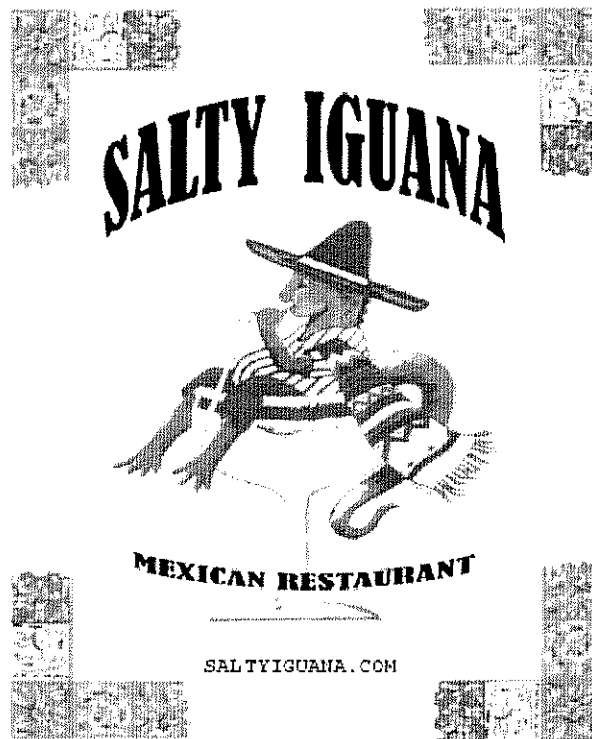


City Council Meeting

April 21, 2008

Dinner provided by:



Burritos and Enchiladas

Beans and Rice

Iguana dip,

Chips and sauce

COUNCIL COMMITTEE
April 21, 2008
6:00 p.m.
Council Chamber

AGENDA

ANDREW WANG, COUNCIL PRESIDENT

AGENDA ITEMS FOR DISCUSSION

*COU2008-32 Consider Resolution Authorizing the Mayor to Submit a Phase 1
Safe Routes to School Grant Application for FY 2009
Dennis Enslinger

Public Safety Presentation
Chief Wes Jordan

COU2007-51 Village Vision

*Council Action Requested the Same Evening



CITY CLERK DEPARTMENT

Council Committee Meeting Date: April 21, 2008

Council Meeting Date: April 21, 2008

Consider Resolution Authorizing the Mayor to Submit a Phase I Safe Routes to School Grant Application for FY 2009.

RECOMMENDATION

Recommend the City Council approve Resolution 2008-02 authorizing the Mayor to submit a Phase I Safe Routes to School Grant Application for FY 2009. Staff is requesting Council action same evening.

BACKGROUND

The Safe Routes to School Program (SRTS) was authorized on August 10, 2005, through FY2009 under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). This program is intended to be a comprehensive planning tool for communities by looking at five components, often referred to as the "5 E's". These components are:

- Engineering - Creating operational and physical improvements to the infrastructure surrounding schools that reduce speeds and potential conflicts with motor vehicle traffic, and establish safer and fully accessible crossings, walkways, trails, and bikeways.
- Education - Teaching children, parents, neighbors and City and school officials about the broad range of transportation choices, instructing them in important lifelong bicycling and walking safety skills, and launching driver safety campaigns in the vicinity of schools.
- Enforcement - Partnering with local law enforcement to improve compliance with traffic laws in the vicinity of schools (this includes enforcement of speeds, yielding to pedestrians in crossings, and proper walking and bicycling behaviors), and initiating community enforcement such as crossing guard programs.
- Encouragement - Using events and activities to promote walking and bicycling.
- Evaluation - Monitoring and documenting outcomes and trends through the collection of data, including the collection of data before and after the intervention(s).

The Safe Routes to School Program (SRTS) requires a phased approach. Phase I is the creation of a Safe Routes to School (SRTS) Plan that includes all "5 E's" for K-8th grade schools. Phase I grants are limited to technical assistance, assessment and project planning activities. The maximum Phase I grant award is \$15,000.

With these funds, the city would be able to hire assistance in the development of the SRTS Plan which might include a traffic engineer to evaluate possible

solutions, a facilitator to conduct public meeting(s), and/or offset any publication or advertising costs.

Phase II of the STRS program will allow the city to apply for up to \$250,000 in grant funds to implement recommendations and/or projects contained in the approved Phase I STRS Plan. These funds can be used for the following items:

Infrastructure:

- Sidewalk improvements
- Traffic calming and speed reduction improvements
- Pedestrian and bicycle crossing improvements
- On-street bicycle facilities
- Off-street bicycle facilities
- Secure bicycle parking facilities
- Traffic diversion improvements in the vicinity of schools

Non-infrastructure:

- Public awareness campaigns and outreach to the media and community leaders
- Traffic education and enforcement in the vicinity of schools
- Student sessions on bicycle and pedestrian safety, health, and environment
- Funding for training volunteers and managers of Safe Routes to School programs.

Given the number of elementary schools and middle school facilities within Prairie Village, staff is recommending that the city conduct a study which looks at all of the K-8th grade facilities within the community. Creating partnerships is critical in securing grant funding and implementing the STRS Plan. The Police Department is currently working with area schools to secure a letter of support from each school and from the school district.

The Safe Routes to School Grant Application deadline is May 2, 2008. Staff is currently working on all of the necessary documentation for the grant submittal. Staff should point out that the Federal Legislation extending the Safe Routes to School Program beyond FY 2009 has not been approved. The legislation is currently pending so there is a possibility that funding for Phase II projects would not be available. If the city is successful in securing a Phase I Grant and the SRTS Program is extended, the city could be eligible for Phase II Grant funding in FY 2010.

At the April 7th City Council meeting, several council members expressed concern about school safety and the degree of city involvement. Staff desires direction from the Council regarding the level of priority and involvement on this issue and whether or not to proceed with the grant application process. Should the city proceed with the application and the Phase I Grant is awarded, City Council

would still need to review and approve any necessary grant agreements prior to the acceptance of the grant.

FINANCIAL IMPACT

Phase I Safe Routes to School Grants allow for the City to secure a maximum of \$15,000 in grant funds. The grant does not require any cash match but will require staff time to administer and coordinate the grant process and products. The grant is 100% reimbursable.

RELATED TO VILLAGE VISION

LG2A Build on inter-municipal cooperative activities, agreements, and planning initiatives.

LRN1A Promote continued support of schools within the community.

ATTACHMENTS

Resolution 2008-02

PREPARED BY

Dennis J. Enslinger

Date: April 17, 2008

RESOLUTION 2008-02

A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF PRAIRIE VILLAGE TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF SAFE ROUTES TO SCHOOLS FUNDS SET FORTH BY THE SAFETEA-LU FOR THE PRAIRIE VILLAGE PHASE 1 GRANT PROJECT IN THE CITY OF PRAIRIE VILLAGE AND AUTHORIZING MAYOR RONALD L. SHAFFER TO SIGN THE APPLICATION SUBMISSION.

WHEREAS, the City of Prairie Village, Kansas, has the legal authority to apply for, receive and administer federal, state, and other monies through Home Rule Power under the Constitution of the State of Kansas and authorized by K.S.A. 12-1662, regarding the expenditure of federal aid to public agencies; and

WHEREAS, the City of Prairie Village, Kansas, desires to submit an application to the Kansas Department of Transportation for Safe Routes to Schools funds set forth by SAFETEA-LU; and

WHEREAS, the City of Prairie Village, Kansas, is participating in the Kansas Department of Transportation's Safe Routes to Schools program set forth by SAFETEA-LU; and

WHEREAS, Federal monies are available under a Safe Routes to Schools program set forth by SAFETEA-LU, administered by the State of Kansas, Department of Transportation, for the purpose of creating safer routes to schools in Kansas; and

WHEREAS, after appropriate public input and due consideration, the Governing Body of the City of Prairie Village, Kansas has recommended that an application be submitted to the State of Kansas for the Prairie Village Phase 1 Grant Project.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Prairie Village, Kansas:

Section 1. That the City of Prairie Village, Kansas, does hereby authorize Mayor Ronald L. Shaffer to submit an application to the Kansas Department of Transportation for Safe Routes to Schools program funds set forth by SAFETEA-LU on behalf of the citizens of Prairie Village, Kansas.

Section 2. That the City of Prairie Village, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the Prairie Village Phase 1 Grant Project is available, as the Safe Routes to Schools Program is a reimbursement program.

Section 3. That the Mayor of the City of Prairie Village, Kansas, is authorized to sign the application to the Kansas Department of Transportation for Safe Routes to Schools program funds set forth by SAFETEA-LU on behalf of the

citizens of the City of Prairie Village, Kansas. The Mayor is also authorized to submit additional information as may be required and act as the official representative of the City of Prairie Village in this and subsequent related activities.

Section 4. That the City of Prairie Village, Kansas, hereby assures the Kansas Department of Transportation that the City of Prairie Village, Kansas, is willing and able to, if the Prairie Village Phase 1 Grant Project is selected for funding; administer all activities involved with the Prairie Village Phase 1 Grant Project.

