

CITY OF PRAIRIE VILLAGE

January 19, 2010

**Committee Meeting
6:00 p.m.**

**Council Meeting
7:30 p.m.**



City Council Meeting

January 19, 2010



Dinner will be provided by:
Dragon Inn

Beef and Broccoli
Shrimp with Seasonal Vegetables
Sweet and Sour Chicken

Dessert

COUNCIL COMMITTEE
Tuesday, January 19, 2010
6:00 p.m.
Council Chambers

AGENDA

MICHAEL KELLY, COUNCIL PRESIDENT

AGENDA ITEMS FOR DISCUSSION

Presentation on Exterior Grant Program
Dennis Enslinger

COU2010-04 **Discussion regarding Public Works Director Selection process**
Quinn Bennion

COU2010-03 **Discussion of possible special sales tax vote and schedule for parks**
and recreation funding

***Council Action Requested the same night**

2009 Exterior Grant Program Overview

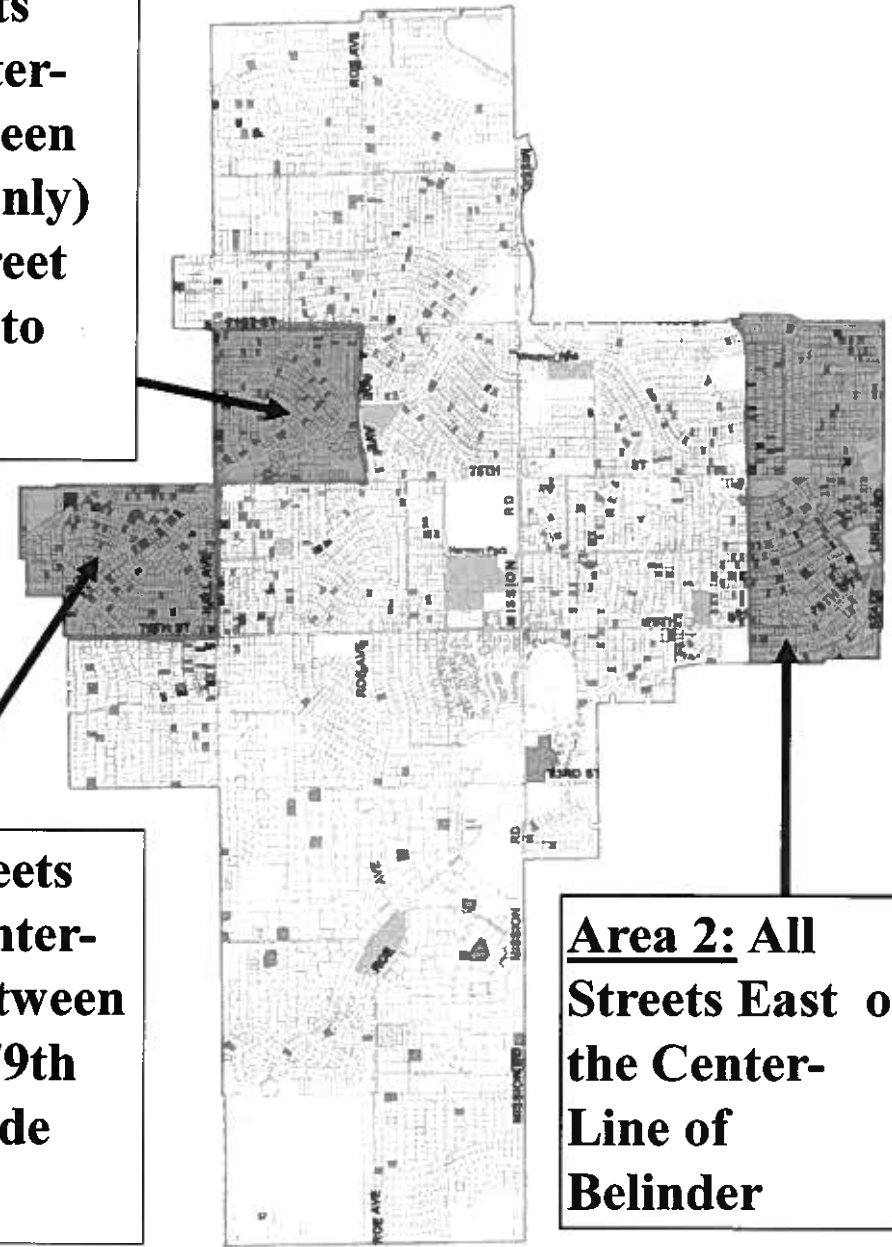


2008 Exterior Grant Boundaries

**Area 1: All Streets
West of the Center-
Line of Roe between
71st (south side only)
Street to 75th Street
(north side only) to
75th Street**

**Area 3: All Streets
West of the Center-
Line of Nall between
75th Street to 79th
Street (north side
only)**

**Area 2: All
Streets East of
the Center-
Line of
Belinder**

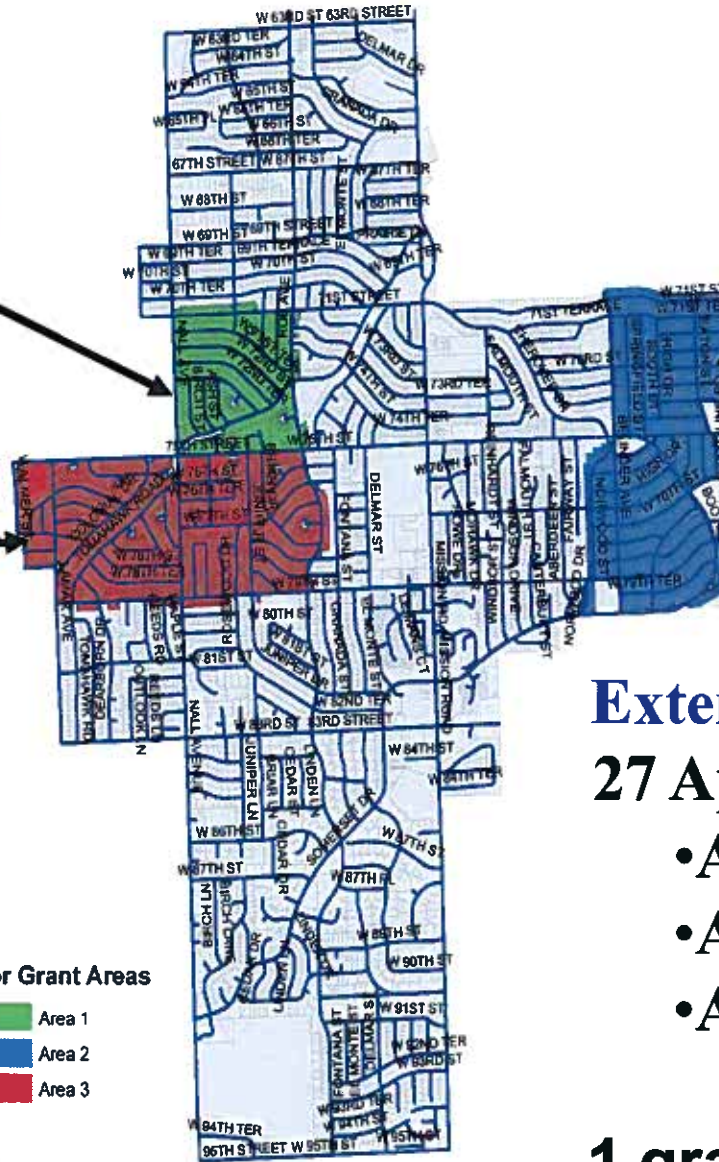


City of Prairie Village
Exterior Grant Program

#1 All P.V.
addresses
from 71st to
75th from Nall
East to Roe.

#2 All P.V.
addresses on
Belinder and
Norwood, 71st
to Somerset,
East to State
line.

#3 All P.V.
addresses
from 75th to
79th Walmer
East to Roe.



Exterior Grants 2009

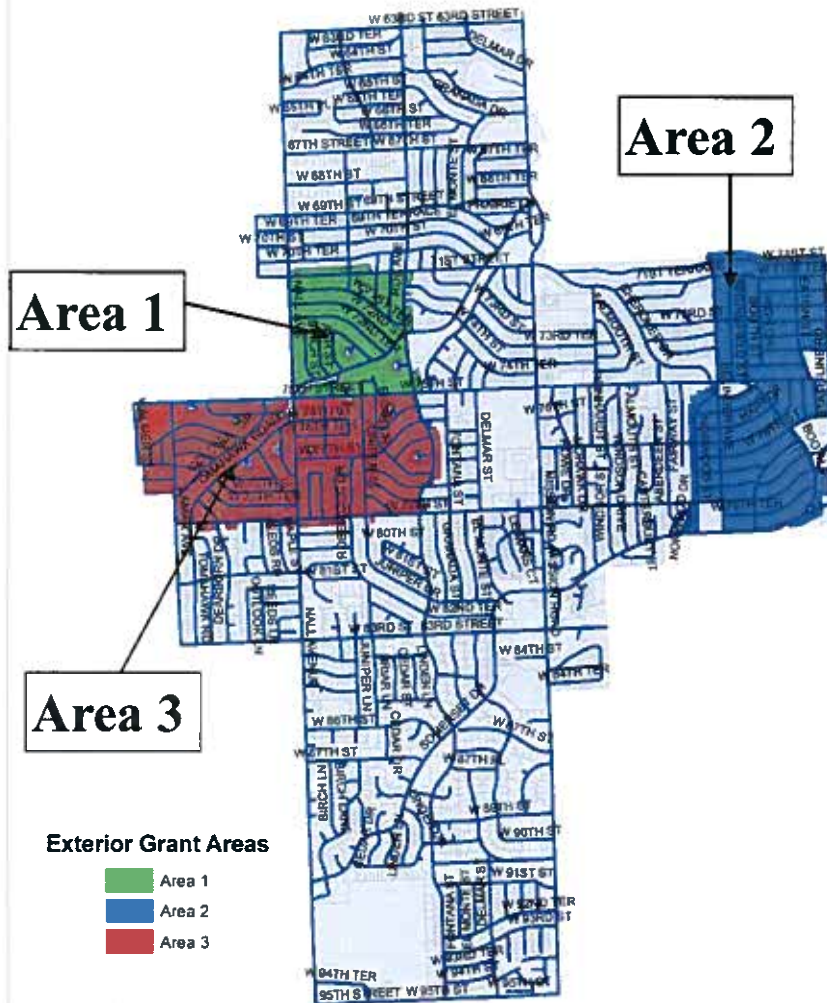
27 Approved Grants

- Area 1 - 7 grants
- Area 2 - 10 grants
- Area 3 - 10 grants

1 grant application not
completed

Value of Improvements

City of Prairie Village
Exterior Grant Program



Status as of 1-6-10 on 2009 Projects

23 Projects completed

\$42,984.37 City investment

\$235,657.06 Resident investment

Total Investment of \$237,774.14

Area 1

Total Investment: \$82,264.04

Area 2

Total Investment: \$76,013.67

Area 3

Total Investment: \$79,496.43

Project Types

- 2 Additions
- 4 Roofs
- 8 Repaired siding and painting
- 9 Complete or partial window replacements
- 3 Garage doors/Entry
- 4 Driveways
- 2 Foundation repairs

