.

The proposed budget document for 2008 is not finished; however, it will be available for the Public Hearing.

If a majority of Council members believe the total for expenditures should not be more than \$22,968,884 as listed in the Notice, a motion can be made at the Council meeting on July 16<sup>th</sup> or another worksession can be scheduled to determine the amount to be published. The Notice must be published no later than July 27<sup>th</sup> for the August 6<sup>th</sup> Public Hearing.

### Options:

1. Schedule a meeting for additional discussion of the Proposed Budget for 2008 to determine the amount which can be published in the Notice. Notice of Public Hearing must be submitted to the newspaper by noon on July 26<sup>th</sup>.
2. Authorize publication of the attached Notice of Budget Hearing on the 2008 Budget in the amount of \$22,968,884. This option will be included on the Consent for your approval or revision.

### Recommendation:

**AUTHORIZE PUBLICATION OF NOTICE OF HEARING FOR THE 2008 BUDGET IN THE AMOUNT OF \$22,968,884.**

**COUNCIL ACTION REQUIRED  
CONSENT AGENDA**

**NOTICE OF BUDGET HEARING**

The governing body of  
City of Prairie Village  
will meet on the 6th day of August, 2007 at 8:00 p.m. at 7700 Mission Road for the purpose of  
hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.

Detailed budget information is available at the Prairie Village Municipal Offices, 7700 Mission Road  
and will be available at this hearing.

**BUDGET SUMMARY**

Proposed Budget 2008 Expenditures and Amount of 2007 Ad Valorem Tax establish the maximum limits of the 2008 budget.  
Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	2006		2007		Proposed Budget 2008		
	Prior Year Actual Expenditures	Actual Tax Rate *	Current Year Est of Expenditures	Actual Tax Rate *	Expenditures	Amount of 2007 Ad Valorem Tax	Est. Tax Rate *
General	14,574,871	13.961	18,604,454	14.451	19,874,169	4,720,451	16.388
Debt Service	553,720	1.759	554,862	1.682	554,771	502,618	1.745
Special Highway	605,000		644,000		649,000		
Solid Waste Management	1,202,402		1,260,489		1,311,491		
Special Parks	80,000		100,000		86,000		
Special Alcohol	89,998		99,611		86,000		
Capital Projects	3,320,269		8,494,930		6,160,500		
Insurance Reserve							
<b>Totals</b>	<b>20,426,260</b>	<b>15.720</b>	<b>29,758,346</b>	<b>16.133</b>	<b>28,721,931</b>	<b>5,223,069</b>	<b>18.133</b>
Less: Transfers	4,230,500		5,619,500		5,753,047		
Net Expenditure	16,195,760		24,138,846		22,968,884		
Total Tax Levied Assessed	4,278,630		4,461,601		XXXXXXXXXXXXXXXXXXXX		
Valuation	269,806,687		276,551,250		288,042,190		

Outstanding Indebtedness,			
January 1,	2005	2006	2007
G.O. Bonds	2,985,000	2,570,000	2,135,000
Revenue Bonds			0
Other			0
Lease Purchase Principal			0
Total	2,985,000	2,570,000	2,135,000

\*Tax rates are expressed in mills

\_\_\_\_\_  
City Official, Title

**COUNCIL COMMITTEE OF THE WHOLE**  
**July 2, 2007**

The Council Committee of the Whole met on Monday, July 2, 2007 at 6:00 p.m. The meeting was called to order by Council President Andrew Wang with the following members present: Mayor Shaffer, Al Herrera, Ruth Hopkins, Michael Kelly, Laura Wassmer, Pat Daniels, Charles Clark, Wayne Vennard, Diana Ewy Sharp and David Belz. Staff members present: Barbara Vernon, City Administrator; Wes Jordan, Chief of Police; Bob Pryzby, Director of Public Works; Doug Luther, Assistant City Administrator and Joyce Hagen Mundy, City Clerk.

David Belz moved the approval of the Consent Agenda for Monday, July 2, 2007. The motion was voted on and passed unanimously.

- Approve Engineering Change Order #1 on Project 190864: 2008 Paving Program with HNTB Corporation in the amount of \$68,900.00 and authorize the transfer of \$70,000.00 from Project 190865 to Project 190864.

**COUNCIL ACTION REQUIRED**  
**CONSENT AGENDA**

- Continue COU2006-57 Special Use Permit for Communications Antenna at 7700 Mission Road

**CONTINUED**

Andrew Wang confirmed the City Attorney is working to address some concerns the Council had regarding the language in the lease agreement for this application.

**COU2007-31 Consider City Administrator/City Manager forms of government**

Barbara Vernon reviewed earlier discussion on this topic and the research prepared by the city attorney that reported 45% of cities use the City Administrator and 55% of cities use the City Manager form of government. In his report, Mr. Wetzler advised the Council an election would be required to change to the City Manager form of government and noted residents would expect compelling reasons for making the change. He suggested changes could be made to the current ordinances to address some of the issues raised by Council without changing the form of government.

Mrs. Vernon provided historical background on the city's establishment of the City Administrator form of government in 1983. She noted the ordinance was patterned after the Leawood and Lenexa ordinances. Since that time, both cities have revised their ordinances by aligning the authority of the position with its responsibilities making it similar to those of a city manager. The cities of Mission and Merriam have revised their ordinances to strengthen the position of city

administrator in their cities and relieve their Mayors of daily responsibility for supervision of staff and operations.

The city's current ordinances (PVMC 1-302 - PVMC 1-303), which were written prior to having a city administrator, establishes the Mayor as the person who has the responsibility to oversee and control everything that happens in the City with the following authority:

- To hire and terminate all other employees, or such authority may be delegated to the respective department heads
- To remove, without cause, any appointed employee if approved by the governing body
- To remove any appointed officer for good cause.

KSA 13-527 and Prairie Village ordinance 1-301 state: The Mayor, by and with the consent of Council may appoint a city attorney, assistant city attorney, city prosecutor, city clerk, city treasurer, city administrator, assistant city administrator, municipal judge or judges, city engineer, director of public works, city architect and chief of police.

Staff recommends the existing PVMC1-302 & 1-303 be removed and a new ordinance prepared that states: The Mayor

- Shall be the elected chief executive of the City
- Shall have the authority to hire and terminate the city administrator
- Shall have authority to remove the city administrator for cause.

Barbara Vernon reviewed the responsibilities given to the city administrator by the current municipal code, which states in PVMC1-313: "The city administrator is appointed to " . . . be the chief administrative assistant to the Mayor and governing body and as such shall be the administrative officer of the city government." The definition of an administrative officer is one responsible for " . . . execution of public affairs as distinguished from policy making."

The city code also states the city administrator shall act as the personnel officer, appropriating pay increases, approving terminations and advancements, etc. It also states "the city administrator may make recommendations of appointment and removal of appointive city employees to the Mayor". The Mayor determines the extent to which the administrator can be involved in the interview and hiring decision of individuals he/she must supervise, coordinate and work with on a daily basis.

The staff recommends the current ordinances be changed to clearly establish the city administrator as the Chief Administrative Officer of the City. Establish hiring, management and removal process for appointed officials that involve the administrator in the hiring process and, after appointments are made, require the city administrator to supervise appointed officials who are department managers according to Council approved personnel policies.

Diana Ewy Sharp confirmed the Mayor would retain the authority for appointment with the approval of the governing body.

Charles Clark stated he felt the Leawood ordinances were the best written, although he felt it would be beneficial to specifically address the positions viewed as "department heads".

David Belz expressed concern with the wording giving the city administrator authority to appoint or remove "all subordinate employees of the City". As this is worded, it appears to give the city administrator the ability to remove a public works employee. He sees this as an action of the department head, not the city administrator. Mr. Belz prefers the language used by the City of Lenexa.

Wayne Vennard asked for input from the Chief of Police and Director of Public Works on the proposed changes.

Chief Jordan expressed concern with ensuring the delegation of authority. He has seen other cities where the city administrator has tried to become the police chief. He noted police officers are protected under the guidelines of the Civil Service Commission. He would like to see the delegation of authority clearly specified in the ordinance.

Bob Pryzby stated he would like to see the city administrator given authority to recommend with department heads given the authority to manage their departments. Mr. Pryzby stated the city's personnel policies are well written and should be referenced and followed.

Michael Kelly clarified the Mayor would be the Chief Executive Officer and the city administrator would be the Chief Operating Officer.

Ruth Hopkins asked if the city administrator sets policy. Mrs. Vernon responded some of the Council policies give the city administrator additional authority such as sign purchases orders, etc., but the administrator does not set policy.

David Belz questioned what if down the road the Council wanted input on the hiring of department heads other than the city administrator. Mrs. Vernon replied she discussed that issue with the Leawood and Lenexa city administrator's who stated they use selection committees when hiring including the Mayor, one or two Council members, residents and possibly other employees. They did not feel a professional city administrator would take action without involvement of others. Mr. Belz asked if language should be added giving that direction as several Council members want to be involved.

Mrs. Vernon stressed the need for the city administrator's strong involvement in selection as department heads are individuals they work very closely with and need to be comfortable working with them. She suggested that perhaps the city

administrator could bring their top candidates to a selection committee or the Council.

Pat Daniels stated he likes having the city administrator taking care of it and feels the city administrator needs to be at the center of the selection, not 12 individual council members.

Charles Clark sees the proposed changes as giving the city administrator the ability to do their job without worrying about the whims of council members.

Diana Ewy Sharp asked how department heads have been hired in the past. Mrs. Vernon responded selection committees have been used.

Mayor Shaffer asked what timeframe was available for the Council to take action. Mrs. Vernon responded she had received the first draft of the city administrator's job description from the consultant and will be sending it out to the selection committee. She noted the brochure advertising the position was not complete and she would be sending the consultant changes. Mayor Shaffer confirmed the need to have this in place for the selection process. Wayne Vennard noted, if adopted, candidates would need to be notified of the change.

Ruth Hopkins noted the proposed changes impact the authority of the Mayor and asked Mayor Shaffer for his input. Mayor Shaffer stated he supports the proposed revisions and sees them as a good step into the future.