ADOPTED AND PASSED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS, THIS ____ DAY OF _____, 2008.

By: _____
Ronald L. Shaffer, Mayor

ATTEST:

Joyce Hagen Mundy, City Clerk

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
April 21, 2008
7:30 p.m.**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. OATH OF OFFICE – Ruth Hopkins, Andrew Wang
- V. PRESENTATION TO Carol Sader
- VI. PUBLIC PARTICIPATION
- VII. CONSENT AGENDA

All items listed below are considered to be routine by the Governing Body and will be enacted by one motion (Roll Call Vote). There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the regular agenda.

By Staff:

- 1. Approve Regular Council Meeting Minutes – April 7, 2008
- 2. Approve Construction Change Order #3 (Final) with Linaweaver Construction for Project 190708: Tomahawk Storm Drainage Improvements (Nall Avenue to Roe Avenue).

- VIII. STAFF REPORTS
- IX. COMMITTEE REPORTS
Council Committee of the Whole – Andrew Wang
COU2008-32 Consider Resolution authorizing the Mayor to submit a Phase 1 Safe Routes to School Grant Application for FY 2009
- X. OLD BUSINESS
Final Reading of Charter Ordinance Exempting the City from the Provisions of the Water Pollution Control Act.
- XI. NEW BUSINESS
Election of Council President
- XII. ANNOUNCEMENTS
- XIII. 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

WHEREAS, the City recognizes dedication and commitment to service and excellence; which have been demonstrated by Carol Sader both in her professional and volunteer activities; and

WHEREAS, Carol Sader has served the community through the Kansas State Legislature, Johnson County Community College Board of Trustees, Mainstream Coalition, the Midwest Center for Holocaust Education, and other numerous organizations; and

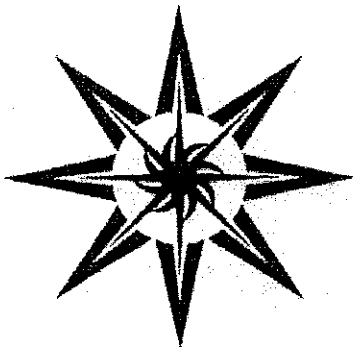
WHEREAS, Carol Sader is currently serving the community as the Chairperson of the Kansas Racing and Gaming Commission; and

WHEREAS, Carol Sader has been actively involved with the Johnson County League of Women Voters; and

WHEREAS, the Johnson County League of Women Voters is honoring Carol Sader with the league's first Making Democracy Work Award

NOW, THEREFORE, I, Ronald L. Shaffer, Mayor of the City of Prairie Village on behalf of the residents and past and present leadership of the City extend our grateful thanks for the many ways and many years of service given by Carol Sader to the Residents of Prairie Village and congratulate her on this recent honor of distinction.

Adopted this 21st day of April, 2008.



Ronald L. Shaffer, Mayor

CONSENT AGENDA

CITY OF PRAIRIE VILLAGE, KS

April 21, 2008

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
APRIL 7, 2008**

The City Council of Prairie Village, Kansas, met in regular session on Monday, April 7, 2008, 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, Bill Griffith, David Voysey, Michael Kelly, Laura Wassmer, Pat Daniels, Charles Clark, Diana Ewy Sharp and David Belz.

Also present were: Quinn Bennion, City Administrator; Katie Logan representing the City Attorney; Wes Jordan, Chief of Police; Bob Pryzby, Director of Public Works; Dennis Enslinger, Assistant City Administrator and Joyce Hagen Mundy, City Clerk.

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

PRESENTATION TO OUTGOING COUNCIL MEMBERS

Mayor Shaffer presented a Certificate of Appreciation to outgoing Councilmember Pat Daniels. He then distributed laminated \$1 checks to the Council Representatives on behalf of the Citizens of Prairie Village as a token of appreciation for their service and dedication to the City. Former Council President David Belz presented Mayor Shaffer with his \$1 check.

OATH OF OFFICE

The City Clerk administered the Oath of Office to elected Council representatives: Al Herrera, Ward 1; Dale Beckerman, Ward 4; David Morrison, Ward 5 and Diana Ewy Sharp, Ward 6.

Mayor Shaffer welcomed new Council Representatives Dale Beckerman and David Morrison.

PUBLIC PARTICIPATION

Mayor Shaffer acknowledged the presence of several boy scouts from Troop 299 at Asbury Methodist Church attending the Council meeting for their communications badge.

CONSENT AGENDA

David Belz moved the approval of the Consent Agenda for Monday, April 7, 2008:

1. Approve Regular Council Meeting Minutes - March 24, 2008
2. Claims Ordinance 2647
3. Approve Engineering Change Order #7 with HNTB Corporation for an increase of \$10,800.00 to Project 190864: 2008 Street Resurfacing Program.
4. Approve the Construction Administration Agreement agreement with BHC Rhodes for Project 190864: 2008 Street Resurfacing Program, Project 190868: CARS, Roe Avenue from 91st Street to Somerset Drive and Project 190719: 2008 Storm Drainage Repair Program in the total amount of \$211,000.
5. Approve Construction Change Order #1 with McAnany Construction for an increase of \$16,251.00 to Project 191022: 2008 Concrete Repair Program.
6. Ratify the Mayor's appointment of the following individuals to committees:

		<u>Term Ends</u>
Animal Control Board	James Dinesen	April 2010
Animal Control Board	Richard Webber	April 2010
Animal Control Board	Michelle McElroy	April 2010
Board of Zoning Appeals/PC	Marc Russell	April 2011
Board of Zoning Appeals/PC	Bob Lindeblad	April 2011
Communications Committee	Christine Adams	April 2011
Communications Committee	Shelly Barrett	April 2011
Environment/Recycle	Penny Mahon	April 2011
Environment/Recycle	Bob Pierson	April 2011
Park & Recreation	Diane Mares	April 2011
Park & Recreation	James Bernard	April 2011
Park & Recreation	Sally Holmes	April 2009
Prairie Village Arts Council	Randy Kronblad	April 2011
Prairie Village Arts Council	Annie Brabson	April 2011
Sister City Committee	Cleo Simmonds	April 2011
Sister City Committee	Dick Bills	April 2011
Tree Board	Jim Hanson	April 2011
Tree Board	Greg VanBooven	April 2011
Tree Board	Deborah Nixon	April 2011

7. Approve the use of contingency funds to pay for emergency repairs/replacement of the uninterrupted power supply (UPS) to the Police Department's radio system in the amount of \$21,000.

8. Approve an agreement with Imagequest for the lease of three multi-functional copier/scanner/fax/printer units for the Administration area and the Interdepartment transfer of funds requested.

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

STAFF REPORTS

Public Safety

Chief Wes Jordan reviewed the history of recent traffic problems surrounding Briarwood Elementary School, which has a student population of over 500. Five school buses are servicing the school, that previously had two buses. The Police Department has met with representatives of the school district and neighboring property owners. Chief Jordan reviewed the first plan proposed to address the problems and noted the opposition of the residents residing in the cul-de-sacs to the plan.

A revised plan was presented that focused on redirecting traffic through the cul-de-sacs with no left turns being permitted out of the cul-de-sac. Changes have been made to improve the flow of drop-off traffic in the school's parking lot. Chief Jordan met with school district personnel, including the Director of Elementary Schools and the newly selected Superintendent of Schools to discuss the city's concerns and the concerns of residents. The school district has been very open-minded, but has stated they haven't funds to make improvements on their property. The new plan will be put into place within the next few weeks and be evaluated at the end of the school year. Chief Jordan noted the parents, staff and public will need to be educated on the newly designed traffic flow.

Al Herrera expressed frustration with the school district's failure to take responsibility for their own problems. He noted this is similar to the situation at Shawnee Mission East, where instead of addressing their student parking problems, the City is constructing additional parking for them. He feels the School District needs to be more receptive to addressing concerns of the City and its residents.

David Morrison asked if the traffic design for the cul-de-sac is changing. Chief Jordan responded it is not. They have gone away from the plan to have the cul-de-sac used as a drop-off point due to resident concerns. He also expressed concern with children crossing the street due to frustrated drivers passing cars stacked up waiting to get into the school. Chief Jordan stated he wants the City to do what is right, not what is easiest. He feels this plan is the right thing to do now and to continue to work with the School District as he feels the new administration will be more receptive to working with the City.

Quinn Bennion confirmed the only impact for residents on the Ash cul-de-sac is that traffic coming out of the cul-de-sac will not be allowed to exit to the left. Chief Jordan stressed that any parking restrictions placed would apply to both the school population and the residents and they do not want to penalize the residents.

COMMITTEE REPORTS

Council Committee of the Whole

COU2008-31 Consider Project 190721: 2009 Storm Drainage Repair Program Design Agreement

On behalf of the Council Committee of the Whole, David Belz moved the City Council approve the Design Agreement with George Butler Associates for Project 190721: 2009 Storm Drainage Repair Program in the amount of \$34,000.00. The motion was seconded by Laura Wassmer and passed unanimously.