5123 W 76th Terrace



Before

5123 W 76th Terrace



5123 W 76th Terrace



After

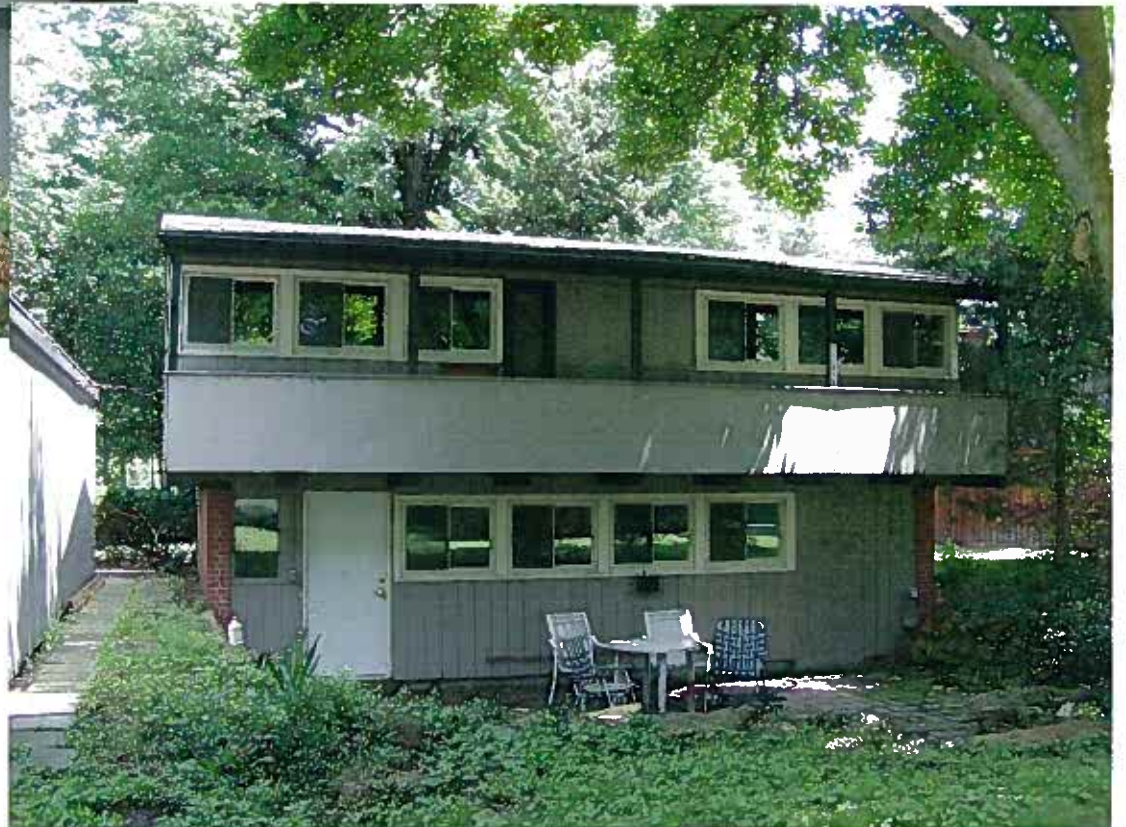
- **Replaced siding and replaced trim on doors and windows**
- **New Roof**
- **New exterior lighting**
- **Replaced windows**
- **Repaired Foundation**

7344 Roe Circle



Before

7344 Roe Circle



Before

7344 Roe Circle

- **New roof**
- **New windows**
- **New Siding**



After

7344 Roe Circle



After

7216 High Drive



Before

7216 High Drive



Before

7216 High Drive



- New Driveway and front walkway
- Landscaping on walkway

After

7216 High Drive



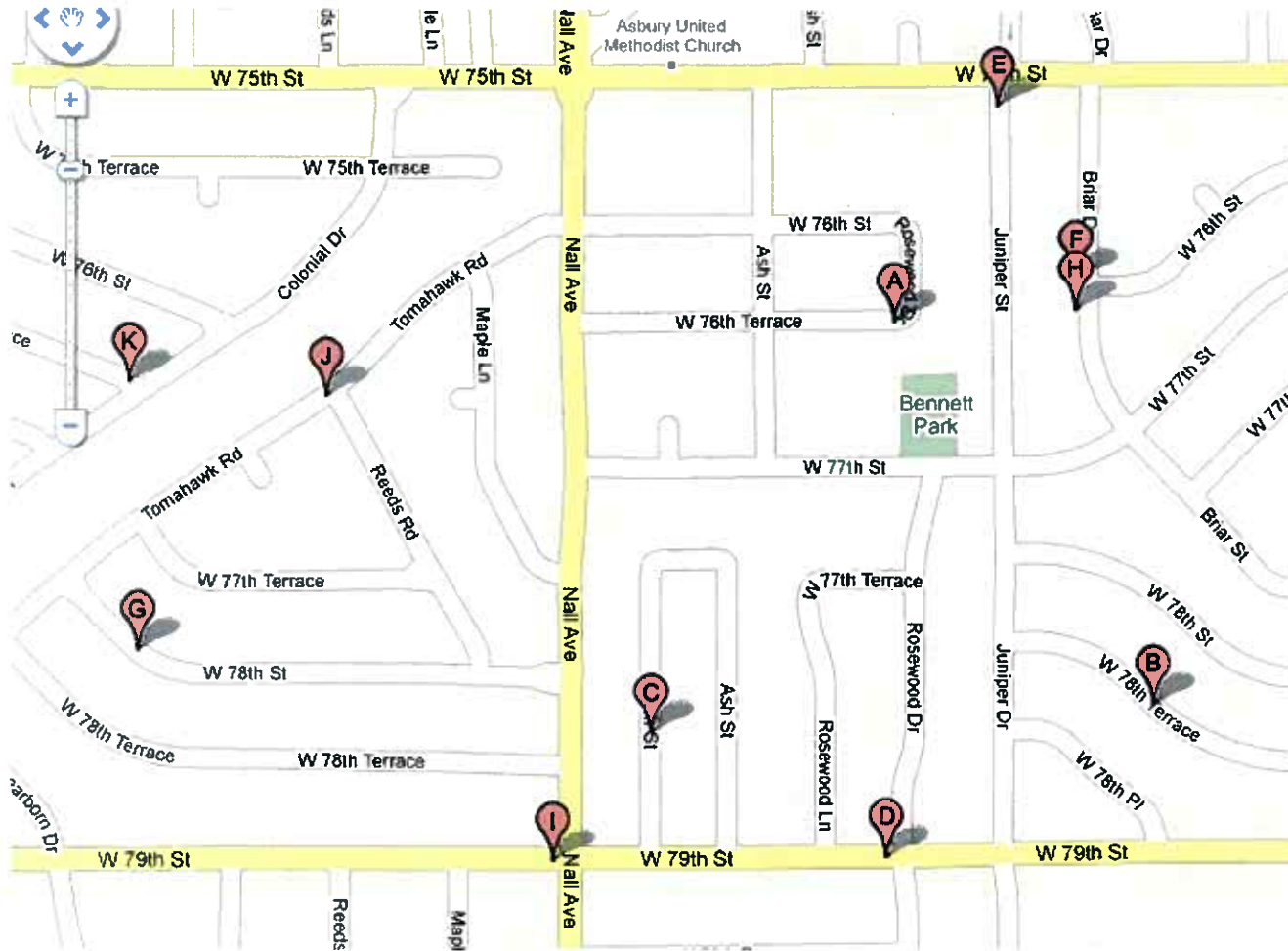
After

Area 1: 2008 & 2009 Grant Recipients



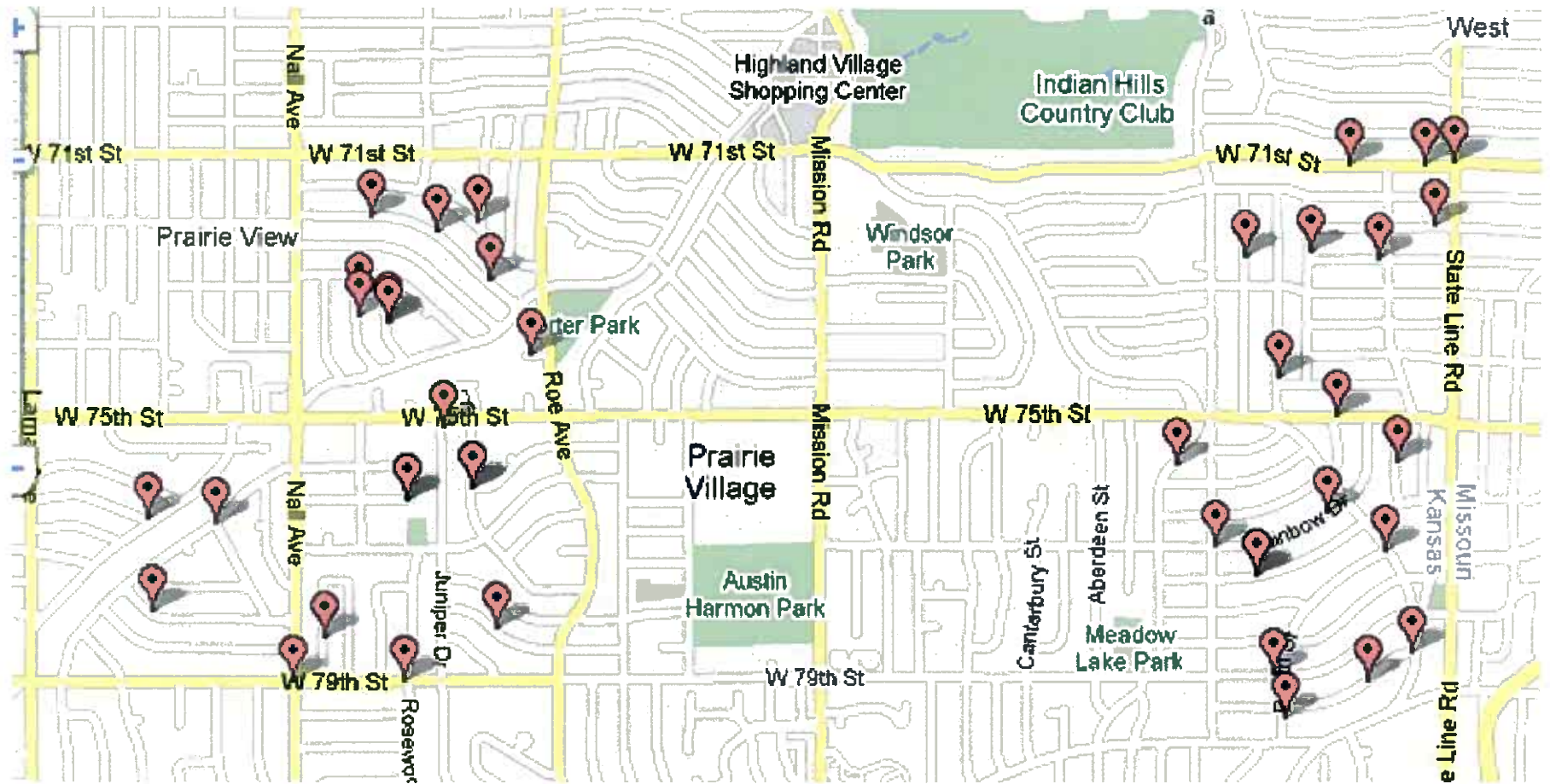
- A. 7346 Rosewood
- B. 5305 W 72nd St
- C. 4918 W 71st Ter
- D. 7344 Roe Cir
- E. 7325 Ash
- F. 4912 W 72nd St
- G. 7340 Ash
- H. 7351 Rosewood
- I. 5108 W 72nd St

Area 3 2008, 2009 Grant Recipients



- A. 5117 W 76th Ter.
- B. 4920 W 78th Ter.
- C. 7815 Birch
- D. 5209 W 79th St
- E. 7516 Juniper
- F. 7600 Briar
- G. 5924 W 78th St
- H. 7604 Briar
- I. 5515 W 79th St
- J. 7633 Tomahawk Rd
- K. 5914 W 76th Ter.