David Belz moved the City Council direct the city attorney to prepare ordinances removing PVMC 1-302 and 1-303 and stating the Mayor shall be the Chief Executive of the City, have the authority to hire and terminate the city administrator and the authority to remove the city administrator for cause. The motion was seconded by Pat Daniels.

Andrew Wang moved the City Council direct the city attorney to prepare changes to the current ordinances to clearly establish the city administrator as the Chief Administrative Officer of the City and establish hiring, management and removal process for appointed officials that involve the administrator in the hiring process and, after appointments are made, require the city administrator to supervise appointed officials who are department managers according to Council approved personnel policies. The motion was seconded by Pat Daniels and passed unanimously.

Chief Jordan asked in absence of a city administrator who would have those powers. Mrs. Vernon stated that would be the decision of the Mayor and Council in the appointment of an acting city administrator.



## COU2007-50 Consider Risk Management Reserve Fund

The City's Insurance Committee and City Council recently decided to achieve premium savings by accepting higher deductibles, effectively self-insuring against workers compensation and property/casualty losses. The City is now responsible for the first \$10,000 of insurable workers compensation losses and the first \$25,000 on most property/casualty losses.

Doug Luther stated in order to financially prepare for future losses, the Insurance Committee and Council agreed to set aside funds to pay claims not covered by insurance. State statutes specify the conditions and manner by which reserve funds may be established.

Once a risk management reserve fund is established, all insurable losses not covered by the City's insurance policies will be paid from this fund. Based on the City's loss experience, it will be necessary to transfer money from the General Fund to the Insurance Reserve Fund periodically. This can be done during the annual budgeting process. Funds placed in the Risk Management Reserve Fund can only be used for the purposes stated in the ordinance establishing the fund.

On April 16, 2007, the City Council approved the establishment of an Insurance Reserve Fund in the amount of \$50,000 to cover property/casualty losses. This amount is available through the premium savings achieved by increasing the deductible limits. The 2007 budget also includes \$35,000 for payment of workers compensation claims, which can be transferred into the Risk Management Reserve Fund.

Laura Wassmer asked what balance the city was seeking for the account. Mr. Luther responded based on claims over the past five years, the city's loss experience per year is \$23,000 in property claims.

Andrew Wang confirmed the reserve is being funded from savings incurred by the change of deductibles and that the fund would be used only for the payment of claims, not premiums.

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

**RECOMMEND THE CITY COUNCIL ADOPT AN ORDINANCE  
ESTABLISHING A RISK MANAGEMENT RESERVE FUND AND  
APPROVE THE TRANSFER OF \$85,000 FROM THE GENERAL  
FUND TO THE RISK MANAGEMENT RESERVE FUND  
COUNCIL ACTION REQUIRED  
CONSENT AGENDA**

## COU2007-51 VILLAGE VISION UPDATE

On May 21, 2007, the City Council adopted the Village Vision Strategic Investment Plan after more than two years of study, public input and discussion by the City Council, Planning Commission and Village Vision Steering Committee. The adopted Plan contains 48 action items. Sixteen of these items have been categorized as "short term". Eleven of those are listed in the Plan's Action Agenda as "priority items", which should be considered by the end of 2009.

Doug Luther prepared and presented an update on what action has been taken to date on each of those 16 items. A copy of that report is attached for reference to these minutes. He noted that the City has covered a lot of ground with the adoption of the "MXD" planned zoning district. This laid the foundation for taking action on several of the other action items.

Charles Clark noted consideration of the entire zoning regulations was listed as the responsibility of the Planning Commission and asked if it was necessary for the City Council to take action on items assigned to the Commission. Mr. Luther responded if the Council felt an item was a priority item that direction should be explicitly given to the Planning Commission.

Pat Daniels stated the adoption of the mixed-use district helps in certain situations; however, he feels the City needs to take one step further and clearly identify specific areas/locations where it wants to see mixed-uses. He feels that is the only way the Village Vision will take off. He would like to have a more targeted or site-specific comprehensive plan done with professional assistance that would identify future land uses and noted economic development funds could be used for this process.

Mr. Daniels also stated he would like to see a study group formed now to consider how to update the 75<sup>th</sup> Street corridor as described in the Village Vision noting the sooner action is taken, the sooner things will happen. He added he supports a complete review of the city's zoning regulations.

Ruth Hopkins questioned what the maps presented at the "Village Vision Open House" represented. Mr. Daniels replied those maps were created based on input from the general public identifying areas where they would like to see improvements. They did not designate accepted/recommended zoning changes. A comprehensive plan is a necessary guide to move the City forward.

Wayne Vennard noted Prairie Village has lost 28% of its population since 1970 and is the only Johnson County city losing population. He sees the encouragement of residential renovation as a top priority. Ms Wassmer agreed. Mr. Daniels suggested this could be assisted by the Neighborhood Revitalization Program. Ms Wassmer asked discussion of this program be added to a future

agenda. Mr. Kelly stated he would bring additional information to the Council retreat.

Al Herrera stated he supports revitalization, but noted the problem in his area is that families are outgrowing their homes. This has been demonstrated by an increase in the number of tear-downs and rebuilds in the area.

Michael Kelly stated the goal needs to be to keep Prairie Village as a prime place to live.

Laura Wassmer stated she has seen her neighborhood turnover over time with older residents moving out and young families moving in and updating homes. However, she stated a concern she hears frequently from residents is that the rebuilt homes do not maintain the character of the existing neighborhoods and she feels this is vital. She does not support an architectural review board, but stated care must be taken to ensure compatibility of new homes with the existing neighborhoods.

Doug Luther noted some of the action plan items have been addressed and funding established in the proposed 2008 budget.

Pat Daniels asked Mr. Luther what direction he was seeking from the Council. Mr. Luther responded his purpose in providing this report was to inform the council of action items and the status of those items so priorities could be set. During the discussion he noted the following priorities expressed by Council members:

- Creation of a future land use map - Comprehensive Plan
- A study of potential changes to the 75<sup>th</sup> Street corridor
- Encouragement of residential renovation while preserving the character of the existing neighborhood
- Consideration of the Neighborhood Revitalization Act.

Mr. Luther explained the Kansas Neighborhood Revitalization Act is an incentive tool that identifies areas for improvement and provides property owners within that area a tax rebate on the increased value of their homes resulting from renovation and reinvestment. Establishing a Revitalization area requires the City to make findings and clearly define the areas of the City in which tax rebates will be provided.

### **Council Retreat**

Diana Ewy Sharp noted the facilitator for the Council retreat on Saturday, July 7<sup>th</sup> has been charged with developing a shared vision for the Council and the establishment of "big picture goals". He will prepare a report based on the discussion and activities of the day. Members were reminded the retreat would begin at 8:30 with the facility open at 8 a.m.

**Adjournment**

With no further business to come before the Council Committee, Council President Andrew Wang adjourned the meeting at 7:10 p.m.

Andrew Wang  
Council President

VILLAGE VISION ACTION AGENDA STATUS - 2 JULY, 2007

**Action Agenda Theme: Improve the Development / Redevelopment Process**

Action	Responsibility	Priority (1/27/07)
Update the zoning ordinance to reflect contemporary land use issues while preserving the identity and character of Prairie Village.	Planning Commission	2

**Status**

The recently adopted mixed-use zoning district partially addresses this action item. However, a comprehensive review of the City's entire zoning ordinance has not been conducted.

Action	Responsibility	Priority (1/27/07)
Consider revising the zoning ordinance to allow for more residential, commercial, and office development, particularly in walkable, mixed-use areas of greater intensity	Planning Commission	3

**Status**

The recently adopted mixed-use zoning ordinance will permit, upon approval by the Planning Commission and City Council, the type of development described in this action item. However, the specific development project will be reviewed and considered on a case-by-case basis

Action	Responsibility	Priority (1/27/07)
Consider updating building codes to facilitate renovation and rehabilitation activities	Codes Administration Department	3

**Status**

This was initially listed as a mid-term item, but was moved to the short-term category at the 27 January work session.

In March, 2007 the City Council adopted the current versions (2006) of the International Building and Residential Codes. These codes have provisions allowing alternative design, construction methods, and materials when strict adherence with the code is not feasible.

There are other model codes which deal specifically with existing buildings. A review of these code requirements and their applicability to Prairie Village has not been researched at this time.

**Action Agenda Theme: Encourage Appropriate Redevelopment**

Action	Responsibility	Priority (1/27/07)
Permit higher residential densities and mixed uses near existing commercial areas and along arterial roadways	Planning Commission	4

**Status**

The City recently adopted a Mixed-Use Zoning District ordinance. This ordinance could permit a developer, upon approval by the Planning Commission and City Council, to develop a mixed use project incorporating residential and commercial development within a single project area.

Action	Responsibility	Priority (1/27/07)
Consider developing a redevelopment plan for the Meadowbrook Country Club property	Planning Commission	7

**Status**

The recently adopted mixed-use zoning district ordinance will likely be used to address an anticipated redevelopment proposal for the Meadowbrook Country Club property. This zoning designation will allow the Planning Commission and City Council to have a significant amount of input regarding the type, style, and character of redevelopment proposed for the site.

**Action Agenda Theme: Keep Neighborhoods Vibrant**

Action	Responsibility	Priority (1/27/07)
Examine incentive programs to encourage home renovation	City Council	2

**Status**

This was initially listed as a mid-term action item. However, it was moved to the short-term category at the 27 January work session.

In February, 2007, Prairie Village, Mid America Regional Council, and Community America Credit Union created the First Suburbs Home Improvement Loan program. Supported through a \$2 million commitment from Community America, this program makes low-interest home improvement loans to qualified property owners throughout the metro area. To qualify, properties must be located in a participating city, and the county appraised value of the home cannot exceed \$200,000. To date, 5 loans totaling \$101,500 have been issued to Prairie Village residents.

Also in cooperation with the First Suburbs Coalition, the City is selling remodeling idea books. These books provide ideas, tips, and suggestions for renovating and expanding single family homes such as ranches and cape cods. These books are provided free of charge to all recipients of First Suburbs loans and are sold at the City's Codes Administration office. During 2007, 25 of books have been sold.

At its 18 June meeting, the Council Committee of the Whole heard a presentation from Gary Anderson regarding economic development incentives available to local governments.