COU2008-32 Consider Project 190864: 2008 Street Resurfacing Program Engineering Change Order #6

On behalf of the Council Committee of the Whole, David Belz moved the City Council approve Engineering Change Order #6 with HNTB Corporation for an increase of \$36,600 to increase the scope of Project 190864: 2008 Street Resurfacing Program. The motion was seconded by Laura Wassmer and passed unanimously.

Insurance Committee

Consider 2008-2009 Insurance Renewal

Charles Clark introduced Bob Frankovic, the City's insurance agent who was in attendance to answer any questions regarding the proposed new coverage. Mr. Clark reported the insurance premiums for the 2008-2009 year decreased \$50,000 over the current year, which had a decrease of \$13,000. Mr. Clark stated the \$85,000 set aside in the insurance reserve to cover the higher deductibles has not been used.

Bill Griffith asked if deductibles were increased across the board last year. Mr. Clark replied not all deductibles were increased. Mr. Griffith stated he would like to see the City move toward self insurance for property and casualty coverage.

On behalf of the Insurance Committee, Charles Clark moved the City Council renew the City's property/casualty coverage with Travelers Insurance at a rate of \$265,083 for the 2008-2009 coverage year. The motion was seconded by David Voysey and passed unanimously.

OLD BUSINESS

There was no Old Business to come before the City Council

NEW BUSINESS

First Reading of Charter Ordinance

Quinn Bennion stated because of the potential impact of the proposed Charter Ordinance creating a Drainage Utility Fund which has been discussed by the City Council during the past two meetings, he would request the ordinance be presented and read at this meeting with the City Council discussing and taking action on the ordinance at the next meeting.

David Belz moved the City Council have the first reading of the proposed Charter Ordinance exempting the City of Prairie Village, Johnson county, Kansas, from the provisions of the Water Pollution Control Act, K.S.A. 12-3101 through K.S.A. 12-3107, and providing substitute and additional provisions relating to the establishment, operation, maintenance, improvement and regulation of sewer systems, including but not limited to, storm and surface water drainage systems and flood protection works, and to the issuance of bonds for the purpose of paying for the property and improvements necessary for all aspects of the management of these systems. The motion was seconded by Diana Ewy Sharp and passed unanimously.

The Charter Ordinance was read.

ANNOUNCEMENTS

Mayor Shaffer reminded Council members to turn in their requests for committee appointments and the State survey on smoking to the City Clerk by the end of the week.

Committee meetings scheduled for the next two weeks include:

Park & Recreation Committee	04/09/2008	7:00 p.m.
Sister City	04/14/2008	7:00 p.m.
75 th St. Steering Committee	04/15/2008	7:00 p.m.
Prairie Village Arts Council	04/16/2008	7:00 p.m.
Council Committee of the Whole	04/21/2008	6:00 p.m.
City Council	04/21/2008	7:30 p.m.

=====

The Prairie Village Arts Council is pleased to feature an acrylics exhibit by Margaret Godfrey in the R. G. Endres Gallery for the month of April. The reception will be held on April 11th from 6:30 to 7:30 p.m.

Earth Fair 8 will be Saturday, April 12th at Shawnee Mission East High School from 10 a.m. to 3 p.m.

The annual large item pick-up has been scheduled with Deffenbaugh for April 19th.

Shawnee Mission Education Foundation *Celebrate Success!* Luncheon is Tuesday, April 29, 2008 at 11:30 a.m. at the Overland Park Convention Center. The City has purchased a table of 10. Please RSVP to Jeanne at 913-385-4662 or jkoontz@pvkansas.com by April 21, 2008.

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

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

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:00 p.m.

Joyce Hagen Mundy
City Clerk



PUBLIC WORKS DEPARTMENT

Council Committee Meeting Date:
Council Meeting Date: April 21, 2008
Consent Agenda

CONSIDER PROJECT 190708: TOMAHAWK ROAD STORM DRAINAGE IMPROVEMENTS (NALL AVE. TO ROE AVE.) CONSTRUCTION CHANGE ORDER #3 (FINAL)

RECOMMENDATION

Staff recommends the City Council approve Construction Change Order #3 (Final) with Linaweaver Construction for Project 190708: Tomahawk Storm Drainage Improvements (Nall Avenue to Roe Avenue).

BACKGROUND

This project has been completed including all sod and punch list work. The final as-built quantities have been determined. This is the final change order for this project that has resulted in a decrease of \$60,697.32 (decrease of 2.8% under the original contract amount). This final change order also includes an additional 56 days added to the contract due to weather.

FUNDING SOURCE

The unexpended project funds will be transferred to the Capital Infrastructure Program Drainage Unallocated.

RELATED TO VILLAGE VISION

CC1a. Make streetscape improvements to enhance pedestrian safety and attractiveness of the public realm.

TR3a. Ensure the quality of the transportation network with regular maintenance as well as efficient responses to seasonal issues such as snow removal.

ATTACHMENTS

1. Construction Change Order #3 (Final).

PREPARED BY

S Robert Pryzby, Director of Public Works

April 15, 2008

CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT

CONSTRUCTION CHANGE ORDER NO. 3 & Final

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

Project Title: Tomahawk Road Storm Drainage Project

Date Requested: 14-Apr-08

Owner's Project No.: 190708 Contract Date: 22-Jan-07

Contractor's Name: Linaweaver Construction, Inc.

REQUIRED CHANGES IN PRESENT CONTRACT

Item Number	Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
9	9	\$ 12,600.00	EA	Large Tree Removal	10.0	\$ 1,400.00	\$ 14,000.00
11	100	\$ 10,000.00	EA	Erosion Control Gravel Bags	5.00	\$ 100.00	\$ 500.00
12	50	\$ 1,000.00	EA	Erosion Control Straw Bales	0.00	\$ 20.00	\$ 0.00
13	350	\$ 1,050.00	LF	Erosion Control Silt Fence	0.00	\$ 3.00	\$ 0.00
17	83	\$ 5,851.50	Ton	4" Asphalt Base Type 1	80.50	\$ 70.50	\$ 5,675.25
18	743	\$ 48,666.50	Ton	8" Asphalt Base Type 1	721.90	\$ 65.50	\$ 47,284.45
19	227	\$ 17,649.25	Ton	2" Asphalt Surface Type 3	295.90	\$ 77.75	\$ 23,006.23
20	5,860	\$ 257,840.00	SY	Street Patch Repair	1,646.30	\$ 44.00	\$ 72,437.20
21	1,636	\$ 150,512.00	LF	15" RCP Under Pavement	1,660.10	\$ 92.00	\$ 152,729.20
22	944	\$ 91,568.00	LF	18" RCP Under Pavement	951.60	\$ 97.00	\$ 92,305.20
23	1,088	\$ 106,624.00	LF	21" RCP Under Pavement	1,137.30	\$ 98.00	\$ 111,455.40
24	1,357	\$ 181,838.00	LF	24" RCP Under Pavement	1,291.70	\$ 134.00	\$ 173,087.80
25	1,225	\$ 197,225.00	LF	30" RCP Under Pavement	1,329.30	\$ 161.00	\$ 214,017.30
26	27	\$ 3,456.00	LF	36" RCP Under Pavement	5.30	\$ 128.00	\$ 678.40
27	500	\$ 132,500.00	LF	42" RCP Under Pavement	488.90	\$ 265.00	\$ 129,558.50
28	70	\$ 3,220.00	LF	15" RCP Under Yard	91.20	\$ 46.00	\$ 4,195.20
29	54	\$ 2,916.00	LF	21" RCP Under Yard	0	\$ 54.00	\$ 0.00
30	40	\$ 2,160.00	LF	24" RCP Under Yard	97.20	\$ 54.00	\$ 5,248.80
31	156	\$ 11,700.00	LF	30" RCP Under Yard	55	\$ 75.00	\$ 4,125.00
32	144	\$ 14,112.00	LF	36" RCP Under Yard	162.20	\$ 98.00	\$ 15,895.60
33	320	\$ 41,600.00	LF	42" RCP Under Yard	325.50	\$ 130.00	\$ 42,315.00
35	25	\$ 6,250.00	EA	Pipe Collar	20	\$ 250.00	\$ 5,000.00
37	100	\$ 2,000.00	LF	Underdrain	0	\$ 20.00	\$ 0.00
38	198	\$ 44,550.00	CY	Gabion Wire Basket	224	\$ 225.00	\$ 50,400.00
TOTAL		\$ 1,346,888.25					
					Net	Increase Decrease	\$ 1,163,914.53 - \$ 182,973.73

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CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT

CONSTRUCTION CHANGE ORDER NO. 3 & Final

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

Project Title: Tomahawk Road Storm Drainage Project

Date Requested: 14-Apr-08

Owner's Project No.: 190708 Contract Date: 22-Jan-07

Contractor's Name: Linaweaver Construction, Inc.