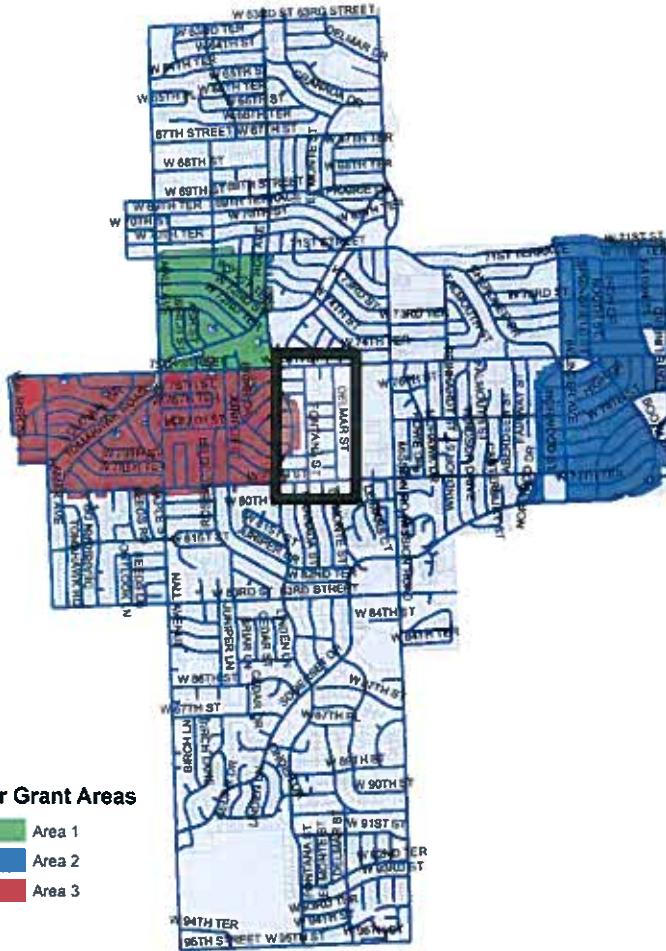
City Wide Grant Recipients 2008 and 2009



Recommendations

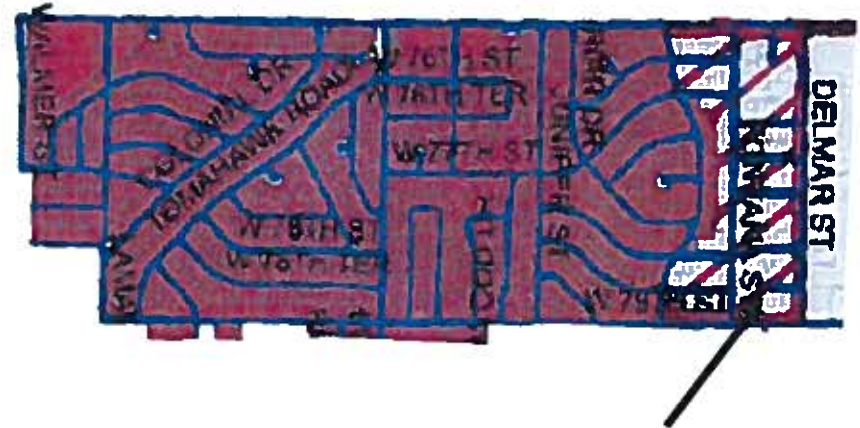
Minor Boundary Changes

City of Prairie Village
Exterior Grant Program



Exterior Grant Areas

- Area 1
- Area 2
- Area 3

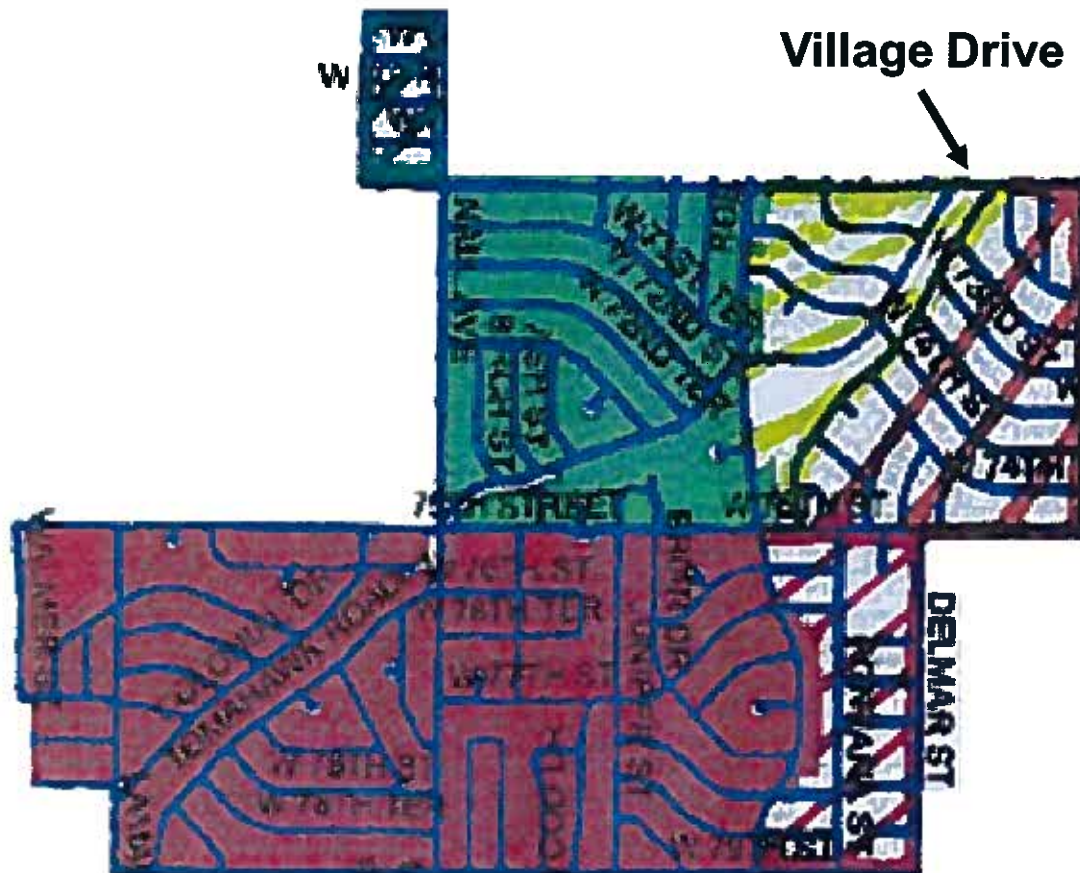


- Extend Area 3 east to Delmar

Area 3 is currently bounded by 75th St to 79th St, Walmer to Roe



Other Possible Changes



- The area bound from 71stst to 75thst from Roe to Village Drive could benefit from the grant program
- The area could be extended to Mission Road to cover the whole neighborhood, but most properties in the entire area are well maintained

Conclusion

2008 Program

- The City awarded \$30,133 of the \$37,500 budgeted

2009 Program

- The City has awarded \$42,984, to date, of the \$50,000 budgeted. 3 projects are awaiting completion.

2010 Program

- City Council budgeted \$50,000



COUNCIL COMMITTEE

Council Committee Meeting Date: January 19th, 2010

Agenda Item: Discussion regarding Public Works Director selection process.

SUGGESTED MOTION

Council direction is requested regarding the Public Works Director selection process. Options are outlined below. The decision can be postponed to a future meeting unless Council desires to move more quickly to find a replacement.

If Council desires to move more quickly, the suggested motion is:

I move that the City Council proceed with the recruitment of the Public Works Director position as outlined in Option #__ .

BACKGROUND

At the last meeting, Keith Bredehoeft was appointed the Interim Public Works Director to fill the vacancy left by Bob Pryzby's retirement. The appointment enables the Council and staff the time to develop and participate in a selection process for a new Director. To help with the 2010 budget, the voluntary separation offer anticipated a short-term vacancy in the position of four to five months.

In 2007, City Council secured Mercer Group, Inc., headquartered in Atlanta, GA, to conduct three executive searches: Police Chief, City Administrator and Public Works Director. The Police Chief and City Administrator searches were conducted by Mercer Group in 2007. The agreement anticipated the third search at a future date at the established price of \$13,500 plus not-to-exceed expenses of \$5,500. The 2nd and 3rd searches were discounted as a result of selecting Mercer Group for all three searches.

The City Attorney has reviewed the 2007 agreement with Mercer Group. The agreement with the proposed price is still valid, yet it does not obligate the City to use Mercer for the third search. If the City does not use Mercer Group for the PW Director search, the City is likely obligated to reimburse Mercer for the full cost of the second search (no discount). The differential amount is approximately \$1,500.

If a search is conducted, Mayor anticipates forming a similar search committee as was used for the Police Chief and City Administrator search including staff, Council and residents.

Council direction is desired. Options include:

- 1) Secure Mercer Group, Inc. to conduct the search as anticipated in 2007. The fees for the search are \$13,500 plus expenses up to \$5,500.
- 2) Secure another executive search firm to conduct the search.
- 3) Conduct the search with in-house resources provided by the Council and city staff. This is a similar process used for the recruitment of the Assistant City Administrator search (March 2008) and the CIP Project Manager search (June 2009). The positions were advertised regionally and nationally and with the process managed and coordinated by city staff and Council. If this option is selected, the direct costs would be minimal.
- 4) Not conduct a search and select an internal candidate. If no search is conducted, the City is not obligated to reimburse the discount of the second search.

The City Administrator recommends Options #1 and #3 be considered. It is also recommended that the search take place in early summer to: 1) work through the 2011 budget and 2010 bond projects with minimal disruptions and 2) help with budget relief anticipated as part of the voluntary separation offers.

FUNDING CONSIDERATIONS

The expenses of hiring Mercer (or another search firm) are not included within the 2010 budget and would need to be approved from General Fund contingency.

To help with the 2010 budget, the voluntary separation offer anticipated a short-term vacancy in the position. If a Director is hired sooner than June, the salary and benefits would need to be funded from General Fund contingency.

ATTACHMENTS

- Agreement with Mercer Group, Inc. dated Jan. 2, 2007 for services related to three executive searches: Police Chief, City Administrator and Public Works Director.

Prepared By:

Quinn Bennion

City Administrator

Date: Jan. 15, 2010

AGREEMENT

This AGREEMENT, made as of this 2nd day of January, 2007, by and between **THE MERCER GROUP, INC.** and the **CITY OF PRAIRIE VILLAGE, KANSAS**, a municipal corporation.

WITNESSETH:

WHEREAS, the City of Prairie Village, Kansas, (hereinafter referred to as the "City") has made a request for proposals in November, 2006, to hire an executive recruiter to conduct searches for a Police Chief, a City Administrator and a Public Works Director for the City, and

WHEREAS, The Mercer Group, Inc. (hereinafter referred to as "Mercer") has submitted a proposal in response to the City's request; and

WHEREAS, the City has selected Mercer's proposal as the proposal which best meets its needs and the City desires to hire Mercer to conduct the City's search for a new Police Chief, a new City Administrator and a new Public Works Director, and

WHEREAS, Mercer desires to assist the City in conducting the City's search for a Police Chief, a City Administrator and a Public Works Director.

NOW THEREFORE, in consideration of the following mutual covenants and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged by all parties hereto, Mercer and the City hereby agree as follows:

1. Mercer agrees to provide services and support to the City in the conduct of the City's search for a Police Chief, a City Administrator and a Public Works Director. Mercer agrees to conduct the City's project in accordance with scope of services outlined in its Proposal to the City dated November 28, 2006, in response to the City's request for proposal.

Mercer's proposal is incorporated by reference and thus made a part of this Agreement.

2. The City agrees to compensate Mercer for its services in the amount of \$16,500 for professional services and not-to-exceed \$8,000 in expenses per search unless Mercer is awarded all three searches. If Mercer is awarded the search for all three positions (Police Chief, City Administrator and Public Works Director) the City agrees to compensate Mercer \$16,500 plus not-to-exceed expenses of \$8,000 for conducting

Agreement, Continued:

the Police Chief search; \$15,000 plus not-to-exceed expenses of \$6,500 for conducting the City Administrator search; and \$13,500 plus not-to-exceed expenses of \$5,500 for conducting the Public Works Director search. Payments to Mercer are to be made as outlined on pages 16-18 of Mercer's proposal to the City.*

3. The City and Mercer both agree that this Agreement shall be governed by the laws of the State of Kansas.
4. The City and Mercer both agree that in the event that any dispute arises between the parties, the complaining party shall promptly notify the other of the dispute in writing. Each party shall respond to the other party in writing within ten (10) working days of receipt of such notice.
5. The City and Mercer both agree that any amendments to this Agreement shall be made in writing, and executed by both parties. No proposed amendment which is not in writing and executed by both parties shall effect the terms of this Agreement.
6. The parties shall have the right at either parties' convenience to terminate this Agreement following ten (10) days written notice to the affected party. Should either party terminate this Agreement the City shall only be obligated to pay Mercer for those services already provided.

CITY OF PRAIRIE VILLAGE, KANSAS

BY: 

Ronald L. Shaffer, Mayor

ATTEST:


City Clerk

THE MERCER GROUP, INC.

BY: 

James L. Mercer, CMC
President/CEO

*It is mutually agreed and understood that the search for a Public Works Director may not occur until a later date. The City of Prairie Village will notify Mercer when the service is needed.

IV. COST PROPOSAL

Our fee for the services outlined is \$16,500 plus not-to-exceed expenses of \$8,000 per search. Items typical of a similar search with their typical costs are broken down as follows:

Position Analysis	\$ 2,000
Outreach Campaign	2,000
Resume Review	1,750
Candidate Screening	4,500
Background Investigation	4,750
Interview Process	1,000
Negotiation and Follow-up	<u>500</u>
TOTAL FEE	\$16,500

If our firm is awarded the search for all three positions (Police Chief, City Administrator and Public Works Director) our fee for conducting the Police Chief search will be \$16,500 plus not-to-exceed expenses of \$8,000; our fee for conducting the City Administrator search will be \$15,000 plus not-to-exceed expenses of \$6,500; and our fee for conducting the Public Works Director search will be \$13,500 plus not-to-exceed expenses of \$5,500.