Action	Responsibility	Priority (1/27/07)
Allow for a greater variety of housing types throughout Prairie Village. <b>Status</b> The City recently adopted a Mixed-Use Zoning District ordinance. This ordinance could permit a developer, upon approval by the Planning Commission and City Council, to incorporate a variety of housing types into a planned development project.	Planning Commission	5

Action	Responsibility	Priority (1/27/07)
Develop and promote the use of a design style guide for renovation to create housing that meets the preferences of today's homebuyers and is sensitive to the character of existing neighborhoods <b>Status</b> No action has been taken on this item	Planning Commission	5

Action	Responsibility	Priority (1/27/07)
Offer workshops to educate and inform residents about issues related to zoning, building codes, and home maintenance in residential neighborhoods <b>Status</b> The 2008 Codes Administration budget contains funding for hosting a remodeling workshop.	Codes Administration Department	7

**Action Agenda Theme: Improve Communications**

Action	Responsibility	Priority (1/27/07)
Enhance communication between government officials and the public. Enhance transparency of processes and financial accountability <b>Status</b> No action has been taken on this item	City Council	8

Action	Responsibility	Priority (1/27/07)
Consider more aggressively marketing Prairie	City Council	9

Village to attract new business establishment and expand the tax base

**Status**

No action has been taken on this item

**Short-Term Action Items Not Included on the Action Agenda**

Action	Responsibility	Priority (1/27/07)
Conduct an assessment of community needs and preferences and feasibility study for a new or expanded community center, or reciprocal relationships with other facilities.	City Council	8

**Status**

The Community Center Study Committee has met several times to discuss options and alternatives regarding this issue. In late 2006, the Committee recommended the City retain a consultant to conduct a study to identify current fitness and meeting facilities in the area in order to help the City determine if a service gap exists which could be addressed by a Prairie Village Community Center. This proposal was rejected by the City Council.

Committee members have agreed to develop and conduct their own survey to address these issues.

Action	Responsibility	Priority (1/27/07)
Consider designating a Director of Economic Development who will be responsible for overseeing economic development initiatives	City Council	11

**Status**

No action has been taken on this item

Action	Responsibility	Priority (1/27/07)
Consider creating a Parks & Recreation Department to coordinate recreation, community activities, and cultural events	City Council	13

**Status**

No action has been taken on this item

Action	Responsibility	Priority (1/27/07)
Participate in region-wide initiatives to assess and implement public transit improvements.	City Council	3

**Status**

This item was initially listed as a long-term item. However, it was moved into the short-term list at the 27 January work session.



The Mayor appointed David Belz to a County transportation committee which is studying this issue.

Action	Responsibility	Priority (1/27/07)
Expand Community Arts Programming	Prairie Village Arts Council	10

**Status**

Through its annual budget allocation from the City Council, the Prairie Village Arts Council continues to promote the arts in Prairie Village. In October, 2007, the City Council approved additional funding for a juried art exhibition in the Municipal Offices' R.G. Endres Gallery.

An ad-hoc committee representing members of the Prairie Village Arts Council and Park & Recreation Committee met to consider the construction of a sculpture garden on the Municipal Campus. A proposal for the sculpture garden was presented to the Council Committee of the Whole in May, 2007.

ORDINANCE NO.

AN ORDINANCE ESTABLISHING A MUNICIPAL RISK MANAGEMENT RESERVE  
FUND IN THE CITY OF PRAIRIE VILLAGE

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

SECTION I. Fund Established

In accordance with K.S.A. 12-2615 there is hereby established a municipal risk management reserve fund which shall be used by the City to pay the costs related to uninsured losses. The Governing Body shall provide for the transfer of moneys from other City funds which may incur such losses to the municipal risk management reserve fund.

SECTION II. Policy Objective

It is the policy objective of the Governing Body that the municipal risk management reserve fund shall be used to pay the costs of uninsured losses incurred by the City. Such uninsured losses include, but are not limited to, insurance deductible payments.

SECTION III. Take Effect. That this ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED AND APPROVED THIS 16<sup>th</sup> DAY OF JULY.

\_\_\_\_\_  
Ronald L. Shaffer, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Joyce Hagen Mundy  
City Clerk

\_\_\_\_\_  
Charles E. Wetzler  
City Attorney

## MAYOR'S ANNOUNCEMENTS

Monday, July 16, 2007

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

Prairie Village Arts Council	07/18/2007	7:00 p.m.
Environmental Recycle Committee	07/25/2007	7:00 p.m.
VillageFest Committee	07/26/2007	7:00 p.m.
Council Committee of the Whole	08/06/2007	6:00 p.m.
Council	08/06/2007	7:30 p.m.

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The Prairie Village Arts Council is pleased to feature a mixed media exhibit by The Senior Arts Council in the R.G. Endres Gallery during the month of July.

Ribbon cutting for new Prairie Village business - Cabinet Clad of KC - 7914 State Line Road on July 20<sup>th</sup> at 10:00 a.m.

Swimming pool memberships are now half price.

July 17 - All-City Swim Team Meet - Pool Complex closed all day to public

July 27 - Water Show Rehearsal - Meter Pool and Adult Pools close at 5:00 p.m.

July 29 - Water Show at 8:30 p.m. Pool complex closes at 5:00 p.m.

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

**INFORMATIONAL ITEMS**  
**July 16, 2007**

1. City Administrator's Report - July 12, 2007
2. Planning Commission Minutes - June 5, 2007
3. Planning Commission Actions - July 10, 2007
4. Park and Recreation Committee Minutes - June 13, 2007
5. VillageFest Committee Minutes - June 28, 2007
6. Memorandum - Semi-Annual Report on American with Disabilities Act (ADA) Activities
7. Letter from Shawnee Mission School District Executive Director - *Celebrate Success! 2007*
8. Letter from Robert J. Vohs
9. Prairie Village Employee Noteworthy
10. Mark Your Calendars
11. Committee Agenda
12. Note from Kathy Riordan

## CITY ADMINISTRATOR'S REPORT July 12, 2007

### **Code Enforcement**

Mid America Regional Council reported two more Community America home improvement loans made to Prairie Village residents for remodeling projects. One of the homes is in the 8300 block of Reinhardt, the other is in the 5600 block of 75th Street. At this point, loans totaling \$131,500 have been made to Prairie Village residents.

Marcia Grading, Code Enforcement Officer, said she provides Community America loan program brochures to residents who have major repairs to make and takes time to explain the program to them. Next month she will begin conducting "gateway" inspections in one or two areas of the City. After a neighborhood is selected for a gateway inspection, Marcia sends a letter to each property owner explaining that she will inspect every house in the area to identify code violations. She explains the notification process which gives owners time to remedy any violations noted. She will enclose a brochure which lists the types of violations normally identified and will also enclose the loan program brochure.

### **Valuation of Personal Property**

Last year the state adopted legislation to eliminate property tax on commercial and industrial machinery and equipment for any equipment acquired after July 1, 2006. The legislation also applies to telecommunication equipment acquired after the same date which could be a reason AT&T units are springing up everywhere.

Staff had estimated the loss of Prairie Village revenue would be approximately \$18,000 annually. According to estimates from the County Clerk, the value of that property declined from \$5.5 million for 2007 to \$4.6 million in 2008. This reduction will result in a revenue loss of approximately \$14,000, which does not include the tax that would have been collected on equipment installed this year.

### **2006 Population Estimates for Johnson County Cities**

Each year CERL prepares an estimate of the population for each incorporated city in Johnson County. They compare the current year estimate with the 2000 census. The estimate for Prairie Village in 2000 was 22,072 residents, this year the estimate is 21,414, a loss of 658 residents (3%) during that six year period..

In Northeast Johnson County cities, only Roeland Park realized an actual increase in population during that period. Mission increased population by 295 residents when Countryside merged into their city. The 2006 estimate for Mission reflects a population increase of only 137 residents between 2000 and 2006.

## **Kansas Open Meetings and Open Records Acts**

The current issue of the Kansas Government Journal has two articles about these Acts. The first addresses common questions raised by elected officials about requirements of this legislation. The other recommends development of a procedure for preserving e-mails which need to be retained as open records.

Responses to questions in the article are similar to Wetzler's recommendations:

- *May the Mayor poll the Council for a decision between regular meetings?* No.
- *May citizens record Council meetings?* Yes
- *May a majority of a quorum attend a public meeting such as a civic meeting or a planning commission meeting?* Yes if it is a social meeting in which elected officials do not engage in communication about the business of the body. If it is a planning commission meeting, the League recommends providing a notice on the Planning Commission agenda that a majority of a quorum may be present at the meeting. Prairie Village has been doing that for several years.
- *May governing body members e-mail one another?* It depends.
- *Are e-mails between governing body members open records?* It depends.
- *Are unapproved Council minutes an open record?* Yes.

The second article in the publication deals specifically with e-mail questions. The League recommends cities develop a procedure for retention of e-mails which may be considered open records. Prairie Village staff has already started working on that project!

## **Combined Balance Sheet as of June 30, 2007**

Unreserved Fund Balance increased over \$1 million in June, Balance Sheet is attached. The City received the second installment of property tax revenue during June, \$2.3 million. Also during that period a significant portion of revenue from the swimming pool was received while less than 30% of the expenditures were incurred. Fund Balance will start to decline in August when expenditures begin exceeding revenue and transfers to CIP are made..

## **Animal Enumeration**

For the past several years funds have been budgeted by the City Clerk for an enumeration of animals in a specific area of the City. This year 202 unlicensed animals were identified, most of those are now licensed. Total cost of the program is \$1,166, additional revenue created by the program is \$1,386 this year and into the future – this is a program that pays for itself.!

## **Traffic Unit**

The Prairie Village traffic unit motorcycles have a new look. They were selected for some media coverage at a recent conference because of their unique detailing.