REQUIRED CHANGES IN PRESENT CONTRACT

Item Number	Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
48	2	\$ 6,000.00	EA	5' x 3' Concrete Junction Box	1.0	\$ 3,000.00	\$ 3,000.00
50	5	\$ 17,000.00	EA	6' x 3' Concrete Junction Box	6.00	\$ 3,400.00	\$ 20,400.00
54	15	\$ 2,250.00	SY	7" Concrete Channel Bottom	33.60	\$ 150.00	\$ 5,040.00
76	6	\$ 2,100.00	EA	2" Northern Red Oak	5.00	\$ 350.00	\$ 1,750.00
57	18	\$ 900.00	SY	ADA Ramp New	8.70	\$ 50.00	\$ 435.00
58	24	\$ 1,920.00	SY	ADA Ramp Replace	13.70	\$ 80.00	\$ 1,096.00
59	198	\$ 11,880.00	SY	4" Conc Paving Gabion Wall	202.10	\$ 60.00	\$ 12,126.00
60	211	\$ 8,440.00	SY	4" Concrete Sidewalk New	221.80	\$ 40.00	\$ 8,872.00
61	242	\$ 10,890.00	SY	4" Concrete Sidewalk Replace	258.70	\$ 45.00	\$ 11,641.50
62	279	\$ 16,740.00	SY	6" Concrete Driveway New	277.60	\$ 60.00	\$ 16,656.00
63	84	\$ 5,460.00	SY	6" Concrete Driveway Replace	91.40	\$ 65.00	\$ 5,941.00
64	625	\$ 13,750.00	LF	Concrete Curb Gabion Wall	688.60	\$ 22.00	\$ 15,149.20
65	1,054	\$ 14,756.00	LF	Concrete Curb & Gutter New	877.40	\$ 14.00	\$ 12,283.60
66	423	\$ 10,575.00	LF	Concrete Curb & Gutter Replace	735.20	\$ 25.00	\$ 18,380.00
67	366	\$ 5,856.00	LF	Concrete Shoulder New	353.70	\$ 16.00	\$ 5,659.20
68	432	\$ 8,640.00	LF	Remove & Reset Fence	339.80	\$ 20.00	\$ 6,796.00
70	420	\$ 2,100.00	SY	Sod Fescue	2,621	\$ 5.00	\$ 13,105.00
71	450	\$ 2,250.00	SY	Sod Bluegrass	2,382.10	\$ 5.00	\$ 11,910.50
72	113	\$ 1,130.00	SY	Sod Zoysia	382.50	\$ 10.00	\$ 3,825.00
77	2	\$ 100.00	EA	12" Bush Species	0	\$ 50.00	\$ 0.00
79	25	\$ 700.00	LF	Thermo Pavement Marking	0	\$ 28.00	\$ 0.00
80	1	\$ 425.00	EA	Thermo Pavement Symbol	0	\$ 425.00	\$ 0.00
81	2	\$ 1,600.00	EA	Manhole Adjustment	3	\$ 800.00	\$ 2,400.00
82	5	\$ 12,500.00	EA	Sanitary Service Line Adjustment	2	\$ 2,500.00	\$ 5,000.00
TOTAL		\$ 157,962.00				<i>Sub</i> TOTAL	\$ 181,466.00
					Net	Increase Decrease	\$ 23,504.00

this ps.

CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT

CONSTRUCTION CHANGE ORDER NO. 3 & Final

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

Project Title: Tomahawk Road Storm Drainage Project

Date Requested: 14-Apr-08

Owner's Project No.: 190708 Contract Date: 22-Jan-07

Contractor's Name: Linaweaver Construction, Inc.

REQUIRED CHANGES IN PRESENT CONTRACT

Item Number	Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
83	18	\$ 11,160.00	LF	12" DIP Sanitary Sewer	8.3	\$ 620.00	\$ 5,146.00
84	90	\$ 57,600.00	LF	18" DIP Sanitary Sewer	82.50	\$ 640.00	\$ 52,800.00
85	54	\$ 36,450.00	L:F	24" DIP Sanitary Sewer	57.10	\$ 675.00	\$ 38,542.50
88	0	\$ 0.00	SY	Concrete Base Street Patch 75%	2119.40	\$ 33.00	\$ 69,940.20
89	0	\$ 0.00	SY	2" Asphalt Street Patch 25%	2960.10	\$ 11.00	\$ 32,561.10
90	0	\$ 0.00	LS	Thermo Pavement Marking	1.00	\$ 4,692.60	\$ 4,692.60
74	7	\$ 2,100.00	EA	2" Tree Linden	8.00	\$ 300.00	\$ 2,400.00
		\$ 1,346,888.25		Totals Page 1			\$ 1,163,914.53
		\$ 157,962.00		Totals Page 2			\$ 181,466.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
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		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
		\$ 0.00					\$ 0.00
TOTAL		\$ 1,612,160.25					\$ 1,551,462.93
				Net	Increase	Decrease	- \$ 60,697.32

Explanation of Changes

Project No. 190708-6; 2007 Tomahawk Road Storm Drainage Program:

This change order adjusts the contract quantities to the amounts actually used to construct the project.

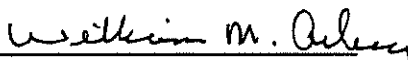
Original Contract Amount	<u>\$ 2,178,915.25</u>
Current Contract Amount as adjusted by previous Change Orders	<u>\$ 2,180,721.45</u>
NET increase or decrease this Change Order	<u>-\$60,697.32</u>
New Contract Price	<u>\$ 2,120,024.13</u>

Change to Contract Time:

Add 121 Calendar Days

Original Contract Calendar Days	240
Additional days provided by Change Order No. 2	121
Additional days provided by this Change Order	<u>56</u>
New Calendar Days	427

The consultant does expect a change order due to the added expense.



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

4/15/08
Date

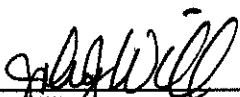


Tom Trienens, P.E.
Manager of Engineering Services, City of Prairie Village, KS

4/15/08
Date

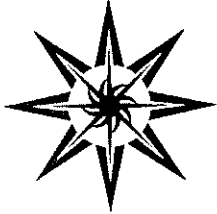
Ronald L. Shaffer
Mayor, City of Prairie Village, KS

Date



John Will
Project Manager, Radmacher Brothers Excavating Co., Inc.
Lin Weaver Construction, Inc.

4-15-08
Date



PUBLIC WORKS DEPARTMENT

Council Committee Meeting Date:
Council Meeting Date: April 21, 2008

CONSIDER

RECOMMENDATION

STAFF RECOMMENDS THE CITY COUNCIL ADOPTS CHARTER ORDINANCE #23 EXEMPTING THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, FROM THE PROVISIONS OF THE WATER POLLUTION CONTROL ACT, K.S.A. 12-3101 THROUGH K.S.A.12-3107, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS RELATING TO THE ESTABLISHMENT, OPERATION, MAINTENANCE, IMPROVEMENT, AND REGULATIONS OF SEWER SYSTEMS, INCLUDING BUT NOT LIMITED TO, STORM AND SURFACE WATER DRAINAGE SYSTEMS AND FLOOD PROTECTION WORKS, AND TO THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING FOR THE PROPERTY AND IMPROVEMENTS NECESSARY FOR ALL ASPECTS OF THESE SYSTEMS.

BACKGROUND

In early January the City Council directed staff to investigate the creation of a Drainage Utility Fund. The first step requires the City to exempt itself from K.S.A. 12-3101 through 12-3107 and providing a City code for a Drainage Utility Fund. The attached Charter Ordinance is the first step. In a few months will be presenting another Municipal Code Ordinance for the creation and management of the Drainage Utility Fund.

The first reading of this ordinance was done on April 6, 2008. The final reading and adoption will be held at the April 21st meeting.

FUNDING SOURCE

Funding will be the Public Works 2008 Operating budget.

RELATION TO VILLAGE VISION

CC1. Attractive Environment

CC1a. Evaluate street cleaning and sanitation practices to identify potential gaps in service provision. Offer supplementary services as necessary to keep streets clean.

CCS2. Parks and Green Space

CCS2a. Preserve and protect natural areas.

CFS3. Streets and Sidewalks

CFS3a. Ensure streets and sidewalks are in good condition by conducting maintenance and repairs as needed.

TR1. Bike and Pedestrian Friendly

TR1a. Ensure that infrastructure improvements meet the needs of all transportation users.

TR3. Traffic Calming

TR3a. Ensure the quality of the transportation network with regular maintenance as well as efficient responses to seasonal issues such as snow removal.

PUBLIC NOTICE

Public advertisement is required after adoption by the City Council.

ATTACHMENTS

Proposed City Charter Ordinance:

CHARTER ORDINANCE NO. 23

A CHARTER ORDINANCE EXEMPTING THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, FROM THE PROVISIONS OF THE WATER POLLUTION CONTROL ACT, K.S.A. 12-3101 THROUGH K.S.A.12-3107, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS RELATING TO THE ESTABLISHMENT, OPERATION, MAINTENANCE, IMPROVEMENT, AND REGULATIONS OF SEWER SYSTEMS, INCLUDING BUT NOT LIMITED TO, STORM AND SURFACE WATER DRAINAGE SYSTEMS AND FLOOD PROTECTION WORKS, AND TO THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING FOR THE PROPERTY AND IMPROVEMENTS NECESSARY FOR ALL ASPECTS OF THE MANAGEMENT OF THESE SYSTEMS.