Expenses are for consultant travel, lodging and per diem, telephone, correspondence, advertising, research, sourcing, reference and background investigation, and report preparation.

Because of our other ongoing consulting and search work and our experience, expenses should be kept to a minimum. The cost for final candidates to travel to interview with the Mayor and Selection Committee is not included. Such costs are typically paid by the client on a reimbursement basis, directly to the candidates. These costs are extremely difficult to estimate because they depend on where the candidates are located. Typically, out-of-state costs run about \$750 to \$1,000 per person.

The City of Prairie Village's liability to The Mercer Group, Inc. for services rendered under this agreement will not exceed the agreed upon price unless an increase is authorized by the Mayor and Selection Committee in writing.

We will submit monthly invoices for fees and expenses. It is our practice to bill one-third at the start of the search, one-third at the end of 30 days, and one-third upon delivery of the Final Report. Each invoice is due and payable upon receipt for professional services. Expenses will be billed in addition and shown as a separate figure. Exhibit V is a pro-forma invoice showing the level of accounting detail we will provide.

We will comply with all applicable laws, rules and regulations of federal, state and local government entities.

Our ability to carry out the work required will be heavily dependent upon our past experience in providing similar services to others, and we expect to continue such work in the future. We will, to the degree possible, preserve the confidential nature of any information received from you or developed during the work in accordance with our professional standards.

We assure you that we will devote our best efforts to carrying out the engagement. The results obtained, our recommendations and any written material provided by us will represent our best judgment based on the information available to us. Our liability, if any, will not be greater than the amount paid to us for the services rendered.

This proposal constitutes the agreement between us. It cannot be modified except in writing by both parties. Our agreement will be interpreted according to the laws of the State of Kansas.

VIII. ACCEPTANCE

This proposal is accepted for the City of Prairie Village, Kansas, by:

SIGNATURE: 

NAME: Ronald L. Shaffer

TITLE: Mayor

DATE: January 2, 2007



PARK & RECREATION COMMITTEE

Council Committee Date: January 19, 2010

COU2010-03: Discussion of possible special sales tax vote and schedule for parks and recreation funding

DISCUSSION

Does the City Council want to find a funding source for parks past 2011? If so, what funding source is most appropriate and for how much? Should only parks be funded? Should the funding source have a sunset?

This item does not require an immediate vote. However, at some point in the near future the Council will need to decide. While the deadline to file ballot language with the Election Board is September 1, a sales tax initiative may require significant time for preparation. This could include the formation of a committee by interested citizens to champion the initiative and/or some form of public outreach.

BACKGROUND

The City currently receives 1% of the 7.525% sales tax rate; the state receives 5.3%, Johnson County - 1.1% and Research Triangle - 0.125%. Prairie Village's 1% translates into approximately \$2,000,000. The current rate is one of the lowest rates in Johnson County.

This item was initially discussed at the January 4, 2010 Council Committee of the Whole meeting. At the Council's direction staff has researched some additional information to aid in the further discussion. Attached is the "Prioritization and Implementation" section from the Parks Master Plan that contains projected costs for each parks improvement. Also included is a memo and timeline from the City Attorney outlining the process to follow if a sales tax initiative is to be placed on the ballot in November 2010. Additional information has also been included on the sales tax rates of other Johnson County cities and how those increases are used within their cities with the accompanying ballot language and vote results.

Under state statute, the City can only provide factual information about a sales tax initiative. The City cannot head up the campaign or lobby for the sales tax. However, staff believes there are many people interested in this topic that attended the Village Vision meetings that would likely form a group to advocate for a sales tax for parks.

FINANCIAL IMPACT

A 0.5% increase in sales tax would generate ~\$1,000,000 in revenue.

ATTACHMENTS

Excerpt from Parks Master Plan, Memo from City Attorney, Johnson County Sales Tax Rates for selected cities, Johnson County ballot language.

PREPARED BY

Chris Engel
Assistant to the City Administrator
Date: 1/15/10

Park Master Plan Committee Priorities

Following presentation of the initial parks and recreation concepts at the Citizen Workshop, Opinions of Probable Cost figures were developed for each component of the plan. The Park Master Plan Committee then met to review and discuss the long list of proposed improvements and associated costs and to then prioritize the improvements for implementation. The priority-setting process for the master list involved the committee members each being given sets of colored dots (3 “high-priority” dots, 12 “mid-priority” dots, and one “omit from plan”), which they had the freedom to place as they saw fit. This process allowed all members an equal opportunity to express their preferences. Additionally, they were given more sets of dots to use on “follow-up” lists, which were designed to gather more detailed priorities on three particular issues, as discussed below.

Four documents have been prepared to summarize the priority ranking of the committee and are included in this report section.

- **Summary of Priority Rankings for Park Master Plan Committee**
 - This is a summary of priority voting on all master plan items. This summary document shows the totals of the “high-priority”, “mid-priority” dots, and “omit from plan” votes cast by the committee. The list was structured with community-wide issues at the top, followed by line items for each individual park. As well, most of the parks are divided into sub-groups of projects, allowing a committee member to prioritize particular elements of the plan, in effect saving assumed resources for other projects in other parks.

- **Trail Priorities**
 - This issue allowed the members to prioritize certain trail segments within the proposed overall system, with the understanding that development of the trail system will be achieved in many individual phases.

- **Recreation Programming**
 - Various broad groups of potential new recreation programs have been outlined in the master plan and priority ranking was conducted to help set priorities for pursuit of these opportunities.

- **Additional Park Land Options**
 - Based on a review of potential under-served areas of the community as shown on the “Neighborhood Park Features and School Playgrounds Service Areas” diagram (see Section 2 and the end of this section for copies), the members were asked to prioritize which, if any, areas should be targeted for potential new neighborhood parks.

A brief overview of the results of the four priority groups follows:

Prairie Village Parks and Recreation Master Plan **Prioritization and Implementation**

Summary of Priority Rankings for Park Master Plan Committee

The five highest priority items coming out of this exercise were the following:

1. Continue Exploration of Community Center Options, including possible natatorium facility with Shawnee Mission School District.
2. Weltner Park (State Line) Park – All Features (of the plan)
3. Re-align Cambridge Street, connect halves (of Weltner Park). *Note: This was a subset of the Weltner Park item above, thus is covered by priority #2.*
4. McCrum Park – All Features (of the plan), *tied with*
4. Increase lighting in all parks.

Followed by these ten items:

6. Develop Trail System, *tied with*
6. Develop Sculpture Garden with multiple pieces and walking path.
(the remaining items tied in the number of votes)
8. Purchase land for new parks
8. Franklin Park – All Features (of the plan)
8. Franklin Park nature play area. *Note: This was a subset of the Franklin Park item above, thus is covered by priority #9.*
8. Harmon/Santa Fe Parks Perimeter and Interior Trail System (plus trail maps)
8. Harmon Park Amphitheater (includes electrical upgrades for lighting and sound system power)
8. Harmon Park (Swimming Pool) New Indoor/Outdoor 50-meter Pool (assumes no Community Center facility is constructed)
8. Harmon Park Nine-hole Disc Golf Course
8. Porter Park - All Features (of the plan)

Trail Priorities

Partnering with Overland Park to create a connection to the Indian Creek Streamway Trail was viewed as the top priority, followed by a desire to expand the on-street bike lane system. The two highest rated individual trail segments were Mission Rd. from 63rd to Corinth and Somerset from Corinth to State Line.

Recreation Programming

More programming for toddlers and playgroups was the preference in this group, followed by working with Johnson County to better serve the 50+ population.

Additional Park Land Options

Area 1 – the upper northwest portion of Prairie Village – was deemed most in need of additional park land, followed by areas 4, 5, and 6 (please refer to the diagram at the end of this section for locations).

On the next four pages can be found the full summary documents, presented in the same order as above.

Prairie Village 2009 Park & Recreation Master Plan		
Summary of Priority Rankings for Park Master Plan Committee		
1/16/2009		
GENERAL PRIORITY KEY		
	HIGHEST PRIORITIES - TOP 5, MINIMUM 6 TOTAL POINTS	
	MID-LEVEL PRIORITIES - NEXT 10, MINIMUM 4 TOTAL POINTS	
ITEM	SUB-GROUPS	GROUP TOTAL
CONTINUE EXPLORATION OF COMMUNITY CENTER OPTIONS, including possible Metastorham partnership with SMSD		\$20,000,000
DEVELOP TRAIL SYSTEM (Outside Parks)		\$5,270,000
INCREASE CITY-SPONSORED RECREATION PROGRAMMING OPPORTUNITIES		NOT ESTIMATED AT THIS TIME
DEVELOP OFF-LEASH DOG PARK (City-Owned and Managed)		\$250,000
PURCHASE LAND FOR NEW PARKS		NOT ESTIMATED AT THIS TIME
DEVELOP SCULPTURE GARDEN WITH MULTIPLE PIECES and WALKING PATHS		NOT ESTIMATED AT THIS TIME
INTERPRET PARK SITE HISTORIES (INTERPRETIVE SIGNS AT EACH PARK)		\$40,000
DEVELOP GARDENING OPPORTUNITIES THROUGHOUT THE PARK SYSTEM		NOT ESTIMATED AT THIS TIME
INCREASE LIGHTING IN ALL PARKS		\$200,000
INDIVIDUAL PARKS		
BENNETT PARK - ALL FEATURES		\$85,000
ADD ON-STREET PARALLEL PARKING, TRYKE TRACK, AND OTHER MINOR IMPROVEMENTS		\$85,000
CONSIDER EXPANSION OPPORTUNITIES IN THE FUTURE		NOT ESTIMATED AT THIS TIME
BRENIZER PARK (add water feature)		\$20,000
FRANKLIN PARK - ALL FEATURES		\$1,064,000
WIDEN PERIMETER AND INTERIOR TRAIL SYSTEM (PLUS TRAIL MAPS)		\$310,000
NATURE PLAY AREA, WITH WATER FEATURE		\$125,000
PARKING EXPANSION - ALL OPTIONS		
MAXIMIZE PARKING ALONG ROE AVE.		\$85,000
EXPAND EXISTING LOT TO WEST ONE BAY (ADDS 9 STALLS)		\$17,000
ADD NEW LOT TO WEST SIDE @ 87th & SOMERSET (ADDS +/- 20 STALLS)		\$62,000
SHELTER, RESTROOM, AND GAZEBO		\$390,000
BALL FIELD ADJUSTMENT AND IMPROVEMENT		\$75,000
HARMON/SANTA FE PARKS - ALL FEATURES		\$6,525,000
PERMETER AND INTERIOR TRAIL SYSTEM (PLUS TRAIL MAPS)		\$360,000
DESTINATION PLAY AREA AND SANTA FE TRAIL PRAIRIE RESTORATION		\$775,000
INCLUDES REVISED DRIVES AND PARKING, PLUS NEW PRACTICE COURTS		
AMPHITHEATER (includes electrical upgrades for lighting and sound system power)		\$480,000
GROUP 1 - EXPAND/IMPROVE OUTDOOR POOL COMPLEX		
FLO-RIDER		\$1,000,000
NEW CONCESSIONS/RESTROOMS BUILDING(S) - Cost potentially absorbed by Community Center		\$500,000
GROUP 2 - Select One		
LAZY RIVER		\$900,000
SPRAY PAD/SKATE RINK		\$150,000 Not in Total
CENTRE COURT TENNIS FACILITY		\$90,000 Not in Total
COMBINE SPRAY PAD/SKATE RINK AND 'CENTRE' COURT		\$220,000 Not in Total
COMBINE SPRAY PAD/SKATE RINK AND LAZY RIVER		\$750,000 Not in Total
GROUP 3 - Select One		
NEW OUTDOOR 50-METER POOL		\$2,300,000
NEW INDOOR/OUTDOOR 50-METER POOL (Assumes no Community Center facility is constructed)		\$7,000,000 Not in Total
CLIMBING WALLS NEAR SKATE PARK		\$180,000
NINE-HOLE DISC GOLF COURSE IN HARMON PARK		\$15,000
'CRAFT SHACK' - ASSOCIATED WITH DESTINATION PLAY AREA		\$15,000
McGUM PARK - ALL FEATURES		\$420,000
NEW PLAY EQUIPMENT, SMALL SPRAY PAD, SMALL SHELTER, TRYKE TRACK (ASSUMES WATER TOWER REMOVED)		\$330,000
ADD ON-STREET PARALLEL PARKING ON 70th St. AND MID-BLOCK CROSSING SIGNAL ON ROE AVE.		\$90,000
CONSIDER EXPANSION OPPORTUNITIES IN THE FUTURE		NOT ESTIMATED AT THIS TIME
MEADOWLAKE PARK - ALL FEATURES		\$385,000
WIDEN, EXPAND PERIMETER TRAIL		\$115,000
NEW PLAY EQUIPMENT, RENOVATE AREA, REMOVE LARGE SAND "BOX"		\$185,000
PRACTICE FIELD IMPROVEMENTS		\$85,000
PORTER PARK - ALL FEATURES		\$406,000
WIDEN PERIMETER AND INTERIOR TRAIL SYSTEM		\$225,000
NATURE PLAY AREA AND EXPAND PLAY AREA SHELTER		\$118,000
PARKING EXPANSION - ADD ON-STREET PARKING ALONG ROE AVE.		\$40,000
IMPROVEMENTS TO EXISTING FEATURES - DRAINAGE PROBLEM AREAS, WEST SHELTER SWINGS		\$25,000
PRAIRIE PARK - ALL FEATURES		\$6,000
MINOR ADJUSTMENT TO ALLOW ADDITION OF SWINGS TO PLAY AREA		\$6,000
CONSIDER EXPANSION OPPORTUNITIES IN THE FUTURE		NOT ESTIMATED AT THIS TIME
SCHLIPFKE PARK - REMOVE PARKING, CONSTRUCT TRAIL SEGMENT AND BRUSH CREEK OVERLOOK		\$175,000
WELTNER PARK (STATE LINE) - ALL FEATURES		\$870,000
RE-ALIGN CAMBRIDGE STREET, CONNECT HALVES		\$600,000
ADD PERIMETER TRAIL AND PLAY AREA		\$270,000
WINDSOR PARK - ALL FEATURES		\$520,000
WIDEN PERIMETER AND INTERIOR TRAIL SYSTEM, CONNECTION TO THE VILLAGE, AND ENHANCE ENTRY		\$270,000
ADD NATURE PLAY AREA, SHADE OVER EXISTING PLAY EQUIPMENT, REPLACE SHELTER WITH MORE OPEN STYLE		\$250,000
TOTAL PROBABLE PROJECT COST (In 2009 dollars)		\$36,202,000