**City of Prairie Village**  
**Combined Balance Sheet - All Funds**  
**As Of June 30, 2007**

	<u>General</u>	<u>Solid Waste Management</u>	<u>Special Highway</u>	<u>Special Parks</u>	<u>Special Alcohol</u>	<u>Bond &amp; Interest</u>	<u>Total</u>
<b><u>ASSETS</u></b>							
Pooled Cash and Investments	11,426,813	854,933	17,788	40,061	14,178	493,046	12,846,819
Accounts Receivable	2,655,508	1,216,730			1,812	193,860	4,067,910
Prepaid Expenditures	236,011						236,011
Restricted Assets	68,703						68,703
<b>TOTAL ASSETS</b>	<b><u>14,387,035</u></b>	<b><u>2,071,663</u></b>	<b><u>17,788</u></b>	<b><u>40,061</u></b>	<b><u>15,990</u></b>	<b><u>686,906</u></b>	<b><u>17,219,443</u></b>
<b><u>LIABILITIES</u></b>							
Accounts Payable and Other Liabilities	2,697,647	1,215,212				193,983	4,106,842
<b><u>FUND BALANCE</u></b>							
Reserved Fund Balance							
Reserved for Encumbrances	473,429						473,429
Reserved for Economic Development	1,606,694						1,606,694
Total Reserved Fund Balance	<u>2,080,123</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2,080,123</u>
Unreserved Fund Balance							
1/1/07 Unreserved Fund Balance	7,355,041	144,861	17,571	40,061	30,569	48,310	7,636,413
Prior Year Encumbrance write-off							0
YTD Revenue over Expenditures	2,254,224	711,590	217		-14,579	444,613	3,396,065
Total Unreserved Fund Balance	<u>9,609,265</u>	<u>856,451</u>	<u>17,788</u>	<u>40,061</u>	<u>15,990</u>	<u>492,923</u>	<u>11,032,478</u>
<b>TOTAL FUND BALANCE</b>	<b><u>11,689,388</u></b>	<b><u>856,451</u></b>	<b><u>17,788</u></b>	<b><u>40,061</u></b>	<b><u>15,990</u></b>	<b><u>492,923</u></b>	<b><u>13,112,601</u></b>
<b>TOTAL LIABILITIES AND FUND BALANCE</b>	<b><u>14,387,035</u></b>	<b><u>2,071,663</u></b>	<b><u>17,788</u></b>	<b><u>40,061</u></b>	<b><u>15,990</u></b>	<b><u>686,906</u></b>	<b><u>17,219,443</u></b>

**PLANNING COMMISSION MINUTES  
MEETING OF JUNE 5, 2007**

**ROLL CALL**

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, June 5, 2007 in the Council Chamber, 7700 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Randy Kronblad, Marlene Nagel, Robb McKim and Nancy Vennard.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, Planning Consultant; Bob Pryzby, Director of Public Works and Joyce Hagen Mundy, Planning Commission Secretary. Also in attendance: Mayor Ron Shaffer, Barbara Vernon, City Administrator; Doug Luther, Assistant City Administrator and Jim Brown, Building Official.

**APPROVAL OF MINUTES**

The following changes were requested to the May 1st minutes: page 10, 5<sup>th</sup> paragraph, last line changing "Robb" to "McKim"; page 21, last line changing "recluse" to "recused" and on page 26 last paragraph, adding "with locations of utility boxes" after Conditional Use Permits". Randy Kronblad moved the approval of the minutes of May 1, 2007 with the corrections noted. The motion was seconded by Marlene Nagel and passed unanimously.

**PUBLIC HEARINGS**

**PC2007-13 Request for Conditional Use Permit for Communication Utility  
Boxes at  
7135 Buena Vista  
Zoning: R-1b (Single Family Residential District)**

Chairman Ken Vaughn stated due to a scheduling conflict the applicant has requested this application be continued to the July 10<sup>th</sup> meeting of the Planning Commission. Robb McKim moved the Planning Commission honor the request and continue application PC2007-13 to the July 10<sup>th</sup> meeting of the Commission. The motion was seconded by Nancy Vennard and passed unanimously.

**NON PUBLIC HEARINGS**

**PC2007-102 Approval of Monument Sign  
5301 West 75<sup>th</sup> Street**

Scott Schultz, with Commercial Sign Design, addressed the Commission on behalf of owner of the property at 5301 West 75<sup>th</sup> Street requesting approval of a



monument sign for the recently remodeled office building. The building is occupied by one tenant, Gunderson, Sharp and Walke, LLP, a law firm.

The proposed sign is double faced and placed perpendicular to 75<sup>th</sup> Street. The area of the sign does not exceed 20 square feet per face as required by ordinance. The sign is located outside the sight triangle and should not create any vision problems for traffic. The sign will be setback a minimum of 12 feet from the back of the curb on 75<sup>th</sup> Street and approximately 30 feet from Ash Street on private property.

The proposed sign faces will be off-white to match the building with gold, blue and black colored letters and logo on an all aluminum cabinet. The base of the sign is an aluminum encasement painted to match the color of the building.

Ron Williamson confirmed the sign will not be illuminated and advised Mr. Schultz if the owner decides to ground light the sign, he will need the approval of the Planning Commission.

Mr. Williamson stated the ordinance requires three feet of landscaping around the base of monument signs.

Nancy Vennard asked if a traffic study was done due to the high location of the sign. It has been confirmed both by Mr. Schultz and city staff that the sign is located outside the sight triangle and should not negatively impact traffic.

Randy Kronblad confirmed the proposed height of the sign is five feet, noting the base on the plans presented show the base as 5' rather than 2'6".

Nancy Vennard noted the proposed sign identifies "GundersonSharp" on the first line and appears to repeat the firm's name on the second line with "Gunderson, Sharp & Walke, LLP". The city ordinance states that: "said sign shall depict only the name and address" of the building or business and may include an additional line of text that describes the services." Ms Vennard stated the proposed logo and full name of the firm would be allowed with "attorney at law" or some representation of service provided, but not a repeat of the name.

Ken Vaughn expressed concern with the location/height of the sign. Mr. Williamson stated it is within the city code but because of the slope of the land it is high off the road. Scott Schultz suggested that perhaps the base on the sign could be partially buried on the south side making the sign lower. Nancy Vennard noted with a buried base landscaping in front of the sign may interfere with the wording on the sign. Mr. Williamson stated the applicant is proposing ornamental grasses at the base of the sign for landscaping which are not very tall.

Nancy Vennard moved the Planning Commission approve PC2007-102 for a monument sign at 5301 West 75<sup>th</sup> Street subject to the following conditions:

- 1) That the applicant prepares a detailed landscape plan identifying the specific plant materials that would be placed around the base of the sign for approval by staff prior to the installation of the sign and install the landscaping at the time of sign installation.
- 2) That the applicant submit details of an illuminated sign for Planning Commission review and approval if illumination is desired.
- 3) That the proposed second line restating the name of the firm is removed from the sign face and if a second line is included it describes the services provided.
- 4) The measurement for the height of the sign starts at the north end of the sign.

The motion was seconded by Randy Kronblad and passed unanimously.

### **PC2007-103 Site Plan Approval for Retaining Wall at 3404 West 71<sup>st</sup> Street**

Mark Eddy, project consultant, 2205 West 104<sup>th</sup> Terrace, requested approval to construct a 2'2" retaining wall along the east property line for the property owners at 3404 West 71<sup>st</sup> Street. He noted the property to the east is higher in elevation and the wall will protect it from erosion. The retaining wall will be 80' in length and constructed on the east property line with a fence constructed off the wall in the front yard. The proposed fence is 26" in height and constructed from brick. Where the wall turns west, for the 8' section, it is no longer a retaining wall but a fence.

The applicant's garage is located on the east side of the house and the doors face east. Placing the retaining wall on the property line provides the applicant two more feet of driveway width to make it easier to turn into the garage. The house sets approximately 25' from the east property line which would allow approximately a 24' wide driveway rather than 22' as would be required by the ordinance.

Ron Williamson noted the only fences that are permitted in front yards are decorative fences that are at least 50 percent open and do not exceed 30" in height. If screening is desired, it could be done with landscaping. Mr. Eddy stated the proposed brick was selected to be consistent with existing building materials, but noted the proposed fence could be constructed with wrought iron. The fence height would be less than 30", but the pillar would be 8"gin at 18" and increase to approximately 3' at the pillar. Mr. Williamson stated the proposed column is fine, but the fence needs to be open and the use of wrought iron would meet the regulations provided it is 30" or less in height.

Randy Kronblad asked Mr. Eddy to review the grade difference between the east side wall and the property. Mr. Eddy stated there is a significant drop in grade of approximately three feet. Mr. Kronblad confirmed the east side of the retaining wall will not be exposed. Mr. Eddy noted the west side, which will be exposed,

will be concrete with a two inch brick facing. He added a 36" deep trench footing would run along the property line and confirmed all the construction would be on the owner's property.

The Commission reviewed the following criteria for approval of a retaining wall:

- A. The site is capable of accommodating the buildings, parking areas, and drives for appropriate open space and landscape.**

The house sets approximately 25' off the property line which provides adequate space between the dwellings.

- B. Utilities are available with adequate capacity to serve the proposed development.**

N/A

- C. The plan provides for adequate management of stormwater runoff.**

A retaining wall will need to be built in this area whether on the property line or two feet off the property line to protect the property to the east from eroding.

- D. The plan provides for safe and easy ingress, egress, and internal traffic circulation.**

The additional two feet of width for the driveway will provide easier ingress and egress to the garage.

- E. The plan is consistent with good land planning and site engineering design principals.**

In reviewing this particular site in the field and considering the grade change between this property and the one to the east, it appears that this would be a good plan that would make better use of the site. Maintenance of the slope will be clear because it will be by one owner.

- F. An appropriate degree of compatibility will prevail between the architectural quality of the proposed retaining wall and the surrounding neighborhood.**

The proposed retaining wall will be brick which should be compatible with other materials used in the area.

- G. The plan represents an overall development pattern that is consistent with the Village Vision and other adopted planning policies.**

This is a quality project that is consistent with the housing goal of Village Vision.

The regulations allow the Planning Commission may make adjustments to the height and location of retaining wall provided that it results in a project that is more compatible, provides better screening, provides better storm drainage management or provides a more appropriate utilization of the site. The

Commission has found that the proposed retaining wall provides for a more appropriate utilization of this site. The applicant would have more driveway width to maneuver into the garage. A retaining wall will be necessary along this property line and the more driveway width that can be provided, the better the chance of not running into the wall. The property to the east will not actually see the retaining wall because of the elevation.