WHEREAS, the City of Prairie Village, Johnson County, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, may exempt itself from the provisions of statutory enactment that is not uniformly applicable to all cities, and may adopt substitute and additional provisions thereto; and

WHEREAS, the Water Pollution Control Act, K.S.A. 12-3101, et seq., is applicable to the City, but not uniformly applicable to all cities;

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS

SECTION 01 EXEMPTION OF KANSAS STATUES

- A. The City of Prairie Village, Johnson County, Kansas (the "City"), by virtue of the powers vested in it by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself and make inapplicable to it Sections 12-3101, 12-3102, 12-3103, 12-3104, 12-3105, 12-3106, and 12-3107 of the Kansas Statutes Annotated, which apply to the City, acting as a city of the first class, and which are not uniformly applicable to all cities, and the City hereby provides further substitute and additional provisions as set forth herein.

SECTION 02 DEFINITIONS

- A. For the purpose of this Chapter Ordinance, the following words and phrases shall have the meaning ascribed to them in this section:
- a. "Person" shall mean any person, firm, corporation, association, partnership, political unit, or organization.
 - b. "Sewer", "Sewer System", and "Sewer Systems" shall mean surface water and storm sewers that exist at the time this Charter Ordinance is adopted or that are hereafter established and all appurtenances necessary in the maintenance, operation, regulation, and improvements of the same, including, but not limited to, pumping stations; enclosed sewer systems; outfall sewers; surface drains; street, curb and alley improvements associated with storm or surface water improvements; natural and manmade wetlands; channels; ditches; rivers; streams; other Stormwater conveyances; detentions and retention facilities; and other flood control facilities and works for the collection, conveyance, pumping, treating, controlling, managing and disposing of water carried pollutants or storm or surface water.
 - c. "Stormwater Customer" shall mean the owner of any real property served or benefited, whether voluntarily or involuntarily, by the function of any Sewer, Sewer System, or Sewer Systems, which captures, controls, conveys, discharges, manages, or regulates the flow or water quality of storm and surface waters within and from the City, or is served or benefited by the administration, activities and operation of the Stormwater Management Program of the City. This service or benefit shall include, but not be limited to, capturing, controlling, conveying, discharging, improving, managing and regulating the flow and water quality of storm and surface water from a property or from other properties situated at higher or lower elevations that might otherwise be subservient in right, and the administrative, planning, technical,

regulatory and enforcement actions necessary to provide these services and/or benefits.

- d. "Stormwater Management Program" means all aspects of work necessary to perform and provide storm and surface water services in the City, including but not limited to administration, planning, engineering, operations, maintenance, best management practices, control measures, public education, citizen participation, regulation and enforcement, protection, and capital improvements, plus such non-operating expenses as reserves and bond debt service coverage as are associated with provision of the Stormwater Management Program.
- e. "Stormwater Management System" means surface water and storm sewers and all appurtenances necessary in the maintenance, operation, regulation, and improvement of the same, including, but not limited to, pumping stations; enclosed storm sewers; outfall sewers; surface drains; street, curb and alley improvements associated with storm or surface water improvements; natural and manmade wetlands; channels; ditches; rivers; streams; detention and retention facilities; and other flood control facilities and works for the collection, conveyance, pumping, infiltration, treating, controlling, managing and disposing of water carried pollutants or storm or surface water.

SECTION 03 SEWER SYSTEMS: POWERS OF THE CITY

- A. The City shall have all powers necessary or convenient to plan, study, design, alter, enlarge, extend, improve, construct, reconstruct, develop, redevelop, operate, maintain, protect, manage, and regulate and enforce the proper use of a Sewer System or Sewer Systems, including the powers that the City may, from time to time, establish by way of ordinances, and/or resolutions adopted by the Governing Body of the City and including, but not by way of limitation, the following powers:
- B. To impose service, user, impact, in lieu of construction, buy in and plan review and inspection fees, special assessments, system development and other charges and/or taxes of Stormwater Customers. The method of calculating and fixing these charges and/or taxes shall be as established by regular ordinance or by rules and regulations heretofore or hereafter adopted;
- C. To provide that charges and/or taxes authorized herein, may be certified by the City Clerk to the County Clerk of Johnson County, Kansas, to be placed on the tax roll for collection, subject to the same penalties and to be collected in like manner as taxes;

- D. To use the proceeds of the charges and/or taxes authorized herein, together with any other available revenues, to pay costs of the Stormwater Management Program, including, but not limited to, the costs to plan, study, design, engineer, and operate the Stormwater Management Program, and to plan, study, design, engineer, alter, enlarge, extend, improve, construct, reconstruct, develop, redevelop, operate, maintain, manage, protect, acquire real or personal property by purchase, lease, donation, condemnation, or otherwise for, and regulate and enforce the use of a Sewer System or Sewer Systems;
- E. To use and to pledge the proceeds of the charges and/or taxes authorized herein and any available taxes, to pay the principal and interest on general obligation or revenue bonds heretofore or hereafter issued; and pending the issuance of the general obligations bonds or revenue bonds to issue temporary financing for these purposes;
- F. To contract with agencies of the federal government, the State of Kansas, other states, counties, cities, drainage districts, public bodies of the state, or other states, or with any person to jointly plan, study, design, alter, enlarge, extend, improve, construct, reconstruct, develop, redevelop, operate maintain, protect, acquire real or personal property by purchase, lease, donation, condemnation, or otherwise for a Sewer System or Sewer Systems; regulate the use of a Sewer System or Sewer Systems; and to plan, study, design, engineer, operate, administer, maintain, and manage the Stormwater Management Program;
- G. To contract with agencies of the federal government, the State of Kansas, other states, counties, cities, drainage districts, public bodies of the state, or other states, or with any person for receiving and treating storm or surface water from outside the limits of the City;
- H. To carry out the Stormwater Management Program, including, but not limited to, the power to plan study, design, engineer, design, administer, manage, and operate the Stormwater Management Program and to plan study, design, engineer, alter, enlarge, extend, improve, construct, reconstruct, develop, redevelop, operate, maintain, manage, protect, acquire real or personal property by purchase, lease, donation, condemnation, or otherwise for, and regulate and enforce the use of a Sewer System or Sewer Systems;
- I. To borrow money and to apply for and accept advances, loans, grants, contributions, or any other form of financial assistance from the federal government, the State of Kansas, other states, counties, cities, drainage districts, or any other public body for the purposes of this act, and the City may, when contracting with the federal government for financial

assistance, include in any contract the conditions impose pursuant to federal law as the City may deem reasonable and appropriate;

- J. To, under the authority granted herein, establish a stormwater utility to be accounted for as separate enterprise fund or special revenue fund of the City, as deemed reasonable and appropriate by the Governing Body of the City; and
- K. To utilize any mechanism deemed reasonable and appropriate by the Governing Body of the City to deliver billings to Stormwater Customers for services.

SECTION 04 RULES AND REGULATIONS AUTHORIZED;

- A. The City shall have the power by ordinance or resolution to adopt rules and regulations that shall relate to the management and operation of its Stormwater Management Program and Sewer System or Sewer Systems; the method of calculating and fixing the charges and/or taxes applicable to properties served by the Sewer System or Sewer Systems or activities associated therewith; security for the payment thereof, and methods and rules of collection; and the disposition of the revenue therefrom. In the event any person by the City's Sewer System or Sewer Systems shall neglect, fail, or refuse to pay service fees fixed by the Governing Body of the City, as authorized by rules and regulations adopted under authority of this section and if a billing system has been established for the delivery and collection of service fees, the City may take any action authorized by law to collect any fees that are due and owing.

SECTION 05 ISSUANCE OF SEWER SYSTEM REVENUE BONDS

- A. The Governing Body of the City shall have the power to use any unencumbered municipal revenues or to issue revenue bonds from time to time in its discretion, without an election, to finance the planning, altering, enlarging, extending improving, constructing and reconstructing of a Sewer System or Sewer Systems under this Charter Ordinance. These bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the City derived from or held in connection with its Sewer System or Sewer Systems; provided, however, that payment of these bonds, both as to principal and interest, may be further secured by a pledge of other unencumbered municipal revenues and of any loan, grant or contribution from the federal government, the State of Kansas, other states, counties, cities, drainage districts, public bodies of the state or other states or any person.

- B. Bonds issued under this section shall constitute indebtedness within the meaning of any constitutional or statutory debt limitation or restriction, and shall not be subject to the provisions of any other law relating to the authorization, issuance or sale of bonds. Bonds issued under the provisions of this Charter Ordinance are declared to be issued for an essential public and governmental purpose and, together with interest thereon and income therefrom, shall be exempted from all taxes.