LATHROP & GAGE^{LLP}

MEMO

To: Governing Body
City of Prairie Village, Kansas

From: Katie Logan

Date: January 11, 2010

Subject: Sales Tax Referendum

Steps for City Sales Tax Referendum:

General statutes are 12-187 *et seq.* and 10-120

Step 1. City adopts a Resolution calling for a special election on a certain date. If use next general election, date is November 2, 2010. The Resolution includes the proposed ballot language and form of Notice of Election to be published in official City newspaper (see below).

Resolution must include the sales tax % , proposed start date, describe purpose of sales tax, whether "general" or "special", and any applicable sunset date. If "special purpose", must sunset after 10 years.

Cities may impose sales tax of up to 2% for general purposes and up to 1% for special purposes, with a 3% limit, in increments of .05%.

City sales tax is currently 1%. Total sales tax in the City is currently 7.525%.

It appears that designating the purpose as, for example, "to acquire, construct, improve, maintain and operate City parks" would be a general purpose per a 2008 AG Opinion 2008-25, and would not require a 10 year sunset.

In any event, City may elect to impose a sunset for a general purpose sales tax.

Per Gary Anderson, Gilmore & Bell:

If City wants to include authority to issue general obligation bonds or special obligation sales tax revenue bonds, City must include this authority in the Resolution and Ballot Question or use a notice and protest process available under bonding statutes.

If GO authority included (with the sales tax as a source of payment), then do not need the Charter Ordinance which is under court challenge for authority to fund park improvements with GO Bonds.

If Sales Tax Revenue Bond authority included, may issue bonds secured solely by the projected sales tax revenues under the election proposition. These bonds are less "secure" than GO bonds and accordingly have a higher "cost" and interest rate and generally require debt service coverage.

City may be able to just authorize "bonds" in the sales tax ballot language and then decide later whether they are GO or Sales Tax Revenue Bonds. This requires further review by bond counsel.

Step 2. Ballot language provided to the Johnson County Election Office to be include on ballot by September 1, 2010.

Sample ballot language:

Shall the following be adopted?

Shall the City of Prairie Village, Kansas, be authorized to impose a new _____ percent (. ___%) city-wide retailers' sales tax and to use the revenue from such tax to pay the costs to acquire, construct, improve, maintain and operate City parks ("Park Projects"), and be authorized to pledge such sales tax for the payment of the principal and interest on bonds issued to pay the cost of such Park Projects, with collection of such sales tax to commence on April 1, 2011
[optional: and with such retailers' sales tax to expire ___ () years from the date it is first collected (expiration date of March 31, 20__),] all pursuant to K.S.A. 12-187 et seq. and other applicable state statutory provisions?

Step 3. Notice of Election published once each week for two consecutive weeks.

First publication must occur on a date which is between 9/13 and 10/12

Second publication is 1 week after first publication.

Step 4. Election. Majority approval required.

Step 5. City adopts Ordinance levying the approved sales tax. After publication, City Clerk furnishes certified copy to Department of Revenue at least 90 days prior to effective date.

Step 6. Sales Tax Effective – If November election, earliest effective date is 4/1/2011.

A partially completed timeline is attached.

Miscellaneous:

City cannot advocate for the sales tax, only educate and inform:

ATTORNEY GENERAL OPINION No. 93-125

“the public purpose doctrine does not encompass the use of public funds to promote or advocate a governing body's position on a matter which is before the electorate. However, public funds may be expended to educate and inform regarding issues to be voted on by the electorate.”

Sample Sales Tax Election Calendar

DATE	ACTION
[TBD]	Governing Body Adopts Resolution Calling for Special Ballot Question
September 1, 2010	Latest Date for Ballot Language to be Submitted to Johnson County Election Office
September 13, 2010	First Publication Notice of Election in Daily Record
September 20, 2010	Second Publication Notice of Election in Daily Record
November 2, 2010	General Election – sales tax question on ballot
November 15, 2010	If approved in general election, Sales Tax Ordinance adopted by Governing Body
November 19, 2010	Sales Tax Ordinance published
Before December 31, 2010	Certified Copy of Sales Tax Ordinance to Dept of Revenue
April 1, 2011	Sales Tax becomes effective

**Sales Tax Rates
Johnson County Cities**

Entity	Rate	TDD		TDD Location	Notes
		Increment			
Bonner Springs (JoCo)	8.275%				
DeSoto (JoCo)	8.275%				
Edgerton	7.525%				1.0% local
Fairway	7.525%				1.0% local
Gardner	8.025%				0.5% parks and pool
Lake Quivira (JoCo)	6.525%				no local sales tax
Leawood	8.050%				0.4% safety & 0.125% streets/SMAC
Leawood Park Place TDD	9.050%	1.000%		Nall: 117th - Town Center Drive	
Leawood Shops of 119th St TDD	9.050%	1.000%		Southeast Corner of 119th & Roe	
Lenexa	8.025%				0.125% storm & 0.375% roads/parks
Merriam	7.775%				0.25% Residential Streets
Merriam Pointe TDD	8.775%	1.000%		67th Street/Frontage Rd/I-35	Inactive as of 10/1/2009
Mission	7.775%				0.25% Sylvester Powell
Mission Hills	7.525%				1.0% local
Mission TDD	8.750%	1.000%		Johnson Dr/Roe/SM Parkway	
Mission Woods	6.525%				no local sales tax
Olathe	7.650%				0.125% Parks Tax
Olathe Entertainment District Ph. 3*	8.650%	1.000%		West & South of 119th & Renner	
Olathe Gateway TDD No. 1a*	8.650%	1.000%		119th St., Kansas City Road & Renner	
Olathe Gateway TDD No. 1b*	8.650%	1.000%		119th St., Kansas City Road & Renner	
Olathe Pointe TDD*	8.650%	1.000%		119th & Black Bob	
Olathe Ridgeview Falls TDD*	8.650%	1.000%		Ridgeview & 119th	
Overland Park	7.650%				0.125% Street Improvements
Overland Park Corbin Park TDD	8.650%	1.000%			Inactive until 10/1/2010
Overland Park Deer Creek TDD*	8.650%	1.000%		NW corner 135th & Metcalf	
Overland Park Oak Park TDD*	8.150%	0.500%		Oak Park Mall	
Prairie Village	7.525%				1.0% local
Roeland Park	7.775%				0.25% for infrastructure
Roeland Park Shopping Center #1 TDD*	8.775%	1.000%			
Roeland Park Shopping Center #2 TDD*	8.275%	0.500%		Lowes	
Shawnee	7.775%				0.125% parks/SMAC & 0.125% safety
Springhill (JoCo)	8.025%				.50% parks and pool
Westwood	7.525%				1.0% local
Westwood Hills	7.525%				1.0% local
Highest Rate:					
Leawood TDDs	9.050%				
Highest TDD Increment:	1.000%				
Johnson County portion of all rates:	1.225%				
State portion of all rates:	5.300%				
Source: KS Dept of Revenue Website (Publication KS-1700, 01/2010)					
Prepared by: Karen Kindie, Finance Director					
Date: January 4, 2010					

Sample Ballot Language

Fairway – November 3, 2009

Shall the City of Fairway, Kansas be authorized to impose an additional one-half percent (0.5%) city-wide retailers' general purpose sales tax, the collection of which to commence on April 1, 2010 or as soon thereafter as permitted by law and shall terminate twenty years after its commencement, the proceeds of which shall be used to fund a capital improvements plan **and** to pay debt service on bonds issued by the City; all pursuant to the provisions of K.S.A. 12-187 *et seq.*, as amended?

Yes 794 63.67%

No 453 36.33%

Overland Park – January 29, 2008

Shall the City of Overland Park, Kansas, be authorized to levy a one-eighth of one percent (0.125%) Special Purpose City Retailers' Sales Tax within the City of Overland Park, Kansas, and to use the revenue from the new tax to fund a residential street improvement program consisting of neighborhood residential street reconstruction, curb replacement, new sidewalks and street light upgrades, **and** to continue to fund a thoroughfare street improvement program, with each program to receive as nearly as possible one-half of the new tax revenue, such new tax to take effect on April 1, 2009, the day following expiration of the existing one-eighth of one percent (0.125%) City Retailers' Sales Tax; such new tax to end March 31, 2014; and such new tax to be in addition to the ongoing one percent (1.0%) City Retailers' Sales Tax currently levied?

Yes 28879 74.93%

No 9660 25.07%

Lenexa – May 27, 2008

Shall a retailers' sales tax (also known as "Investing in Our Future") in the amount of three-eighths of one percent (.375%) be levied in the City of Lenexa, Kansas (the "City"), for the purpose of:

(a) improving, rebuilding and maintaining roads, including but not limited to, sidewalks, storm water facilities and street lighting associated therewith;

(b) development and maintenance of City parks;

(c) design, construction and operation of cultural and recreational facilities and amenities for the community;

(d) all things related and necessary to such projects, including but not limited to acquisition of land;

construction of public buildings and facilities associated therewith and payment of the principal and interest on bonds or other obligations issued to finance such projects; Provided that such retailers' sales tax shall expire 20 years from the date of imposition, all pursuant to K.S.A. 12-187 *et seq.*, as amended, and K.S.A. 12-195.

Yes 5782 58.15%

No 4161 41.85%

Leawood – November 7, 2006

Shall the City of Leawood, Kansas, be authorized to levy a four-tenths of one percent (.4%) City Retailers' Sales Tax, in addition to the one and one-eighth percent (1.125%) tax currently levied, within the City of Leawood, Kansas, and to use the revenue from the additional tax for the purpose of constructing public safety improvements, including a Justice Center and necessary and related improvements, including infrastructure and other necessary and related costs, such additional tax to take effect on April 1, 2007 and end March 31, 2012, or at the end of such calendar quarter prior thereto as the City shall have collected tax revenues from such additional tax in the amount of \$10,000,000.00 [Ten Million Dollars]?

Yes 8702 59.98%

No 5807 40.02%

Sample Ballot Language

Gardner – June 7, 2005

Shall a retailers' sales tax in the amount of one-half of one percent (.5%) be levied in the city of Gardner, KS (the "City"), for the purpose of:

- renovations and expansion of the Gardner swimming pool to include, but not limited to, the development of zero depth entry, water slides, lazy river, in water play features, spray grounds, tot pool, concession stand, group party structure, and shade structures;
- development of a new community park to include, but not limited to, baseball and softball fields, soccer and football fields, playground equipment, concession facilities, parking, passive open space; and
- all things related and necessary to such projects;

provided that, such retailers' sales tax shall be levied for a period not to exceed ten years from the date of its inception, all pursuant to K.S.A. 12-187 et seq.