Marlene Nagel moved the Planning Commission approve application PC2007-103 for site plan approval for the proposed retaining wall as submitted with the proposed fence not exceeding 30" in height and constructed using wrought iron instead of brick. The motion was seconded by Randy Kronblad and passed unanimously.

Since the applicant modified his plan so the fence complied with the ordinance, it was not necessary for the Planning Commission to further consider and act on this item.

**PC2007-104 Approval of Sign Standards & Signs  
2200 West 75<sup>th</sup> Street**

Jerry Kleveter, with Luminous Neon, 1255 North Winchester, was present representing the property owner.

Chairman Ken Vaughn noted the staff recommendation was for this application to be continued. Mr. Kleveter stated the staff report was unclear as to what was desired and asked for clarification from the Commission.

Ron Williamson responded the existing monument sign installed was not the sign approved by the City Staff. The address line was removed and "Stephanie Warden, DDS" was inserted into its place. The design of the boxes does not blend with the building and suggested the possible use of raised bronze back lit lettering. The proposed sign has more listings than permitted by ordinance.

Mr. Kleveter stated the color of the cabinet can be changed. He can reduce the appearance of the cabinet making it appear more like a façade than box. Mr. Williamson stated the Commission would like to see some of those options.

Ken Vaughn noted even though specific sign standards are being submitted for the buildings, the general sign standards of the City need to be met with the appropriate number of tenants listed.

Dr. Sid McKnight, owner of the building, stated his desire is to provide effective signage for his tenants. He wants to be able to provide signs for them.

Ron Williamson stated by ordinance if there is an exterior entrance to the building for a tenant wall signage is allowed on the building for that tenant. If the businesses are entered through an interior foyer, exterior signage is not allowed.

McKnight and Oliver Periodontics has an exterior door which is on the west end of the building and by ordinance are entitled to a wall sign. Stephanie Warden, D.D.S. does not have an exterior door but shares a common foyer with other existing or future tenants and is not entitled to a wall sign. The applicant has also proposed to add ALH Home Renovation LLC to the wall sign.

Nancy Vennard noted aesthetically the proposed plan has a lot of rectangles, the signs don't line up with the windows. There has been a quality renovation of the office buildings, she would like to see quality signage also and encouraged the applicant to work out other options.

Nancy Vennard moved application PC2007-104 approval of signage and sign standards for 2200 West 75<sup>th</sup> Street be continued to the July 10<sup>th</sup> meeting of the Planning Commission. The motion was seconded by Marlene Nagel and passed unanimously.

## **OTHER BUSINESS**

### **PC2007-10 Proposed Amendment to Zoning Regulations adding Chapter 19.23 entitled "MXD Planned Mixed Use District"**

On May 1, 2007, the Planning Commission held a public hearing on the proposed "MXD" Planned Mixed Use District. The Planning Commission motion to recommend the adoption of the "MXD" resulted in a tie vote and therefore was forwarded to the Council as a failure to recommend which is a recommendation to disapprove.

The City Council considered the proposed "MXD" Planned Mixed Use District at its regular meeting on May 7, 2007, and returned it to the Planning Commission for reconsideration of two items: to add a height restriction and to resolve the concerns regarding the definition of "mixed use districts." The motion passed unanimously.

In response to the question of height, Mr. Williamson reviewed ordinances from several area cities and found that the cities of Overland Park, Mission and Olathe have no height restriction in their mixed use district regulations. The City of Leawood has a 90' limit and the City of Lenexa has a 2 stories minimum and 8 to 10 story maximum.

Mr. Williamson stated that although some cities have multiple mixed use districts, the intent of the ordinance proposed was to create one district that was more of a "planned district" that would allow for multiple combinations determined by the plan and the location and could serve all purposes. Prairie Village does not have that many locations where the "MXD" District would be applied.

Larry Winn, 6201 College Blvd, expressed his support of the original ordinance presented to the Council. He feels the ability to present a "plan" provides the flexibility and creativity needed for in-fill development. He feels a specific height regulation would create a hardship on both the potential applicants and on the Commission and encouraged the Commission to leave the ordinance as proposed.

Mr. Winn stated he would not address the proposed redevelopment of Meadowbrook and encouraged the Commission to focus on creating a general ordinance that will provide them the flexibility to get the best use out of the limited available land in Prairie Village.

David Harrison, 4407 West 92<sup>nd</sup> Terrace, advised the Commission that Opus has received formal approval from the members of Meadowbrook Country Club to proceed with development plans and noted they hope to be before the Commission with a formal application that will include multiple uses in the near future.

Nancy Vennard stated she continues to support the ordinance as presented to the City Council. She feels the question of height should remain open to be determined by the plan.

Marlene Nagel expressed her support for the ordinance as drafted and encouraged the Commission to look closely at the "Purpose and Intent" section of the ordinance. This clearly states the intent of these regulations with language such as "intended to encourage a variety of land uses" "allowed and expected to have a mixture of residential, office and retail uses . . ." "compatible in both character and function and incorporate a consistent theme throughout" and "to promote sustainable development".

Ken Vaughn agreed the purpose and intent will determine whether a specific plan meets the criteria and not specific dimensions.

Randy Kronblad agreed with Ms Nagel's comments and likewise supports the original ordinance.

Robb McKim opposes the ordinance, although he does not oppose the concept of mixed use development, but he has a number of concerns with the language of the ordinance that primarily addresses two issues. He feels height is more of an issue in relationship to the adjacent properties and noted perhaps some guidelines or definition in relationship to the adjacent community could be included, but not necessarily a height restriction.

Regarding a listing of uses, if the ordinance is about what is possible as well as what is allowable some statement or expectation should be included. He feels listing out uses is important that the development needs to be truly mixed use.

Ken Vaughn stated the ordinance as written puts a premium on quality of design and the applicants will have to demonstrate the "hows" and "whys" of their proposal. It will give more information than required under specific regulations under zoning districts. He does not feel the City will have a lot of applicants and he is confident any application will receive a very critical review.

Nancy Vennard asked what changes Mr. McKim would like to see. Mr. McKim responded that some ordinances clearly state that an application shall include "two or more uses".

He feels the Commission needs to go beyond the suggested language. Mixed use is first and foremost about place making. One building can make a place. The City can use this as a tool to make places and create more diverse activities, but when you don't list more than one use, you don't achieve multiple uses.

Nancy Vennard asked Mr. McKim if changing the language in Section 19.23.010 Use Regulations to read ". . . Each planned mixed use district is required to include a mix of residential, office and/or commercial uses . . ." would address his concerns. Mr. McKim responded he felt more changes needed to be made.

Nancy Vennard questioned if the ordinance was not specific in height, did it need to be specific in uses or simply follow the statement of intent. Mr. McKim felt if it was just one use, it needs to make application under one of the standard zoning districts. Mrs. Vennard stated in the review of the application she would expect staff to advise the applicant of the appropriate zoning. Marlene Nagel confirmed the Commission can deny a request for this zoning if it feels it would be more appropriate under another zoning. Ken Vaughn stated he was confident the Commission could make any appropriate adjustments.

Ron Williamson advised the Commission in an application for rezoning the "Golden Factors" have to be considered and the importance of the "purpose and intent", noting by using the mixed use district you have the ability to get a better quality project.

Nancy Vennard moved the Planning Commission return the proposed "MXD" Planned Mixed Use District to the City Council with a recommendation for approval as originally submitted to the Council. The motion was seconded by Randy Kronblad and passed by a vote of 4 to 1 with McKim voting "nay".

#### **MARC Luncheon**

Planning Commission members briefly discussed the speaker at the recent MARC luncheon. They felt his comments related very well to the recently adopted "Village Vision" noting the importance of a "sense of place" (an area we care about). They also noted his reference to "green infrastructure" and the importance of trees in a community. His statement that "Every community needs a long-range plan for sustainability" made a very strong impact. Marlene Nagel

stated the presentation was videotaped and will be available on the MARC website.

### **Upcoming Applications**

The Commission Secretary reminded the Commission the July meeting date would be July 10<sup>th</sup>, not July 3<sup>rd</sup> because of the Independence Day celebration. Although the deadline for filing is still open, expected applications for July include continued AT&T application, continued signage at 2200 West 75<sup>th</sup> Street, Site Plan approval for SME expansion and renovation and possible communications tower at the Fire Station on 63<sup>rd</sup> Street.

### **ADJOURNMENT**

With no further business to come before the Planning Commission, Chairman Ken Vaughn adjourned the meeting at 8:15 p.m.

Ken Vaughn  
Chairman



**Planning Commission Actions**  
**Tuesday, July 10, 2007**

**PC2007-13 Request for Conditional Use Permit for Communication Utility Box at 7135 Buena Vista**

The Commission continued the application to the August 7<sup>th</sup> Commission meeting at the request of the applicant.

**PC2007-08 Request for Communications Tower at 3921 West 63<sup>rd</sup> Street**  
Application withdrawn

**PC2007-104 Request for Sign and Sign Standard Approval for 2200 West 75<sup>th</sup> Street**

The Commission continued this application to its August 7<sup>th</sup> meeting with direction to the applicant to come back with additional sign options for consideration.

**PC2007-105 Request for Building Line Modification**

The Commission approved a building line modification from 35 feet to 30 feet for the platted front setback at 3921 West 63<sup>rd</sup> Street as requested to expand the one-car garage into a two-car garage.

**PC2007-106 Request for Site Plan Approval for building expansion at 7500 Mission Road**

The Planning Commission approved the site plan for improvements to Shawnee Mission East located at 7500 Mission Road with the changes agreed upon during the presentation and contingent upon the following : 1) Approval of final storm water management plans by the Director of Public Works; 2) Approval of the landscape plan by the City's Tree Board; 3) Submittal of a limited traffic analysis on the flow of traffic onto and from Mission Road and 4) the wingwall will be connected to the building and the site plan be reviewed in view of the "Main Street" study.

**PC2007-107 Request for Site Plan Approval for a Building Elevation increase.**

The Commission approved the site plan for the proposed construction of a home at 4502 West 66<sup>th</sup> Terrace with a building elevation increase of 1.25 feet.