- C. Bonds issued under this section shall be authorized by ordinance or resolution of the governing body and may be issued in one or more series and shall bear such date or dates, be payable of demand or mature at such time or times, bear interest at such rate or rates, not exceeding the maximum rate of interest prescribed by K.S.A. 10-1009, be in such denomination or denominations, be in such form, have such rank or priority, be executed in such manner, and be subject to such terms of redemption (with or without premium), be secured in such manner, and have such other characteristics as may be provided by such ordinance or resolution.

- D. Pending the issuance of revenue bonds authorized by this Charter Ordinance, the Governing Body of the City may issue revenue anticipation bonds of the City for the purpose of providing interim financing for a project, these revenue anticipation bonds being payable from revenue bonds issued to provide permanent financing for activities authorized by this Charter Ordinance and the income, proceeds, revenues and funds of the City derived from or held in connection with its Sewer System or Sewer Systems.

SECTION 06 POWERS SUPPLEMENTAL AND ADDITIONAL

- A. The power granted herein with respect to the Stormwater Management Program , including, but not limited to the power to plan, study, design, engineer, alter, enlarge, extend, improve, construct, reconstruct, develop, redevelop, operate, maintain, manage, protect, acquire real or personal property by purchase, lease, donation, condemnation, or otherwise for, and regulate the use of a Sewer System or Sewer Systems and to issue bonds shall be supplemental to and not amendatory of the provisions of all other laws heretofore or hereafter in force and shall not be construed to limit the City's authority under the provisions of any other laws.

SECTION 07 SEVERABILITY

- A. In the event that any portion or section of this Charter Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, that decision shall not in any manner affect the remaining portions of this section of this ordinance or chapter which shall remain in full force and effect.

SECTION 08 PUBLICATION

- A. This ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

SECTION 09 EFFECTIVE DATE

- A. This is a Charter Ordinance and shall take effect 61 days after final publication unless within the 60 days of its final publication a petition signed by a number of electors of the City of Prairie Village equal to not less than ten percent of the number of electors who voted at the last preceding regular City election shall be filed in the office of the City Clerk of the City of Prairie Village demanding an election on the Charter Ordinance, in which case the Charter Ordinance shall become effective only if and when approved by a majority of the electors voting thereon.

PASSED by the Governing Body of the City of Prairie Village, Kansas, with not less than two-thirds of the members elect voting in favor thereof on ____ day of _____, 2008.

Signed: _____

Ronald L. Shaffer, Mayor
City of Prairie Village

ATTEST:

Signed: _____

Joyce Hagen Mundy, City Clerk
City of Prairie Village

APPROVED AS TO FORM:

Signed: _____

Charles E. Wetzler, City Attorney
City of Prairie Village

PREPARED BY

S Robert Pryzby, Director of Public Works

April 17, 2008

MAYOR'S ANNOUNCEMENTS

Monday, April 21, 2008

Committee meetings scheduled for the next two weeks include:

Environmental Recycle Committee	04/23/2008	7:00 p.m.
VillageFest	04/24/2008	7:00 p.m.
Council Committee	05/05/2008	6:00 p.m.
Council	05/05/2008	7:30 p.m.

The Prairie Village Arts Council is pleased to feature an acrylics exhibit by Margaret Godfrey in the R. G. Endres Gallery for the month of April.

Recreation memberships are for sale in the City Clerk's office. The pool will open May 24th.

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

INFORMATIONAL ITEMS
April 21, 2008

1. Council Committee of the Whole Minutes - April 7, 2008
2. Tree Board Minutes - April 2, 2008
3. Mark Your Calendars
4. Committee Agenda

**COUNCIL COMMITTEE OF THE WHOLE
APRIL 7, 2008**

The Council Committee of the Whole met on Monday, April 7, 2008 at 6:00 p.m. The meeting was called to order by Former Council President David Belz with the following members present: Mayor Shaffer, Al Herrera, Bill Griffith (arrived 6:20), David Voysey, Michael Kelly, Laura Wassmer, Pat Daniels (arrived 6:15), Charles Clark and Diana Ewy Sharp. Staff members present: Quinn Bennion, City Administrator; Wes Jordan, Chief of Police; Bob Pryzby, Director of Public Works; Katie Logan, representing the City Attorney; Karen Kindle, Finance Director; Dennis Enslinger, Assistant City Administrator; Chris Engel, Assistant to the City Administrator; Captain Wes Lovett, Captain Tim Schwartzkopf, Nicholas Sanders, Human Resources Specialist and Joyce Hagen Mundy, City Clerk.

David Belz noting a quorum of the Council not yet being presented opened the meeting with the presentation of the 2009 Budget Outlook.

Quinn Bennion stated the 2009 budget process is designed to be an involved process. He expressed appreciation to staff for their involvement, particularly Chris Engel and Karen Kindle. The purpose of the presentation is to share information and set the tone for the development of the 2009 budget. No budget decisions are being requested at this time.

Chris Engel began with a graphic presentation of workings of municipal finance explaining the revenue sources available to the City and their relationship to the different City funds. He noted funds are the control structure that ensures public moneys are used for the purposes authorized and within the amount authorized. Mr. Engel showed the following revenue sources which feed into the General Operating Fund:

- Tax Sources - Property, Motor vehicle, Use and Liquor
- Sales Tax - County, Local & Specialty
- Charges for Services - Mission Hills contract, SRO
- Franchise Fees - KCP&L, Gas, Telecable, Communications, etc.
- Intergovernmental - Grants
- Licenses & Permits - Occupational licenses & Building permits

Mr. Engle noted some revenue sources are specifically designated for non-general funds such as:

- Waste Collection Charge for Services to Solid Waste Fund
- SMAC & CARS grants to Capital Projects Fund
- Intergovernmental Gasoline Tax - Special Highway Fund
- 1/3 of Liquor Tax to Park & Recreation Fund
- 1/3 of Liquor Tax to Alcohol diversion Fund

Mr. Engle stated expenditures are made directly from the funds for the purchase of goods and services or monies are transferred between funds and then expended as designated. He provided examples explaining the process and closed with a visual reflection of how total tax monies are distributed, demonstrating the small share of the funds actually returned to the City.

Trends & Projections

Finance Director Karen Kindle reviewed total General Fund Revenue 2003 to 2009 Projected, explaining the reasons for the changes in revenue over the years. Based on current figures available, staff estimates an increase of 1.5% in revenue for 2008 and projects a decrease of 2.8% for 2009. It was noted the projected decrease is due to the sunset of the School sales tax and related use tax. Although there is a county-wide sales tax imitative on the ballot for August and if approved, cities would receive 36% of the funds raised. Quinn Bennion noted the formula for distribution is based on property mill levy and City population. Neither the school sales tax nor county-wide sales tax potential revenue is included in these calculations.

A chart of property taxes received from 2003 ending with the 2008 projections reflects a slow steady growth from increases in appraised value of property. A significant increase is shown from 2007 to 2008 because of the 2 mill increase included in the 2008 budget. Karen Kindle stated the County Appraiser is projecting a 2.93% increase in appraised values within the City. Staff is currently using a more conservative estimate of 2.5% increase to account for appeals..

Karen Kindle reviewed a dollar breakdown on the total mill levy assessment of the average Prairie Village home, which was graphically demonstrated earlier in the presentation. The Prairie Village resident residing in a \$221,344 home pays only \$39 a month to the City for all of the services provide by the city.

Historically sales tax revenue has been flat for the City with changes of less than 1.5% for the past five years. With the expiration of the school sales tax on December 31, 2008, the city will lose approximately \$390,000 a year. Thus an 8.7% decrease is projected for 2009. Franchise fees are also project to decline slightly in 2009.

General Fund Expenditures increased over 50% between 2003 and 2007. Spikes in 2003/2004, 2005/2006 and 2006/2007 are related to significant increase in transfers from the General Fund to other funds, the majority of which are made the Capital Projects Fund. Karen noted 2007 Transfers also included \$1,492,000 to the Economic Development Fund and \$85,000 to the Risk Management Fund.

The following additional general information was presented to the Council:

- 2009 budget calendar. It was noted the only special meeting scheduled was June 9th.
- A comparison of general fund revenue sources reflected the mix of sources has changed very little over the past five years.
- A mill levy comparison of Johnson County cities reflecting how the city stood in relation to neighboring cities.
- Graphic displays of Sales tax projections by type and General Fund other revenues projections.
- Graphic display of General Fund Expenditures by character reflected that personnel services will continue to increase to be a major city expenditure
- A graph of City debt showed the City would be debt free in 2014 and essentially debt free in 2011.
- A graph reflecting a summary of Economic Development Incentives Granted by the City was presented as well information on the potential impact of issuing general obligation bonds.

Quinn Bennion reviewed a chart comparing revenues to expenditures and reflecting the city's fund balance for the past five years. The fund balance in 2006 was very healthy and he acknowledged the previous councils' decision to expend some of that for additional infrastructure improvements and projects. However, 2007 and 2008 budgets both had expenditures greater than revenue causing a decrease in the fund balance. Projections indicate if changes are not made the fund balance will be at the established 15% required reserve in 2009. Mr. Bennion stated the challenge before the City is to keep city revenues above expenditures.