Yes 2260 70.98%

No 924 29.02%

Merriam – August 16, 2005

Shall a retailers' sales tax in the amount of one-fourth of one percent (.25%) be levied in the city of Merriam, Kansas (the "City"), for the purpose of paying the cost of improving certain residential streets, which improvements may include grading, curbs, gutters, pavement and other surfacing, driveway entrances and structures, drainage works incidental thereto, service connections from utility mains, conduits or pipes necessarily lying within curb lines, streetlights, street lighting systems, storm water drains, retaining walls and area walls on public ways or land abutting thereon, sidewalks, street trees and landscaping, and related improvements ("Improvements") and paying the principal of and interest on revenue bonds issued to pay the cost of such Improvements and all things necessary and related to such Improvements, provided that such retailers' sales tax shall expire five (5) years from the effective date of January 1, 2006, all pursuant to City Charter Ordinance No. 17, K.S.A. 12-195 and other applicable state statutory provisions?

Yes 531 69.14%

No 237 30.86%

Olathe – December 7, 1999 (mail-in ballot)

Shall the City of Olathe, Kansas, be authorized to levy a one-eighth of one percent (.125%) City Retailers' Sales Tax, in addition to the one percent (1.0%) currently levied within the City of Olathe, Kansas, and to use the revenue from the additional tax to fund the acquisition and improvement of public parks and recreation areas, such additional tax to take effect on April 1, 2000, and to end on March 31, 2005?

Yes 14266 67.78%

No 6782 32.22%

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
January 19, 2010
7:30 p.m.**

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **PUBLIC PARTICIPATION**
- V. **CONSENT AGENDA**

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

By Staff:

- 1. Approve Regular Council Meeting Minutes - January 4, 2010
- 2. Approve Claims Ordinance 2867
- 3. Approve recreation contracts with British Soccer and Challenger Sports as written.

By Committee:

- 4. Approve revisions to Council Policy 065 entitled "Employee Service Awards." (Council Committee of the Whole Minutes - January 4, 2010)

- VI. **MAYOR'S REPORT**

Appointment of Steve Noll as Council Member in Ward 2, to complete the unexpired term of former Councilman David Voysey expiring in April, 2010.

Oath of Office

- VII. **COMMITTEE REPORT**

Park & Recreation Committee

Update on Franklin Park enhancements and channel improvements - Doug Pickert, Indigo Design

- VIII. **STAFF REPORTS**

- IX. **OLD BUSINESS**

COU2008-36 Consider Request by OPUS Northwest to Amend Condition #10 related to the approval of the Rezoning of the Meadowbrook Country Club Property located at 91st & Nall from R-1a (Single Family Residential District) to MXD (Mixed Use District) as provided for in Ordinance #2168

WITHDRAWN BY THE APPLICANT - SEE ATTACHED LETTER

- X. **NEW BUSINESS**

- XI. **ANNOUNCEMENTS**

- XII. **ADJOURNMENT**

If any individual requires special accommodations -- for example, qualified interpreter, large print, reader, hearing assistance -- in order to attend the meeting, please notify the City Clerk at 381-6464, Extension 4616, no later than 48 hours prior to the beginning of the meeting.

If you are unable to attend this meeting, comments may be received by e-mail at cityclerk@PVKANSAS.COM

CONSENT AGENDA

CITY OF PRAIRIE VILLAGE, KS

January 19, 2010

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
January 4, 2010**

The City Council of Prairie Village, Kansas, met in regular session on January 4, 2010, 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, Dale Warman, Ruth Hopkins, Michael Kelly, Andrew Wang, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz.

Also present were: Wes Jordan, Chief of Police; Keith Bredehoeft, Project Manager; Katie Logan, City Attorney; Dennis Enslinger, Assistant City Administrator; Karen Kindle, Finance Director; Chris Engel, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

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

PUBLIC PARTICIPATION

Mayor Shaffer announced that those residents present to address the City Council on the issue of the requested extension for the filing of final development plans by OPUS for the Meadowbrook property would be allowed to address the Council later in the meeting during the discussion of this item.

Jennifer Mancina, 2601 West 75th Place, expressed her concerns with the growing number of crimes taking place in her neighborhood. She noted three times this week she observed individuals casing the neighborhood and referenced a recent

break-in at one o'clock in the afternoon. She does not feel she can allow her children to play outside safely. While outside recently her young daughter was spoken to by an individual later arrested by the police. She has seen drugs being sold and does not feel safe. She has spoken with Senators regarding the situation and urged the Council to take this problem seriously. Mrs. Mancina stated residents will move if this problem is not addressed.

Diana Ewy Sharp responded she believes the entire Council and City staff are taking this problem seriously and working to resolve the issues. Mrs. Fahmeier stated she does not believe everything that can be done is being done and will move. She believes there needs to be a multi-task effort with the residents included. Chief Jordan responded there have been two meetings with the residents and invited Mrs. Fahmeier to talk further with him or Captain Schwartzkopf. Chief noted the difficulties in policing an area that is within blocks of Kansas City, Missouri where they have no jurisdiction.

Lai Ye Lee, 2405 West 75th Place, noted his home was recently burglarized and asked for increased patrols in the area and asked what was being done. Chief Jordan responded he can not state in public forum what actions the department is taking to address the situation, but invited Mr. Lee to talk with him individually and he would be able to share additional information. Chief noted there have been more arrests made for residential burglaries in the past year than ever before. One of the concerns is with current drug traffic in Kansas City, Missouri and its impact on crime in Prairie Village. Mr. Lee asked for more communication on what was happening. Chief responded the City communicates through its website, the City newsletter and through communications with homes associations. Andrew Wang also confirmed that the Kansas City Star lists the police log every week by zip code.

Mayor Shaffer stated the Council and City supports Chief Jordan and his department providing them with staff, training, and equipment needed.

Bobby Tyner, 2401 West 75th Place, stating he is seeking cooperation and increased communication between the residents and the police department. He has not seen that from some of the officers responding to calls. He noted he has seen some change and is appreciative of the efforts of Chief Jordan and the Codes Department. He hopes conditions will improve.

Dale Beckerman noted a friend of his was recently burglarized in Kansas City, Missouri. The police department responded quickly; however, he was informed that a skilled burglar does not spend more than two minutes in a house. The neighborhood needs to be vigilant in its notification to the police for a successful arrest to be made.

Mayor Shaffer acknowledged the presence of four boy scouts from Troop 16 working on their "Citizenship and the Community" merit badges.

CONSENT AGENDA

David Morrison asked that item number 9 be removed from the Consent Agenda.

Michael Kelly moved the approval of the Consent Agenda for Monday, January 4, 2010 as amended.

1. Approve Regular Council Meeting Minutes - December 21, 2009
2. Approve the designation of the following 2010 City Holidays pursuant to Personnel Policy 1006:

New Year's Day	Friday, January 1
Martin Luther King Jr. Day	Monday, January 18
President's Day	Monday, February 15
Memorial Day	Monday, May 31
Independence Day	Monday, July 5
Labor Day	Monday, September 6
Thanksgiving Day	Thursday, November 25 & Friday, November 26

Christmas Day

Friday, December 24

3. Approve the purchase of three (3) 2010 Dodge Chargers from Odessa Dodge for no more than \$23,500 per vehicle with payment of one vehicle by the City of Mission Hills
4. Approve Resolution 2010-02 designating the 2010 City Sponsored functions as per City Council Policy 046 - Reservation of City Facilities
5. Approve Resolution 2010-03 establishing City Council meeting dates for 2010
6. Approve a Letter of Understanding with Johnson County Human Services for administration of the 2010 Utility Assistance Program for Prairie Village residents
7. Approve the Construction Administration Agreement with TranSystems for Project 2010 Bond in the amount of \$771,858
8. Approve Engineering Change Order #1 with George Butler Associates for Project 190728: Prairie Lane Drainage Project in the amount of \$9,500
9. Removed

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

David Morrison stated he wanted to go on record opposing the city's participation in the Kansas City Area Development Council noting it felt it was an unproductive expenditure of funds that he does not believe will benefit Prairie Village. Michael Kelly moved the Governing Body approve Resolution 2010-01 for support and funding commitment of a three year joint membership in the Kansas City Area Development Council (KCADC) with the Northeast Johnson County Chamber and other northeast cities. The motion was seconded by Ruth Hopkins and passed by a vote of 10 to 1 with Mr. Morrison voting in opposition.

MAYOR'S REPORT

- Mayor Shaffer announced that he had received Christmas Greetings from the Mayor of Dolyna
- Mayor Shaffer announced he has appointed the Community Center sub-committee as directed by the Council at an earlier meeting
- A retirement celebration will be held on Friday, January 8th honoring Bob Pryzby's 15 years of service to the City. Mayor Shaffer stated he is asking for the

Council's ratification of the appointment of Keith Bredehoeft as Interim Public Works Director.

Diana Ewy Sharp moved the Governing Body ratify the Mayor's appointment of Keith Bredehoeft to serve as Interim Public Works Director for the City of Prairie Village. The motion was seconded by Dale Warman and passed unanimously.

Introduction of TranSystems Team

Keith Bredehoeft introduced Tom Swenson, principal with TranSystems who will be providing construction administration for the City's 2010 bond projects. It will be their responsibility to work on behalf of the City to minimize the impact of construction projects on residents and to work with the contractor to ensure the timely and successful completion of the projects. Mr. Swenson introduced Will Frazier who will serve as the Construction Project Manager for the 2010 bond projects and Chris Schepmann the Project Manager who will handle staffing, scheduling and administrative details for the project.

COMMITTEE REPORTS

Council Committee of the Whole

COU2010-01 Consider approval of Professional Services agreement with MMG Worldwide for strategic web design services (Phase 1)

On behalf of the Council Committee of the Whole, Michael Kelly moved the Governing Body approve a professional services agreement with MMG Worldwide for strategic web design services for phase 1 in an amount not to exceed \$17,500. The motion was seconded by Ruth Hopkins and passed unanimously.

OLD BUSINESS

COU2008-36 Consider request by OPUS Northwest to amend condition #10 related to the approval of the rezoning of the Meadowbrook Country Club property located at 91st & Nall Avenue from R-1a (single family residential district) to MXD (Mixed Use District) as provided for in Ordinance #2168

Dennis Enslinger stated the City Council approved the rezoning of the Meadowbrook Country Club property located at 91st & Nall from R-1a (single family residential district) to MXD (mixed use district) in July of 2008 subject to 11 conditions of approval in July, 2008. Condition #10 requires that the applicant shall file a final Development Plan within 18 months of the approval of the Preliminary Development and the ordinance approving the rezoning and Preliminary Development Plan shall not be published until such time as the Final Development Plan is approved. Mr. Enslinger noted the 18th month period expires on January 28, 2010.

OPUS Northwest is requesting that the City grant an extension to Condition #10 to allow for the submission of the Final Development Plan and Final Plat to occur on or before December 31, 2010.

The Governing Body may take the following action:

- Take no action on the request - If done, Ordinance 2168 would remain in place and the rezoning would expire on January 28, 2010, if the conditions of approval are not met by that date.
- Delay action on the request until January 19, 2010 - No motion or vote is required now. January 19, 2010 is the last possible date for consideration of the request at a regular Council meeting.
- Take action on the request - This would require two motions.
 - First the Council must rescind Ordinance #2168. This requires a 2/3 majority of a quorum of those present and voting.
 - If that motion is approved, then the Council has the following options:
 - Follow the original recommendation of the Planning Commission and grant the application with the conditions recommended by the Planning Commission. This not recommended as it would have the same effect as taking no action.
 - Follow the recommendation of the Planning Commission and grant approval of the rezoning with modified conditions, including, but not

- limited to, a new time for submission of a final development plan and final plat. This would require 10 votes of the Governing Body.
- Not follow the original recommendation of the Planning Commission and deny the rezoning request. This would require a 2/3 majority vote of the Governing Body (9 votes). This action is not recommended since the City Council previously approved the rezoning request and the current ordinance is due to expire on January 28, 2010, if the applicant does not submit final development plans.
 - Return the original recommendation back to the Planning Commission. This would require a simple majority of those present. The City Council must provide a statement specifying the basis for the City Council's failure to approve or disapprove the recommendation of the Planning Commission. This action is not recommended since the City Council previously approved the rezoning request.