## **PARK AND RECREATION COMMITTEE**

**June 13, 2007**

The Park and Recreation Committee met June 12, 2007 at 7:00 p.m.

Present and presiding, Chairperson Diana Ewy Sharp. Members present: Vice Chair Al Herrera, Shawn Hickey, Joe Nolke, Shelly Trewolla, Zach Hardy, Jim Bernard, Jr., Peggy Couch, A.J. LoScalzo, Kathy Peterson, and Clarence Munsch. Also present: Barbara Vernon, Mike Helms, Tom Trienens, Jeanne Koontz, Chris Engel, Joyce Hagen Mundy and Bob Pryzby.

Diana introduced Councilman Al Herrera who has been appointed Vice-Chair of the Committee. Al has been on the City Council since 1999 and was Park Committee Chair several years ago. Al introduced himself to the committee and said he enjoys the Parks Department and thinks they are vital to the community. The rest of the committee introduced themselves.

### **PUBLIC FORUM**

Bob Harsh, 4975 W 88<sup>th</sup> St, requested an off-leash dog park and a dog swim at the end of pool season.

Sarah Justice, 7925 Tomahawk, introduced herself and said she came to learn what goes on.

Hildegard Knopp, 2110 W 73<sup>rd</sup> Terrace, said she has been a resident since 1958. She said she has tried to have a garden but there is too much wildlife. She suggested installing a water extension at the fountains for the birds. She also suggested making the parks more conducive to wildlife. She said the herbicides and pesticides keep the creatures away.

Diana thanked the citizens for their input and said she would put all of these items on a future agenda.

### **CONSENT AGENDA**

Al Herrera moved approval of the consent agenda. The motion passed unanimously. Jim Bernard, Jr. clarified the minutes were for May 9, 2007. Minutes of the May 9, 2007 meeting were approved.

### **REPORTS**

#### 1. Public Works Report – Mike Helms

Mike said lightning took out the outdoor lighting in Meadowlake Park and he hopes to have this fixed tomorrow. Lightning also caused problems at Somerset and Roe and he hopes to have this fixed soon. The Northwest Painting company is painting the pavilions at Windsor Park and Porter Park and the red bridge at

Windsor Park. New roses have been planted in the rose garden at Franklin Park. The new mower is working well and is cutting down on mowing time. The 30' walk behind mower is here and should be in service on Friday. The boulder at Prairie Park has been installed. Some finish work still needs to be done to comply with ADA guidelines.

a. Trash problems reported by permit holders

Mike said some park permit holders have reported trash problems at the parks and complained about the cleanliness of the pavilion. He met with Joyce Hagen Mundy to discuss what was being told to the park renters. He said he got a copy of what is supposed to be taking place. He said one resident wanted a pavilion power-scrubbed. Deffenbaugh picks up trash four times a week at Harmon but one of their guys was not picking it up on Saturday. He said he has been trying to clean up the parks in the middle of Holidays and weekends to help with the problem.

Joyce Hagen Mundy said the residents complete an application. They can reserve the park pavilion up to 6 hours. They are told to take the permit with them and that the park is not serviced on weekends. She said this weekend every park is reserved on Saturday and six are reserved on Sunday. That does not include walk-in traffic.

Diana asked if renters are charged a deposit. Joyce said we charge \$5/hour for residents and \$10/hour for non-residents. Jim asked if a clean-up fee would help but said he does not want to guarantee that it will be clean. Bob Pryzby said the problem is related to the summer. He gets four to six calls from the dispatcher over the weekend. He said it costs \$200 in wages to have 2 people come in over the weekend.

Joyce clarified that only the pavilions are reserved. She said Franklin Park is not reserved except for short term special use permits. Ball fields are rented separately. Bob said Hillcrest Community Church called and wanted to use the power at Franklin for their summer concerts. He said currently we do not charge for this but might think about it in the future.

Kathy said it is a matter of stewardship. She suggested they provide their own trash bags as part of their event. Joe agreed. He said the cans at Windsor Park get filled with trash by everyone. Bob said there are extra trash bags under the open one. Kathy suggested including a clause that they are responsible for their own clean up. Diana asked if it says that on the permit. Kathy said it does not. Diana suggested having them sign off on that clause.

Clarence asked how many facilities are rented. Joyce said all the parks but Franklin. Bob said he has been doubling up on trash barrels at the parks. Clarence suggested having trash bins at the parks. Bob said he thinks the whole community will use them like they use the ones at Harmon Park.

Shawn requested a copy of what the City hands out with the permit. Zach suggested having something separate that they have to initial. Peggy asked how the \$5/hour charge was arrived at. Joyce said Josh set that up before he left. She said it is a low fee for the area. Lenexa residents can only rent for half the day or the whole day. Diana suggested the fee issue be looked at in the Fall with other fees.

b. Vandalism problems

Mike said the vandalism seems to be increasing at the parks. Playground structures are being torn apart and it is not normal wear and tear. There is a \$2,500 deductible for each incident and the cost is usually around \$2,000. The repairs come out of our pockets. He said there has been vandalism at Franklin Park. It is dark in that area. There has also been broken glass at McCrum Park.

Diana asked if it is increasing or it is cyclical. Bob said it is increasing especially with the playscapes. He said he has to order replacement parts every 7 to 8 days. He said security lighting in Franklin Park would help. Kathy agreed it is very dark and unsafe. Bob said he would get a cost estimate for security lighting.

Mike said there have also been problems at Harmon park. The pavilion has been set on fire. The kids tear roofs off at Santa Fe Park. Al said he remembers discussion about a security camera at Harmon Park. He asked if that was still a possibility. Bob said it is not cost prohibited but the police department would need to be consulted about their ability to respond. Lighting in the area might help. Diana requested a proposal for security lighting.

2. Recreation Report – Chris Engel

Barbara introduced Chris Engel. He is doing his internship with the City for his MPA from KU. He is doing a great job at the swimming pool.

Chris said the pool has been open three weeks and recreation season started last week. He is working on training new employees. The management staff has returned with a new operations manager for concessions and the front desk. All of the coaches are returning. He is working on making sure all the lifeguards are trained and qualified. One manager is now qualified to do the training so this will help. The health inspector came today and there were no violations. Enrollment is down in pool memberships and on the aquatic and tennis teams. The synchro coach's husband was in a bad car accident so a replacement is being found.

3. Aquatics Program – Clarence Munsch

No report.

4. Sculpture Garden Sub-Committee – Kathy Peterson and Jim Bernard

Kathy stated she made a recommendation to the Council for the Sculpture Garden under the budget earmarked for Village Vision this year.

5. Community Center Sub-Committee  
Zach said there was a meeting a couple of weeks ago but he could not attend. Bob said the committee members agreed to contact other towns to get information on rates and programs and they will meet again in September.
6. Municipal Foundation Gazebo Project Update – A.J. LoScalzo  
A.J. said she still has not heard back from the architect.
7. Chairperson’s Report – Diana Ewy Sharp  
VillageFest is on July 4<sup>th</sup>. Volunteers are needed for the Park and Recreation booth.

## **OLD BUSINESS**

1. McCrum Park Improvements – Tom Trienens  
Tom said McCrum is moving along. The rain has made it slow. The contractor will install swings and remove the chips tomorrow. Shawn asked about the tennis court. Tom said the cracks are being treated and the fence has been installed.

## **NEW BUSINESS**

1. Consider Project 190649: Windsor Park Ball Field Improvements – Tom Trienens  
Tom said funds were previously budgeted for improvements to Meadowlake field but after survey information was obtained it was determined that regrading would not be of any measurable benefit. He said he would like to use the money at Windsor ball fields to do survey work on the drainage of the ball field. He requested for money to be moved from Meadowlake to Windsor. Kathy Peterson moved to approve the transfer of funds from Meadowlake Ball Fields to Windsor Ball fields.

A.J. asked if it would be a lot of money and if they would put piping beneath the field. Tom said they will mostly do regrading and maybe some small pipes. The problem appears to be limited to the dirt part. Diana asked when this would happen. Tom said when the field is least in use. Peggy Couch seconded Kathy’s motion. Jim asked for clarification on the motion.

Kathy restated the motion as follows which passed with a unanimous vote:

**RECOMMEND APPROVAL OF THE DESIGN  
AGREEMENT WITH THE LARKIN GROUP FOR \$5,100.00  
WITH A TRANSFER OF \$33,100 FROM PROJECT 190640,  
MEADOWLAKE FIELD IMPROVEMENTS TO PROJECT  
190469, WINDSOR BALL FIELD IMPROVEMENTS.**

**COUNCIL ACTION REQUIRED  
CONSENT AGENDA**

**OTHER BUSINESS**

Bob said there are issues with bikes being used at the Skate Park. They are dangerous for the skaters and not allowed. Diana said she would talk with the Police Department about this issue.

Bob said AT&T is in the process of putting new boxes in Windsor Park. Originally, they were going to come to the Park Committee for approval. However an easement was found and AT&T will be working in the easement with a work permit.

Diana said she received a phone message from a PV resident who was very upset because he could not include his babysitter on his family pool membership. She said she called him back, left a message, but never received a return call.

**INFORMATION ITEMS**

- Next Meeting, Wednesday, July 11<sup>th</sup>, 7:00 pm

The meeting adjourned at 8:00 pm.

Diana Ewy Sharp  
Chairperson

## VILLAGEFEST COMMITTEE

June 28, 2007

The VillageFest Committee met May 28, 2007. Present and presiding, Chairman Bob Pisciotta. Members present: Ann Lilak, Diana Ewy Sharp, Doug Sharp, Jim Bernard, Jr., Joel Crown, Art Dick, Jim Hanson, Ed Roberts, Tracy Hill, John Capito, Luci Mitchell, Bob Pryzby, Mike Helms, Chief Wes Jordan, Sgt. Greg Hudson, Jeanne Koontz and Barbara Vernon.

### **Minutes**

Jim Bernard moved approval of minutes of the May 2007 meeting. Bob Pryzby seconded the motion which passed.

### **Budget**

Ann Lilak said AT&T donated \$750. They will be onsite talking about their internet service. They would like to bring a hummer. She said \$8,500 has been secured through corporate sponsorships this year.