The growth in property taxes experienced from 2003 to 2006 resulted from increasing appraisals and new construction growth in Johnson County at a rate of 5 to 7 percent. The 2008 projected increase in property values county-wide is 3% with Prairie Village predicted to be 2.5%. Therefore, the City is looking at a reduction in services and expenditures or an increase in revenue sources. As noted in the earlier presentation, personnel costs represent a large portion of the City's budget. These must be balanced, while remaining competitive. Staff will be submitting their department requests in April. Mr. Bennion stated during the first meeting in May a general budget will be presented focusing on the large ticket items.

Mr. Bennion noted the following steps are potential solutions to address the current deficit:

- Increase the equipment reserve to balance the spikes caused by large item purchases.
- Address IT needs with the formation of an IT committee to monitor and recommend IT purchases/changes.
- Explore options to address rising health insurance costs
- Implement the proposed storm water management fee
- Status of the school tax expiration
- Impact of the potential Johnson County jail tax
- Review charges for services such as licenses, permit & inspection fees

Staff is continuing to look for solutions.

Al Herrera confirmed the alcohol tax funds received by the City must be spent as designated.

Laura Wassmer stated she liked the chart showing the impact of issuing general obligation bonds, but would like to have columns added reflecting the direct costs to a Prairie Village resident.

Charles Clark asked if the protest process for property taxes would be completed before the budget needed to be submitted. Karen Kindle responded the City would have accurate figures before the final adoption of the budget.

Quinn Bennion advised the Council the impact of a mill increase can be generally considered to increase a resident's taxes by \$25 per mill.

Diana Ewy Sharp asked if the new budget software approved by the Council was being used. Mr. Bennion stated the software has not been purchased yet and in order to do a thorough review and analysis of the software, it will probably not be purchased until fall. This budget will be created using the existing financial systems.

Quinn Bennion directed the committee to page 48 for a review of economic development incentives approved by the City in the past. This information was prepared as background information to assist the Council in their consideration of anticipated economic development incentive requests.

Pat Daniels commended staff stating this was one of the cleanest and clearest budget presentations in his four years on the City Council. Although the data is somewhat troubling, it is good to have the information. He encouraged the City to not continue as in the past, but to position the City for the future. He feels this will take flexibility and different ways to finance programs.

Mr. Bennion advised part of the Finance Committee's lengthy discussion was to consider long-term solutions that can be looked at to maintain sales tax, capture retail sales and encourage appraisal growth.

***COU2008-31 Consider Project 190721: 2009 Storm Drainage Repair Program Design Agreement**

Bob Pryzby presented the 2008 Storm Drainage Repair Program Design Agreement with George Butler Associates in the amount of \$34,400. He noted this is for the concept phase only. An engineering change order will be executed for the remaining phases (Preliminary Design, Final Design and Bidding Services) after the scope of the project is clearly defined. The City Council selected George Butler Associates for the design of the 2008 Storm Drainage Repair Program with the option of design work for a second year. Their work in 2008 was good and staff recommends continuing with them. Requests for Proposals will be made at the end of this year for design services for the 2010 Program.

Funding is available in the Capital Infrastructure Project in Project 190721: 2009 Storm Drainage Repair Program.

Diana Ewy Sharp made the following motion, which was seconded by Laura Wassmer and passed unanimously:

**RECOMMEND THE CITY COUNCIL APPROVE THE DESIGN AGREEMENT WITH GEORGE BUTLER ASSOCIATES FOR PROJECT 190721: 2009 STORM DRAINAGE REPAIR PROGRAM IN THE AMOUNT OF \$34,400.00.
COUNCIL ACTION TAKEN
4/7/2008**

***COU2008-32 Consider Project 190864: 2008 Street Resurfacing Program Engineering Change Order #6**

Bob Pryzby reported the number of snow and ice events experienced this winter has been extremely tough on City streets. As part of the department's continued evaluation and inspection of streets that significant changes needed to be made to the city's priority listing. Homestead Drive from Roe Avenue to Mission Road suffered some major deterioration and is

in need of major pavement repairs. Due to both the number and severity of pavement failures, Mr. Pryzby felt it would not be cost effective to make isolated repairs.

Due to the low bids received for the 2008 Street Resurfacing Program, there is funding available under Project 190864 that could be used for the design of Homestead Drive. This design would start immediately and a decision would be made later as to when funds would be available for this street to be reconstructed. The intention would be to add it to this year's program as funding should be available if no major construction change orders are received.

David Voysey asked why the design of repairs on one street was so costly. Mr. Pryzby responded this will be a total reconstruction requiring utility relocation and survey, which is not needed for repair projects.

Al Herrera made the following motion, which was seconded by Laura Wassmer and passed unanimously:

**RECOMMEND THE CITY COUNCIL APPROVE ENGINEERING CHANGE
ORDER #6 WITH HNTB CORPORATION FOR AN INCREASE OF
\$36,600 TO PROJECT 109864: 2008 STREET RESURFACING PROGRAM
COUNCIL ACTION TAKEN
4/7/2008**

Village Vision

Pat Daniels reported the 75th Street Technical Committee, which consists of representatives of the Police Department, Fire Department, Kansas City, Missouri; Overland Park, Dennis Enslinger, Bob Pryzby and Ron Williamson, met to work out the details of the first public work session to be held on Tuesday, April 22nd. The work session will include a presentation by HNTB of other street redevelopments with the purpose being to generate thought and discussion. Following the presentation there will be breakout sessions to share ideas.

The 75th Street Steering Committee will meet on April 15th for further discussion of the work session. Dennis Enslinger reviewed the proposed methods of communication that will be used to get information to the public. A brochure will be created listing all the scheduled meeting dates and the process. This will be distributed via e-mail to those requesting web-mail from the city as well as all city committee members. It will also be placed on the city's website. All of the licensed businesses located on 75th Street will be sent notification of the meetings as well residential property owners within two streets of the corridor. The city will use both yard signs and public banners to advertise. The possibility of distributing buttons with (VV75) for general publicity of the process and to raise interest was discussed.

Quinn Bennion advised the Council that Pat accepted the Mayor's request to remain as chairman of the 75th Street Steering Committee.

Committee Reports

Insurance Committee

Charles Clark reported the committee recently met to consider renewal of the City's Property and Casualty insurance coverage. The committee was pleased to also welcome a newly appointed member to the committee.

The City received four quotes for coverage. Only 1 quote was received when bid two years ago. The committee is recommending continuing coverage with Travelers whose low quote was \$50,000 less than the premium costs this past year and \$80,000 less than the previous year. This is the result of an improved loss record, an improved insurance market and the establishment of the risk reserve allowing the city to have higher deductibles.

Mr. Clark added that the new program includes for the first time Terrorism Coverage. Previously this coverage was extremely costly and did not include "domestic terrorism coverage". He stated he will be requesting official action at the City Council meeting.

Bill Griffith asked if the \$85,000 in the risk reserve fund will stay at that amount or if more funds will be added. Quinn Bennion replied additional funds would be recommended in the 2009 budget. He would like to see it built to an established level to ensure that the City has adequate reserves and keep it at that level. He does not anticipate adding funding every year

Sister City Committee

Michael Kelly stated since September of 2006, the Sister City Committee has been working towards establishing a Sister City relationship with the City of Dolyna, Ukraine. Last month, the City Council authorized Mayor Shaffer to send a formal letter of invitation to Dolyna's Mayor.

Cleo Simmonds with the Sister City Committee reported the City has received a letter of acceptance from the City of Dolyna to become a Sister City with Prairie Village by a unanimous vote of their City Council. Laura Wassmer thanked the Sister City for their work in bringing about this relationship.

Staff Reports

Public Works - Bob Pryzby

- Roe Avenue will be closed for approximately a month from 91st Street to Somerset. Access will be provided to Franklin Park.
- The Council will be receiving a traffic calming request for Chadwick & 71st Street.
- Mr. Pryzby stated he met with 20 residents interested in the City's Islands. There will be another meeting with the group that will discuss more specifically what can be done on islands. .

Public Safety - Tim Schwartzkopf

- Reported on the City's meeting with Shawnee Mission East & school district representatives regarding the SME Addition and related parking concerns. Currently there are 823 parking spaces available. With the completion of the City's parking lot

project there will be 835 parking spaces available in the summer of 2008. At the completion of the construction in the summer of 2009, there will be 890 parking spaces, representing a gain of 67 spaces.

Diana Ewy Sharp noted the City constructed parking area contains 119 spaces and questioned by the net gain of parking spaces was only 67 spaces. Captain Schwartzkopf responded the reconfiguration of the drop off lane causes the loss of some of the current parking spaces but provides a better traffic flow within the parking lot. Chief Jordan noted the 2009 senior class is smaller than the existing class which will reduce the need for parking spaces. Mrs. Ewy Sharp expressed her disappointment and frustration that only 67 additional parking spaces will be realized from the City/SME parking expansion.