Dennis Enslinger noted the next City Council meeting will be held on Tuesday, January 19th following the Martin Luther King, Jr. Holiday. Mayor Shaffer confirmed all council members would be in attendance.

Diana Ewy Sharp asked if the new ordinance would require the submittal of a new protest petition. Katie Logan responded the existing protest petition would apply to any new action taken by the Governing Body.

David Harrison, 4407 W. 92nd Terrace, addressed the Governing Body on behalf of OPUS Northwest. Mr. Harrison stated the Country Club continues to want to see this development happen as soon as possible. Stratford is still very committed to the proposed senior living center. OPUS Northwest, although the condominium market is facing strong economic challenges, is still committed to seeing this project through. Therefore, it is requesting a continuation of one year for the submittal of final development plans.

Laura Wassmer, noted from her professional experience the difficult challenges currently facing the condominium market from the standpoint of financing and lending

capabilities. She is concerned in that she does not see this changing significantly within the next year and noted a big part of this plan calls for the construction and sale of condominium units.

David Harrison responded that they feel within a year they will have a better perspective on the market and be able to present a reasonably accurate final development plan. He noted this is an initial step and it will take an additional 12 to 15 months for construction. He agreed marketing these units will be a challenge, but noted they continue to get calls from interested individuals. They feel a large part of their customer base will be low leverage or cash buyers as mature adults with available cash and equity.

Charles Clark stated that everything he has read or heard indicates that there will be very little economic change in the next 12 months and asked why they are not requesting a longer extension. Mr. Harrison stated that it will take 24 months to be able to deliver their product. The actuarial tables support the type of product they are creating. He noted increased sales in the last quarter. He doesn't feel things will be rosy by the end of 2010, but believes we will be able to see the light at the end of the tunnel. Because of the lag time required for actual construction, they feel the one year extension is reasonable.

Diana Ewy Sharp stated she was supportive of the initial application because of the strength of OPUS and Stratford as companies. She asked if the Country Club felt they could continue to operate as is for another year. The President of the Country Club stated they are committed to this project and have several on-going programs in place.

David Morrison asked if they planned to make changes to the plan. Mr. Harrison responded they do not anticipate any major changes, but there may be changes.

Al Herrera moved the Governing Body continue action on this matter until the January 19th meeting. The motion was seconded by Michael Kelly who later withdrew his second with the motion then being seconded by David Belz.

David Morrison stated that at that time he would like to see some accurate renderings of the proposed project superimposed on the current site to provide a clearer depiction of impact of the project.

Ruth Hopkins questioned postponing action until the next meeting.

David Morrison asked if those people attending this evening and unable to attend on the 19th could address the Council. Katie Logan stated it would be appropriate to hear from the residents. Mayor Shaffer asked for comments regarding the proposed extension for the filing of the final development plan for the Meadowbrook Country Club rezoning from those attending who would not be able to attend the meeting on January 19th. Ms Logan noted if the Council chooses to amend the ordinance that residents can comment on anything regarding the project. No one addressed the Council.

David Belz asked if there was any reason to not take action now rather than on the 19th. Mayor Shaffer noted this is an important issue meriting full consideration by the City and noted the vacant Ward 2 seat may be filled by that meeting providing for a full council vote.

The motion to continue action until the January 19th City Council meeting was voted on and passed by a vote of 9 to 2.

NEW BUSINESS

Al Herrera noted discussion at the last Council meeting regarding a bank being constructed at the existing site for Rooney's Service Station. He would rather see a tax

revenue business locate on that site. He noted the City needs to encourage more businesses to operate in the City.

ANNOUNCEMENTS

Parks & Recreation Master Plan Meeting	01/06/2010	6:00 p.m.
Communications Committee	01/12/2010	5:30 p.m.
Parks & Recreation Franklin Park Presentation	01/13/2010	7:00 p.m.
Sister City Committee	01/13/2010	7:00 p.m.
Council Committee of the Whole (Tuesday)	01/19/2010	6:00 p.m.
City Council (Tuesday)	01/19/2010	7:30 p.m.

=====

The Prairie Village Arts Council is pleased to announce a photography exhibit by Anne Nye during the month of January. The reception will be held on January 8th from 6:30 - 8:00 p.m.

The 2010 Johnson County Legislative Convener Reception will be held on Thursday, January 7, 2010 from 5:00 p.m. to 7:00 p.m. at the Zurich Financial Services Group - 7045 College Boulevard. Please let Joyce know tonight if you plan to attend.

The City will once again have Holiday Tree Recycling available for Prairie Village residents. You may take your holiday tree to the designated areas of Porter, Franklin, and Meadowlake Parks, and in the Harmon Park parking lot near the water tower between December 26th and January 17th.

The City offices will be closed on Monday, January 18, 2010 in observance of the Martin Luther King Jr. holiday. Deffenbaugh also observes this holiday and trash service will be delayed a day.

The City Clerk's office has a new style of ceramic coffee mug for sale. They are \$5.00 each.

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

ADJOURNMENT

With no further business to come before the City Council, the meeting was adjourned at 9:05 p.m.

Joyce Hagen Mundy
City Clerk

CITY TREASURER'S WARRANT REGISTER

DATE WARRANTS ISSUED:

Warrant Register Page No. 1

January 19, 2010

**Copy of Ordinance
2867**

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
EXPENDITURES:			
Accounts Payable			
93678-93703	12/7/2009	1,825.00	
93704-93707	12/8/2009	4,184.19	
93708-93785	12/11/2009	165,397.60	
93786	12/15/2009	12.00	
93787	12/16/2009	72.00	
93788	12/17/2009	31,284.30	
93789-93821	12/18/2009	33,615.31	
93822-93823	12/30/2009	4,472.24	
93824-93899	12/28/2009	169,806.33	
93900-93915	12/30/2009	1,399.99	
Payroll Expenditures			
12/4/2009		240,372.43	
12/18/2009		283,702.23	
12/31/2009		2,017.80	
Electronic Payments			
Intrust Bank -credit card fees (General Oper)		449.08	
State of Kansas - sales tax remittance		39.48	
Marshall & Iisley - Police Pension remittance		7,765.22	
Intrust Bank - fee		382.55	
KCP&L		7,712.50	
CBIZ - Section 125 admin fees		252.92	
Intrust Bank - purchasing card transactions		20,765.11	
United Health Care		1,166.10	
Kansas Gas		2,445.49	
TOTAL EXPENDITURES:			\$ 979,139.87
Voided Checks			
TOTAL VOIDED CHECKS:			-
GRAND TOTAL CLAIMS ORDINANCE			979,139.87

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

Passed this 19th day of January 2009.

Signed or Approved this 19th day of January 2009.

(SEAL)

ATTEST: _____



PARK AND RECREATION COMMITTEE

Park and Recreation Committee Meeting Date: January 13, 2010

Council Meeting Date: January 19, 2010

Consider Recreation Contracts with British Soccer and Challenger Sports.

RECOMMENDATION

Staff recommends the approval of the recreation contracts with British Soccer and Challenger Sports as written.

BACKGROUND

The City annually contracts with these outside agencies to offer recreation programming in the various parks. The attached contracts are similar to the ones we have signed for the past few years. These contracts were approved by the Park and Recreation Committee on January 13, 2010. Excerpt of unapproved minutes:

Jim Bernard, Jr. moved for recommendation to City Council for approval of the British Soccer and Challenger Sports contracts as written. Kathy Peterson seconded and it passed unanimously.

FINANCIAL IMPACT

There are no direct costs to the City in administering these contracts outside of normal park maintenance costs and minimal administrative staff time. The service providers directly charge and collect fees of which a nominal portion is passed on to the City to cover the above costs.

ATTACHMENTS

Challenger and British Soccer agreements.

PREPARED BY

Chris Engel

Assistant to the City Administrator

Date: 1/14/10

AGREEMENT BETWEEN THE CITY OF PRAIRIE VILLAGE AND CHALLENGER

The undersigned, Challenger Sports, a corporation organized and existing under the laws of the State of Kansas, located at 8263 Flint, Lenexa, KS 66214 (hereinafter termed "Challenger") and the City of Prairie Village, a municipal corporation (hereinafter termed "City"), enter into the following rental agreement with regard to the dates and terms specified below. This rental agreement is for the purpose of conducting **British Soccer** camps for the children of Prairie Village and its surrounding area.

Challenger and the City do hereby agree to the following terms:

Services Provided:

Challenger shall make available, conduct, and maintain (1) instructional British Soccer camp in accordance with the terms of this Agreement. There will be at least one qualified coach for each coaching group (12-15) campers. The morning and afternoon camps shall consist of five (5) sessions of at least three (3) hours each and will be scheduled 9am-12pm and 1-4pm. Challenger shall not be required to conduct the camps if it is determined by mutual agreement of the parties that there is not sufficient interest among participants to justify the camp.

Cost of Camp:

The cost for each participant for the morning camp sessions during the week of June 21-25, 2010, and shall be \$115. Challenger shall be in charge of collecting these fees from participants.

Facility Reserved:

Challenger and the City agree that camp will be held at Meadowlake Park, which is located in the City of Prairie Village, Kansas.

Camp Date:

The camps will take place from June 21, 2010 through June 25, 2010. In the event of a cancelled day of camp due to weather, the City will allow the use of said facility at no additional cost to Challenger for make-up days mutually agreed upon.

Facility Use/ Condition:

The City will allow Challenger exclusive use of said facility from 9:00 a.m. - 4:00 p.m. This applies to all applicable areas of said facility, including, but not limited to all playing field areas, restrooms, and covered shelter areas. However, Challenger understands that the facility is a public park and the residents of Prairie Village may reasonably use the portions of the facility not in use by Challenger.

The City also agrees to prepare the facility (i.e. Proper lawn care, sanitize restrooms and shelters, removal of trash, etc.) prior to the first day of camp. Challenger and the City will agree upon the satisfactory condition of the facility within seven (7) days prior to the start of the first day of camp. Any additional facility maintenance agreed upon by both parties will be provided by the City throughout the camp week at no additional charge.

In the event of any property damage caused directly through the negligence of or the act or actions of Challenger or participants in said camp program, the City will notify Challenger within five (5) business days of the damage and any related claims against Challenger; and Challenger shall be liable for the costs of repair or replacement thereof.

Rental Payment:

Challenger agrees to pay a rental fee of ten U.S. dollars (\$10.00) per student enrolled in said camps. This fee is intended to reimburse the City for its costs in making the facility available for the camps. Challenger will pay the City of Prairie Village by check no later than September 1, 2010. This shall be the only payment required in consideration of the use of said site for said camp. Challenger, as proof of camp attendance, will provide enrollment rosters.

Insurance:

Challenger will provide proof of insurance prior to the first day of camp. The City will be recognized as a Certificate Holder and a copy of the insurance certificate will be sent to the City.

Liability:

The City shall be free from all liabilities and claims for damages and/or suits for or by reason of any injury or injuries to any person or persons or property of any kind whatsoever, whether the person or property of Challenger, its agents, employees, or camp attendants, from any cause or causes whatsoever while in or upon the facility or any part thereof during the term of the camp or occasioned by any occupancy or use of the facility or any activity carried on by Challenger in connection therewith. Challenger agrees to indemnify and save harmless the City from any claim or loss by reason of Challenger's, or any camp attendant under the supervision of Challenger, or person connected thereto, use or misuse of the facility and from any claim or loss by reason of any accident or damages, during the camp, to any person or property happening on or in said facility.

The Agreement:

When signed by an authorized representative of both parties, this document accurately reflects the entire and only agreement between these parties. This agreement may be modified only in writing signed by an authorized representative of each party. This constitutes as an agreement between Challenger and the City with respect to the 2010 Challenger Camp season, from May 1, 2010 to September 1, 2010, and supersedes all prior representations and agreements. This agreement also contains within the option to renew annually upon the written consent of both parties.

Challenger Representative

Date

City of Prairie Village Representative
Ronald L. Shaffer, Mayor

Date

AGREEMENT BETWEEN THE CITY OF PRAIRIE VILLAGE AND CHALLENGER

The undersigned, Challenger Sports, a corporation organized and existing under the laws of the State of Kansas, located at 8263 Flint, Lenexa, KS 66214 (hereinafter termed "Challenger") and the City of Prairie Village, a municipal corporation (hereinafter termed "City"), enter into the following rental agreement with regard to the dates and terms specified below. This rental agreement is for the purpose of conducting flag football camps for the children of Prairie Village and its surrounding area.