### **Schedule**

Bob Pisciotta said the schedule is set. The area of concern is the Elite Frogs, children's parade, and Marching Cobras which are all scheduled around 11:00.

Ann Lilak suggested having Sam Brewster announce the weather sirens that will be going off.

### **Contracts**

All contracts are in.

### **Mascots**

Ann Lilak said one of the owners of the Brigade works at Nations Title. Members of the team want to come and sign contracts. She said she will know on Monday if they are coming. They might need a table.

### **Patriotic service**

The patriotic service begins at noon following the Marching Cobras. The Mayor will begin by leading the Pledge of Allegiance and then read the Ian Anderson Proclamation. The awards will be given out and then the Billy Templeton will speak. The orchestra will play at the conclusion of the service. Bob Pisciotta said there will not be a color guard this year.

Bob Pryzby asked when the chairs for the orchestra could be set-up. Bob Pisciotta said they could be set-up after Cosgrove performs. Ann Lilak said they do not want anything on the stage except for the chairs.

**Family Activities**

Bob Pryzby said the puppet people will set-up the day before.

**Aerial Exhibits**

Sgt. Hudson said the Chinook did two landings yesterday. It creates strong winds. Public Works will line up their pick-up trucks to block the wind at the pancake breakfast. Bob Pryzby said the wading pool will need to be closed when they take off. The Police Department will handle crowd control at the bottom of the hill and Public Works will handle it at the top of the hill. Sgt. Hudson said a military hum-vee will drive out the back of the Chinook after landing. Chief Jordan noted KCPT did a special on this group.

Everything is set for the Navy Seals. Mike Helms said the perimeter will need to be patrolled. He mentioned that they usually have a ground person who will want to announce who is jumping.

**Bike Rodeo**

Officer Taylor is working hard on this. He has secured many volunteers. Bike mechanics will be present to do tune-ups and there are 250 helmets to give away.

**Creativity Center**

Tracy Hill said everything is ready. She would like in to set-up on the 3<sup>rd</sup> at 3:30 pm.

**Children's Parade**

The Fife and Drum Corps will lead the parade.

**Quilt Show**

Joel Crown asked to be notified if more quilts come in. He asked for help to set-up the quilts on the 3<sup>rd</sup> at 6 pm.

**Car Show**

Ann Lilak said there will be 13 cars. AT&T will have a hummer and Community America is bringing a mustang.

**KU Med Van - No**

Art Dick said the kid's part is not available this year and that is the heart of the van. He hopes to have it next year.

**Train show**

Jim Hanson said they will set-up at 7 pm on the 3rd.

**Fire District**

Bob Pryzby said he spoke with Chris earlier this week. Their equipment will be in the church parking lot. They will have target practice and the barrel on a string.

**Student Contest**



Ed Roberts showed the three winners. The committee decided to award gift cards in the amount of \$100, \$50, and \$25. They entries will be hung in the community center.

### **Information Booth**

The Chamber of Commerce will be providing volunteers to help with the booth.

### **Publicity**

John Capito said he will put out one more press release. Officer Taylor was interviewed by the KC Star and there will be more ads coming out.

### **Hospitality**

Doug Sharp said he still needs numbers for the Chinook crew, Public Works, Fire, and Volunteers.

### **Volunteers**

Bob Pisciotta said he has about 11 volunteers for the Creativity Center.

### **City Committees**

Parks and Recreation, Municipal Foundation, Sister City, Environmental Committee and the Tree Board will all be present.

### **Decorations**

Art Dick said he and Kathy will be at the breakfast site at 6 am to decorate and requested the help of two more people. Bob Pryzby noted the decorations will fly away due to the Chinook. The committee decided not to decorate the pavilion. Art requested 4 to 5 people to help plant clusters of balloons at 7:30 am. He said they will be doing the flags at 6 pm on the 3<sup>rd</sup>.

### **Loose Ends**

Mike Helms asked if anyone needed any additional tables. Bob Pryzby said they will set-up in the morning even if there are light showers since the rain is supposed to break. Diana Ewy Sharp noted the Prairie Village Arts Council needs recognition for their donation. Bob Pryzby expressed thanks to all the committee members for their hard work.

### **Adjournment**

Ed Roberts moved to adjourn. The motion was seconded by Jim Hanson and passed unanimously.

Bob Pisciotta  
Chair

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**M E M O R A N D U M**

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**TO:** Mayor and City Council Members  
**FROM:** Bob Pryzby  
**DATE:** July 10, 2007  
**RE:** Semi-Annual Report on American with Disabilities Act (ADA) Activities

This report will cover my activities as ADA Coordinator from January through June 2007.

Activities during this period:

- Investigated one complaint about violation of the American with Disabilities Act – no action required
- 80 sidewalk sections were ground to eliminate an elevation change
- Project 190644: McCrum Park – improvements are in progress on the playground
- Project 190708: Tomahawk Road Drainage – several ramps will be replaced during construction
- Project 190718 2007 Drainage Repair - several ramps will be replaced during construction
- Project 190655 Tomahawk Road Bridge Replacement – new ramps are being constructed
- Project 190860 2007 Paving Program - several ramps will be replaced during construction
- Project 191017 2007 Concrete Repair - several ramps will be replaced during construction
- Project 191019 Canterbury Street Sidewalk – completed the installation of three new ramps

During this period, I spent 5.5 administration hours on ADA matters.

7235 Antioch  
Shawnee Mission, KS 66204  
913.993.9360  
Fax 913.993.9364  
www.smef.org

June 26, 2007

Board of Directors

Mary Beth Blake  
*President*

Brad Stratton  
*Vice President*

Brent Fuson  
*Secretary*

Michael Zanders  
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George Satterlee

Blake Schreck

Grover B. Simpson

Marga Spangler

Sarah Stanton

Barbara Warady

Debbie Ward

Helen Wewers

Brooke Robinson Yoder

Mayor Ron Shaffer  
City of Prairie Village  
7700 Mission Road  
Prairie Village, KS 66208

Dear Mayor Shaffer,

The Shawnee Mission School District is recognized as one of the best school districts in the country, and this would not be possible without the continued support of our community. Thank you again for your generous support of the Shawnee Mission Education Foundation. It was a pleasure to recognize you at *Celebrate Success! 2007*, and we're pleased to provide you these details for your calendar.

The 15th Annual Fall Breakfast is Thursday, August 23, at the Overland Park Convention Center. We have reserved as part of your sponsor package a table for ten. We know that you and your guests will enjoy hearing Dr. Marjorie Kaplan and the exciting "State of the District" presentation. For our planning, please email your guest list to [admorris@smsd.org](mailto:admorris@smsd.org) by Wednesday, August 15.

We look forward to seeing you there.

Sincerely,



Rebecca A. Morrison  
Executive Director

Ex Officio Members

Dr. Marjorie P. Kaplan  
*Superintendent*

Rebecca A. Morrison  
*Executive Director*

**Robert J. Vohs  
8304 Juniper Lane  
Prairie Village, KS 66207  
913 341 2787  
[rvohs1@kc.rr.com](mailto:rvohs1@kc.rr.com)**

**Ron Shaffer, Mayor  
Prairie Village Municipal Office  
7700 Mission Road  
Prairie Village, Ks 66208**

**Dear Mayor Ron:**

**You will remember that I am now retired from Ward Parkway Travel. Just a couple of comments. The new entrance signs really look great. Also I want to complement the people that work on the PV parks. They really look great. Especially Frankland Park. The new replaced rose garden really looks good. The flowers that are planted each year in the parks are really a plus.**

**I drive Mission Road from 83<sup>rd</sup> to 75<sup>th</sup> a lot. The new cross walks make me feel like I am in Europe. I am proud of our city, keep up the good work.**

**But, you knew that there was going to be a “but”? Please have your street crew take look at Juniper Lane form 83<sup>rd</sup> to 85<sup>th</sup>. This street is in need of resurfacing.**

**Thanks for all you do for PV.**



# NOTEWORTHY

July 2007

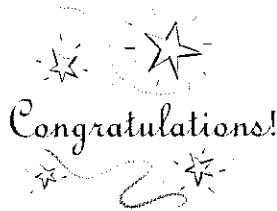
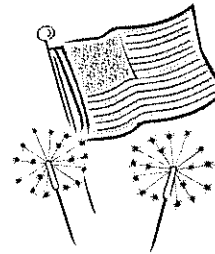
## JULY BIRTHDAYS & ANNIVERSARIES

### *Birthday Wishes to...*

07/01	Nic Sanders	Human Res. Dir.
07/03	John Olson	Police Officer
07/04	Arnetta Rose	Adm. Sup. Spec.
07/07	Lorra Jagow	Adm. Sup. Spec.
07/09	John Waller	Maint. Worker (Sr.)
07/16	LaTina Knight	Police Officer
07/20	James Henderson	Laborer
07/23	Tim Schwartzkopf	Captain
07/24	Kim Wilson	Adm. Sup. Spec.
07/29	John Nunamaker	Construction Insp.
07/30	Jeff Patterson	Crew Leader
07/31	Dan Timmons	Maint. Worker

### *We appreciate your years of service...*

Daryl Thompson	Police Officer	15 years
Connie Walsh	Adm. Sup. Spec.	8 years
Kim Wilson	Adm. Sup. Spec.	1 year

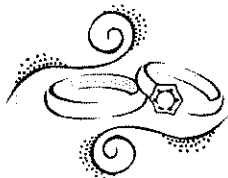


### **Police Department Promotions:**

Wes Jordan promoted to Chief of Police.  
Dan Stewart promoted to Corporal.  
James Carney promoted to Sergeant.  
Wes Lovett promoted to Captain.

**Thanks** to all the City staff, Public Works staff, and Public Safety staff who made VillageFest 2007 a huge success. Your efforts do not go unnoticed.

Congratulations to Ben Micheel who was married on May 19 to Rachel.



### **Upcoming Pool Activities**

- The 48<sup>th</sup> Annual Synchronized Swimming Show is July 20<sup>th</sup> at 8:30 pm.
- The All City Swim Meet is on July 17<sup>th</sup>; the pool complex will be closed all day.
- The pool complex will remain open until 10:00 pm on July 13<sup>th</sup> and August 10<sup>th</sup> for moonlight swims.