Codes Administration - Dennis Enslinger

- The City participated in a Home Renovation Workshop last weekend at Shawnee Mission North High School with other Northeast Johnson County cities and Overland Park. About 30 information packets were given out to Prairie Village residents and staff had consultations with 18 homeowners regarding potential home projects.
- Home Exterior Grant Program information was also handed out and is not available on the city's website. The City will begin receiving applications on April 14th.
- MARC has prepared a "Green Idea Book" containing environmentally friendly changes that can be made. This is available to residents free of charge at City Hall.
- The Prairie Village Earth Day Celebration is this Saturday, April 12th at Shawnee Mission East. There will be speakers, booths, recycling opportunities, etc.
- The Meadowbrook application was heard by the Planning Commission on April 1st and continued to May 6th with the applicant being requested to present additional information requested by the Commission. Public comment will be allowed on those items specifically requested by the Commission. The application should be forwarded to the City Council in May or early June.

City Administrator - Quinn Bennion

- Staff will meet with the new Councilmembers over the next few weeks for training.
- Pat Daniels has agreed to continue as chair of the 75th Street Steering Committee.
- The Annual Report is being review and will be distributed shortly.

With no further business to come before the committee, Acting Council President David Belz adjourned the meeting at 7:15 p.m.

David Belz
Acting Council President

TREE BOARD
City of Prairie Village, Kansas

MINUTES

Wednesday – April 2, 2008, 6:00PM Meeting
Public Works – Conference Room
3535 Somerset Drive

Board Members in Attendance: Cliff Wormcke, Jack Lewis, Jim Hansen, Greg VanBooven, Deborah Nixon, Tony Rostberg

Other Attendees: Bob Pryzby

- 1) **Review and Approve minutes from March, 5, 2008 meeting.** – Minutes approved two corrections of dates on a motion by Jim Hansen and Jack Lewis

- 2) **Sub-Committee Report**
 - 2.1) **Fall Seminar**
 - a) **Scheduled for October 1, 2008 at 7:00 in the Council Chamber at City Hall.** – Greg VanBooven suggests a presentation be made about the carbon and economic impact of city trees. The Board agreed.
 - 2.2) **Arboretum Committee**
 - a) **Tree selection process for arboretum signage.** No report.

- 3) **Earth Day update – Deborah Nixon** – Deborah passed around a sign-up sheet for Board members to schedule their time at the event. She also reported that she and Luci had divided the chores for the events. Luci was preparing some hand-outs.

- 4) **MARC Tree Report** – Bob will do a summary.

- 5) **Update Roster Information** – The roster is updated.

- 6) **Old Business** – Bob reported that the Mayor will be signing a proclamation recognizing Arbor Day. The City celebration will be on May 3 at 10AM at Franklin Park near the Rose Garden.

- 7) **New Business**

- 8) **The next meeting agenda** – May 7th at 6PM at Public Works

**Council Members
Mark Your Calendars
April 21, 2008**

April 2008	Margaret Godfrey acrylics exhibit in the R. G. Endres Gallery
April 29	Shawnee Mission School District Annual Recognition Luncheon, Overland Park Convention Center
May 2008	Marearl Denning photography and ceramics exhibit in the R. G. Endres Gallery
May 5	City Council Meeting
May 9	Artist reception in the R. G. Endres Gallery 6:30 to 7:30 p.m.
May 19	City Council Meeting
May 26	City offices closed in observance of Memorial Day
June 2008	Steve Karol digital art exhibit in the R. G. Endres Gallery
June 2	City Council Meeting
June 13	Artist reception in the R. G. Endres Gallery 6:30 to 7:30 p.m.
June 16	City Council Meeting
July 2008	Senior Arts Council exhibit in the R. G. Endres Gallery
July 4	City offices closed in observance of Independence Day
July 4	VillageFest
July 7	City Council Meeting
July 11	Artist reception in the R. G. Endres Gallery 6:30 to 7:30 p.m.
July 21	City Council Meeting
August 2008	Venus Auxier botanical art exhibit in the R. G. Endres Gallery
August 4	City Council Meeting
August 8	Artist exhibit in the R. G. Endres Gallery 6:30 to 7:30 p.m.
August 18	City Council Meeting
September 2008	Images Group Show mixed media exhibit in the R. G. Endres Gallery
September 1	City offices closed in observance of Labor Day
September 2 (Tues.)	City Council Meeting
September 12	Artist reception in the R. G. Endres Gallery 6:30 to 7:30 p.m.
September 15	City Council Meeting
September 23	Shawnee Mission Fall Breakfast at the Overland Park Convention Center
October 2008	State of the Arts exhibit in the R. G. Endres Gallery
October 6	City Council Meeting
October 10	Artist reception in the R. G. Endres Gallery 6:30 to 7:30 p.m.
October 20	City Council Meeting
November 2008	Mid-America Pastel Society exhibit in the R. G. Endres Gallery
November 3	City Council Meeting
November 7	Artist reception in the R. G. Endres Gallery 6:00 to 8:00 p.m.
November 17	City Council Meeting
November 27	City offices closed in observance of Thanksgiving
November 28	City offices closed in observance of Thanksgiving

December 2008 Tom Wilson, Melanie Nolker & Wendy Taylor mixed media exhibit in the R. G. Endres Gallery 6:30 to 7:30 p.m.
December 1 City Council Meeting
December 5 Mayor's 2008 Holiday Party
December 12 Artist reception in the R. G. Endres Gallery 6:30 to 7:30 p.m.
December 15 City Council Meeting
December 25 City offices closed in observance of Christmas

COMMITTEE AGENDA

April 21, 2008

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 1st Quarter 2001)
COM2000-04 Consider the installation of marquees banners at City Hall to announce upcoming civic events (assigned Strategic Plan for 1st Quarter of 2001)

COUNCIL COMMITTEE

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)
COU2007-02 Consider Reducing size of Council & term limits for elected officials (assigned 1/8/2007)
COU2007-27 Consider Project 190864 - 2008 Paving Program (assigned 3/9/2007)
COU2007-33 Consider Project 190719: 2008 Storm Drainage Repair Program (assigned 4/11/2007)
COU2007-35 Consider reactivation of Project 190709: 83rd Street/Delmar Drainage Improvements
COU2007-40 Consider Code Enforcement - Interior Inspections (assigned 5/2/2007)
COU2007-49 Consider Project 190868: Roe - 91st to Somerset Drive (assigned 6/27/2007)
COU2007-54 Consider Project 190708: Tomahawk Road / Nall to Roe (assigned 8/26/2004)
COU2007-62 Consider Construction of Additional Parking at Shawnee Mission East (assigned 10/12/2007)
COU2007-74 Consider reactivation of Prairie Village Development Corporation (assigned 12/3/2007)
COU2008-01 Consider Project SP105: 2008 Crack Seal/Slurry Seal Program (assigned 12/31/2007)
COU2008-02 Consider Project SP107: 2008 Street Repair Program (assigned 12/31/2007)
COU2008-03 Consider Project 191022: 2008 Concrete Repair Program (assigned 12/31/2007)
COU2008-15 Consider 2009-2013 CARS Application (assigned 2/12/2008)
COU2008-16 Consider Project 190864: 2008 Street Resurfacing Program, Project 190868: Roe Avenue - 91st Street to Somerset Drive (CARS) and Project 190863: SME High School Parking lot expansion (assigned 2/12/2008)
COU2008-19 Consider Interlocal Agreement for Johnson County Transportation Cooperation Council (TCC) (assigned 2/14/2008)
COU2008-21 Consider Design Agreement for Project 190865: 2009 CARS - Roe Avenue Resurfacing from Somerset Drive to 83rd Street (assigned 2/26/2008)
COU2008-22 Consider Design Agreement for Project 190890: 2009 Street Resurfacing Program (assigned 2/26/2008)
COU2008-25 Consider Design Agreement for Project 190871: Mission Lane Bridge Replacement (assigned 2/27/2008)
COU2008-27 Consider Construction Administration Agreement for Project 190864: 2008 Paving Program, Project 190868: CARS Program on Roe Avenue and Project 190719: Storm Drainage Repair Program (assigned 2/27/2008)
COU2008-29 Discussion of Cell Tower Regulations (assigned 3/19/2008)
COU2008-31 Consider Project 190721: 2008 Storm Drainage Repair Program Design Agreement (assigned 3/31/2008)
COU2008-32 Consider Resolution Authorizing the Mayor to Submit a Phase 1 Safe Routes to School Grant Application for FY 2009 (assigned 4/17/2008)

PARKS AND RECREATION COMMITTEE

PK97-26 Consider Gazebo for Franklin Park (assigned 12/1/97)

PLANNING COMMISSION

- 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 2nd Qtr 2001)
- PC2007-01 Study City zoning regulations to address those items identified by the Village Vision Strategic Investment Plan in 2007 (assigned 8/20/2007)
- PC2008-01 Consider Cell Tower Policy (assigned 3/19/2008)

PRAIRIE VILLAGE ARTS COUNCIL

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