Karen and Greg Kindle welcome Megan Elizabeth born Tuesday June 5<sup>th</sup> at 8:05 pm. She was 6 lbs 10 oz and 18 ½ inches long.



# Coping With Irritable Bowel Syndrome

Irritable bowel syndrome (IBS) is a common disorder in which the nerves and muscles in the bowel are extra sensitive. If you suffer from this condition, you're not alone. Second only to the common cold among leading causes of lost work and school time, IBS affects an estimated 35 million Americans. Yet only half of them see a doctor for it. This is understandable, as the symptoms—abdominal pain, bloating, gas pain, chronic diarrhea and constipation—can be uncomfortable to talk about.

**For some, IBS is an occasional nuisance. For others, the pain can be so intense that it interferes with their lives. IBS does not cause permanent harm, nor does it lead to more serious diseases such as cancer. However, the cause of IBS is unclear and, for now, there's no cure. But by making a few lifestyle changes and working with your doctor, you can help reduce the symptoms of this disease and improve the quality of your life.**

**Get diagnosed. Talk with your doctor about your symptoms. It may seem embarrassing at first, but your provider can make a better diagnosis if he or she understands what you've been going through. In addition to offering advice about lifestyle changes, your doctor may be able to prescribe medication to help reduce your IBS symptoms.**

**Avoid trigger foods. While everyone is different, eating certain foods may trigger painful spasms in some people with IBS. For many people, fatty foods aggravate symptoms. Other common trigger foods are beans and other gas-producing foods, alcohol and caffeine. It's a good idea to keep a journal of which foods cause you distress so you can avoid them in the future. You may want to talk with a dietitian who can help you make changes in your diet.**

**Manage your stress. While stress does not cause IBS, it does seem to trigger its symptoms. You may want to try some relaxation techniques such as breathing exercises or meditation. If your stress seems to be more than you can handle, consider seeking professional help from a counselor.**

**Don't get discouraged. Most people are able to control the symptoms of IBS through prescription medications, diet and stress management. Continue to educate yourself about IBS and strive for healthful living.**

Call your doctor if:

- Your symptoms are disrupting your life or causing you to withdraw from normal activities.
- You experience a change in your symptoms.
- You have symptoms that aren't usually associated with IBS, such as fever, weight loss, rectal bleeding or persistent, severe pain.

**Call Care24 any time—24 hours every day—if you have any questions about IBS or any other health or well-being issue.**

**With myuhc.com<sup>®</sup>, UnitedHealthcare's innovative consumer Web site, you can access an array of health information that will help you answer important questions.**

**Care24 1-888-887-4114**

TDD/TTY callers, please call the National Relay Center  
at 1-800-855-2880 and ask for 1-888-887-4114.

**www.myuhc.com**

## Council Members Mark Your Calendars July 16, 2007

### July 2007

July 17 All city Swim Team Meet - Pool closed to the public all day  
July 29 Water show at 8:30 p.m.

### August 2007

August 6 Shawn Bohs photography exhibit in the R. G. Endres Gallery  
City Council Meeting  
August 10 Artist reception in R. G. Endres Gallery 6:30 to 7:30 p.m.  
August 10 Moonlight Swim - 8:30 to 10:00 p.m.  
August 13 Reduced hours at the pool begin - opens at 4:30 p.m. weekdays  
August 20 City Council Meeting  
August 23 Shawnee Mission Education Foundation 15<sup>th</sup> Annual Fall Breakfast

### September 2007

September 3 Barney Newcom oils exhibit in the R. G. Endres Gallery  
September 3 City offices closed in observance of Labor Day  
September 3 Pool closes for the season at 6:00 p.m.  
September 4(Tuesday)City Council Meeting  
September 14 Artist reception in R. G. Endres Gallery 6:30 to 7:30 p.m.  
September 17 City Council Meeting

### October 2007

October 1 No exhibit scheduled yet in the R. G. Endres Gallery  
City Council Meeting  
October 6-9 League of Kansas Municipalities Annual Conference - OP Convention Center  
October 15 City Council Meeting

### November 2007

November 5 Mid-America Pastel Society exhibit in the R. G. Endres Gallery  
City Council Meeting  
November 9 Artist reception in R. G. Endres Gallery 6:30 to 7:30 p.m.  
November 13-17 National League of Cities Annual Conference in New Orleans  
November 19 City Council Meeting  
November 22-23 City offices closed in observance of Thanksgiving  
November 26 Mayor's Holiday Tree Lighting - Corinth Shopping Center  
November 30 NE Johnson County Chamber's Annual Dinner - Lake Quivira Country Club

### December 2007

December 3 Christi Roberts-Bony mixed media R. G. Endres Gallery  
City Council Meeting  
December 7 Mayor's Holiday Gala  
December 14 Artist reception in R. G. Endres Gallery 6:30 to 7:20 p.m.  
December 17 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)

**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 (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)  
 COU2005-17 Consider how to expand leadership opportunities for Council (assigned 9/6/2005)  
 COU2005-19 Consider term limits for elected officials and committees (assigned 9/6/2005)  
 COU2005-21 Develop a policy for use of Fund Balance (assigned 9/6/2005)  
 COU2005-27 Consider concept of Outcomes Measurement or Quantifying Objectives (assigned 9/6/2005)  
 COU2005-44 Consider YMCA Partnership (assigned 12/14/2005)  
 COU2006-05 Consider Committee Structure (assigned 4/25/2006)  
 COU2006-20 Consider Project 191020: Colonial Pedestrian Bridge Replacement (assigned 8/1/2006)  
 COU2006-26 Consider Project 190862: 75<sup>th</sup> Street from Nall Avenue to Mission Road (CARS) (assigned 8/28/2006)  
 COU2006-27 Consider Project 190855: Tomahawk Road Bridge Replacement (assigned 8/28/2006)  
 COU2006-33 Consider Lease of Public Works from Highwoods Properties, Inc. (assigned 8/29/2006)  
 COU2006-38 Consider Park & Recreation Committee Report (assigned 09/27/2006)  
 COU2006-54 Consider Renewal of Special Use Permit at 7700 Mission Road (assigned 12/7/2006)  
 COU2006-55 Consider Project SP105: 2007 Crack Seal/Slurry Seal/Microsurfacing Program (assigned 12/27/2006)  
 COU2006-56 Consider Project 191019: Canterbury Street Sidewalk Improvements (assigned 12/21/2006)  
 COU2007-02 Consider Reducing the size of the Council (assigned 1/8/2007)  
 COU2007-08 Consider 2008 Budget (assigned 1/11/2007)  
 COU2007-10 Consider Recognition of Prairie Village families with service personnel in Iraq, Afghanistan or other dangerous areas (assigned 1/11/2007)  
 COU2007-11 Consider SP107: 2007 Street Repair Program (1/31/2007)



## COMMITTEE AGENDA

July 16, 2007

- COU2007-19 Consider Project 190860: 2007 Street Resurfacing Program (assigned 2/14/2007)  
COU2007-22 Consider Project 190718: 2007 Storm Drainage Repair Program (assigned 2/28/2007)  
COU2007-27 Consider Project 190864 - 2008 Paving Program (assigned 3/9/2007)  
COU2007-31 Consider City Administrator/City Manager forms of government (assigned 3/19/32007)  
COU2007-33 Consider Project 190719: 2008 Storm Drainage Repair Program (assigned 4/11/2007)  
COU2007-34 Consider Traffic Engineer Report for 79<sup>th</sup> Street and Roe Avenue Intersection (assigned 4/11/2007)  
COU2007-35 Consider Project 190709: 83<sup>rd</sup> Street/Delmar Drainage Improvements (moved from POL 2004-15 - assigned 4/11/2007)  
COU2007-40 Consider Code Enforcement - Interior Inspections (assigned 5/2/2007)  
COU2007-43 Consider Providing Public Works Services to the City of Mission Hills (assigned 5/29/2007)  
COU2007-47 Consider using MUTCD "Stop for Pedestrian" signs. (assigned 6/19/2007)  
COU2007-48 Consider Employee Benefit Renewal (assigned 6/27/2007)  
COU2007-49 Consider Project 190868: Roe - 91<sup>st</sup> to Somerset Drive (assigned 6/27/2007)  
COU2007-50 Consider Ordinance to adopt Risk Management Reserve Fund (assigned 6/27/2007)  
COU2007-51 Consider Village Vision Implementation Strategy (assigned 6/27/2007)  
COU2007-52 Consider Island & Statue Responsibility (assigned 7/11/2007)  
COU2007-53 Consider EasyRide Program (assigned 7/13/2007)

### LEGISLATIVE/FINANCE COMMITTEE

- LEG2000-25 Review fee schedules to determine if they are comparable to other communities and 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)  
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)

### 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

- POL2004-15 Consider Project 190709: Somerset, Delmar to Fontana (assigned 8/26/2004)- Moved to **COU2007-35**  
POL2004-16 Consider Project 190708: Tomahawk Road Nall to Roe (assigned 8/26/2004)  
POL2005-04 Consider Project 190809: 75<sup>th</sup> Street and State Line Road (assigned 2/1/2005)  
POL2005-30 Consider Project 190855: Tomahawk Road Bridge (assigned 11/1/2005) - Moved to **COU2006-27**

### 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)

## Jeanne Koontz

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**From:** Doug Luther  
**Sent:** Friday, July 13, 2007 7:32 AM  
**To:** Barbara Vernon  
**Cc:** Jeanne Koontz; Dianna Ewy Sharp; Bob Pryzby  
**Subject:** Fw: Congratulations!

Please out in the routing folder

Thanks

-----Original Message-----

**From:** "Kathy Riordan" <kfriordan@kc.rr.com>

**Date:** Thu, 12 Jul 2007 21:13:12

**To:** "Doug Luther" <dluther@pvkansas.com>

**Subject:** Congratulations!

Doug,

Please convey my heartfelt appreciation and congratulations to the individuals who worked on the Villagefest this year. The July 4th celebration was a super event! As you know much time, effort and hard work goes into these community celebrations. I want to thank those that made it happen. It was much enjoyed and appreciated. Kathy Riordan