Challenger and the City do hereby agree to the following terms:

Services Provided:

Challenger shall make available, conduct, and maintain (1) instructional flag football camp in accordance with the terms of this Agreement. There will be at least one qualified coach for each coaching group (12-15) campers. The morning camp shall consist of five (5) sessions of at least three (3) hours each. Challenger shall not be required to conduct the camps if it is determined by mutual agreement of the parties that there is not sufficient interest among participants to justify the camp.

Cost of Camp:

The cost for each participant for the morning camp sessions during the week of June 14-18, 2010, and shall be \$90. Challenger shall be in charge of collecting these fees from participants.

Facility Reserved:

Challenger and the City agree that camp will be held at Meadowlake Park, which is located in the City of Prairie Village, Kansas.

Camp Date:

The camps will take place from June 14, 2010 through June 18, 2010. In the event of a cancelled day of camp due to weather, the City will allow the use of said facility at no additional cost to Challenger for make-up days mutually agreed upon.

Facility Use/ Condition:

The City will allow Challenger exclusive use of said facility from 9:00 a.m.-12:00 p.m. This applies to all applicable areas of said facility, including, but not limited to all playing field areas, restrooms, and covered shelter areas. However, Challenger understands that the facility is a public park and the residents of Prairie Village may reasonably use the portions of the facility not in use by Challenger.

The City also agrees to prepare the facility (i.e. Proper lawn care, sanitize restrooms and shelters, removal of trash, etc.) prior to the first day of camp. Challenger and the City will agree upon the satisfactory condition of the facility within seven (7) days prior to the start of the first day of camp. Any additional facility maintenance agreed upon by both parties will be provided by the City throughout the camp week at no additional charge.

In the event of any property damage caused directly through the negligence of or the act or actions of Challenger or participants in said camp program, the City will notify Challenger within five (5) business days of the damage and any related claims against Challenger; and Challenger shall be liable for the costs of repair or replacement thereof.

Rental Payment:

Challenger agrees to pay a rental fee of ten U.S. dollars (\$10.00) per student enrolled in said morning camps. This fee is intended to reimburse the City for its costs in making the facility available for the

camps. Challenger will pay the City of Prairie Village by check no later than September 1, 2010. This shall be the only payment required in consideration of the use of said site for said camp. Challenger, as proof of camp attendance, will provide enrollment rosters.

Insurance:

Challenger will provide proof of insurance prior to the first day of camp. The City will be recognized as a Certificate Holder and a copy of the insurance certificate will be sent to the City.

Liability:

The City shall be free from all liabilities and claims for damages and/or suits for or by reason of any injury or injuries to any person or persons or property of any kind whatsoever, whether the person or property of Challenger, its agents, employees, or camp attendants, from any cause or causes whatsoever while in or upon the facility or any part thereof during the term of the camp or occasioned by any occupancy or use of the facility or any activity carried on by Challenger in connection therewith. Challenger agrees to indemnify and save harmless the City from any claim or loss by reason of Challenger's, or any camp attendant under the supervision of Challenger, or person connected thereto, use or misuse of the facility and from any claim or loss by reason of any accident or damages, during the camp, to any person or property happening on or in said facility.

The Agreement:

When signed by an authorized representative of both parties, this document accurately reflects the entire and only agreement between these parties. This agreement may be modified only in writing signed by an authorized representative of each party. This constitutes as an agreement between Challenger and the City with respect to the 2010 Challenger Camp season, from May 1, 2010 to September 1, 2010, and supersedes all prior representations and agreements. This agreement also contains within the option to renew annually upon the written consent of both parties.

Challenger Representative

Date

City of Prairie Village Representative
Ronald L. Shaffer, Mayor

Date

COUNCIL COMMITTEE OF THE WHOLE
January 4, 2010

The Council Committee of the Whole met on Monday, January 4, 2010 at 6:00 p.m. The meeting was called to order by Council President Michael Kelly with the following members present: Mayor Shaffer, Al Herrera, Dale Warman, Ruth Hopkins, Michael Kelly, Andrew Wang, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz. Staff members present: Wes Jordan, Chief of Police; Keith Bredehoeft, Public Works Project Manager; Katie Logan, City Attorney; Dennis Enslinger, Assistant City Administrator; Karen Kindle, Finance Director; Chris Engel, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

COU2010-01 Consider approval of an agreement with MMG for the design of the website (phase 1)

At the December 21st meeting of the Council Committee, the committee approved the recommendation to secure MMG Worldwide for the design and renovation of the City's website. Mr. Enslinger noted the web services have been divided into two phase with a total budget of \$60,000 (\$10,000 from the 2008 budget for web design services, \$10,000 from the 2009 web design services budget and \$40,000 from the economic development fund). The first phase agreement is in the amount of \$17,500.

Michael Kelly acknowledged the presence of Jeff Huggins, Vice President with MMG and Jessica Williams, Project Manager, who will be the City's daily contact person. Mr. Huggins stated he is excited to be working with the City in this venture into design of municipal websites. There past experience has primarily been with the entertainment industry.

Diana Ewy Sharp stressed the importance of getting feedback from users of the website and City Staff. Mr. Huggins responded they will be getting input through an on-line survey as well as through meetings with other staff and users.

Andrew Wang made the following motion, which was seconded by David Morrison and passed unanimously:

MOVE THE GOVERNING BODY APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH MMG WORLDWIDE FOR STRATEGIC WEB DESIGN SERVICES FOR PHASE ONE IN AN AMOUNT NOT TO EXCEED \$17,500.

COUNCIL ACTION TAKEN
01/04/2010

COU2009-114 Consider Council Policy 065 – Employee Service Awards

Dennis Enslinger noted Employee Service Awards are given in recognition of employee service anniversaries of five, ten, fifteen years, etc. The current policy accounts for an award of approximately \$50. The practice over the last few years reflected a tiered approach for each milestone. The city has also been recognizing employee anniversaries with the League of Kansas Municipalities.

The proposed policy change offers the employee the opportunity to select gifts in the League of Kansas Municipalities Service Award as designated by the employee events committee as an alternative to acknowledge their anniversary or an employee could select to receive the designated cash award if preferred by notifying the Employee Events Committee.

Dale Warman made the following motion, which was seconded by Laura Wassmer and passed unanimously:

**MOVE THE GOVERNING BODY APPROVE REVISIONS TO
COUNCIL POLICY 065 ENTITLED "EMPLOYEE SERVICE
AWARDS"**

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2010-03 Discussion of possible special sales tax vote and schedule for parks and recreation funding.

Dennis Enslinger stated there is approximately \$1,000,000 in park funding available in the 2010 General Fund Budget and up to \$1,000,000 earmarked in 2011. After 2011 no funding source has been identified to complete Parks Master Plan projects.

At their December meeting, the Finance Committee discussed the two primary funding options available for parks master plan projects: a dedicated mill levy increase or a sales tax. The committee recommends exploring the sales tax option. Per state statute, cities and counties have the ability to raise the local sales tax levy to fund special projects; however, the levy must be approved by a public vote. The Finance Committee feels the best time to go to the public with such a proposal would be during the November 2010 general election. There are several steps that must be taken in preparation for requiring a Council decision in the near future.

Dennis Enslinger stated the City currently receives 1% of the 7.525% sales tax rate. Many cities have increased their sales tax to help fund special projects.

Area sales tax rates range from a low of 7.525% to a high of 9.050% in Leawood. Mr. Enslinger reminded the Council that LANE4 will be asking for a (Community Improvement District) which if approved, would increase the sales tax rate for both the Corinth and Prairie Village Shopping districts.

Charles Clark noted that prior to the bond issue \$500,000 was budgeted annually for parks. At this funding level it would take 30 years to implement the Parks Master Plan. The bond issue was designed to accelerate programs with initial funding; however, that funding will no longer be in place in after 2011. He stated the questions before the Council are: Does it want to find a funding source for parks master plan projects past 2011? If so, what funding source is most appropriate and at what level? Should the funding source have a sunset? A sales tax increase of .50% would create approximately one million dollars annually. This would allow for implementation of the parks master plan projects over a fifteen year period.

Michael Kelly asked for Council input on accelerated funding of the parks master plan projects beyond 2011.

Laura Wassmer asked what the current two million dollars of funding would provide. Diana Ewy Sharp stated those funds would provide for the renovation of Franklin, Weltner and Schliffke Parks. Mr. Enslinger noted not all of the enhancements proposed in the master plan are included in the proposed renovation. Keith Bredehoeft confirmed the cost for the street changes in conjunction with the renovation of Weltner Park would be covered through the Capital Improvements Program.

Mrs. Ewy Sharp stated the projected cost for implementation of the Parks Master Plan is \$16 million. The City has only designated \$2 million in funding. Mr. Enslinger stated that although there are recommended enhancements for each park, not all of the recommendations have to be completed.

Ruth Hopkins stated her support of the Parks Master Plan was as a guide for improvements to be made over time as funding was available. It was not support of funding 100% of the recommendations immediately. She does not feel the time is right to go forward with funding of the entire plan. She noted when compared to Village Vision the Parks Master Plan is only a small part of the City's vision. She views improvements to 75th Street as more important to the development of the City and that designating \$1 million annually solely to park improvements is a huge mistake. She feels it should be worked into the budget.

Diana Ewy Sharp stated when the plan was adopted, unanimously in June, it was a decision to fund. Ruth Hopkins responded that the City also adopted Village Vision and agreed to fund elements of this plan.

Diane Ewy Sharp noted in the past Park & Recreation projects have been deferred with the majority of the funding going towards maintenance. The Park & Recreation Committee is trying to be pro-active in addressing park needs but it does not have the funds to do so without another funding source. She is asking for approval to take the question of increasing sales tax as a source of funding to the vote of the residents.

Ruth Hopkins stated if you ask the resident if they want park improvements, they will say yes; but if they realized that in doing so they would not be able to have some other items, she does not feel their vote would be the same.

Laura Wassmer noted she supports the parks but feels the City needs to look at a bigger picture than only parks if it is going to increase the sales tax rate.

Michael Kelly asked if the City can increase the sales taxes for general use. Charles Clark responded it can not. He stated parks are popular and more likely to get the support of the public. He noted by using these funds for parks it could free up other funds in the budget.

Laura Wassmer stated if the City was to increase sales tax, she would like to see a bundled use of the funds; similar to the school sales tax that included education and other items. This has been successfully done by other jurisdictions.

David Morrison stated he supports the parks; however, in the current economic conditions he does not see a need to accelerate the improvements through increased taxes.

David Belz asked with the ruling of the courts in favor of the Charter Ordinance, could funding be done through bonding. Charles Clark responded the City still needs a source of revenue to pay off the bonds. You can not simply issue bonds without a source of revenue with which to pay them off.

David Belz stated he does not want to be rushed into this decision and questioned why the question could not be placed on the 2012 general election ballot since funding is already in place for 2010 and 2011. He noted that between now and then, the City could consider other sources of funding. Although it would be nice to have a designated source of funding, parks are only one piece of City budget and he is not comfortable with collecting for an indefinite time.

Charles Clark responded if the question is placed on the 2012 ballot, funding would not be available for an additional year and you would be without funding for two years.

Andrew Wang confirmed there is money in the City budget for the maintenance of parks. He noted the direction given by Village Vision is much larger than that of the Parks Master Plan and the Council is charged with keeping up all parts of the City and questions having funding designated solely for parks.

Al Herrera stated the City paid to have the Master Plan created for all of its parks and feels it should consider a sales tax to allow the implementation of this plan in all the parks. He feels it would be a mistake to stop this program in its tracks.

Andrew Wang asked how the jail tax funds are being used. Dennis Enslinger responded in 2010 they have been designated for use on one-time technology expenditures. They have not been designated beyond 2010. Mr. Wang asked how much they totaled annually. Karen Kindle responded \$469,000.

Diana Ewy Sharp restated she is only seeking approval to place the question before the residents. She is confident they will support the increase and does not feel funding of the parks master plan projects at \$500,000 through the budget will be successful.

Michael Kelly stated he does not see this as an easy sell to the public. He is not opposed to increasing the sales tax, but he does not support the funds raised being designated solely to park improvements. He suggested ½ to parks and ½ to streets.

Charles Clark noted that is a political question and asked what amount of increase would be requested. Michael Kelly stated he was comfortable with a one percent increase.

Ruth Hopkins expressed her concern with the entire funds being designated to parks. She does not feel the public understands the reality of the impact on other serious issues facing the City. She agreed with Mr. Kelly on a tax bundle for streets and parks. She can not support \$1,000,000 for parks alone.

Diana Ewy Sharp said several area cities that have recently passed sales tax referendums. Dennis Enslinger noted Lenexa's tax included stormwater and parks and also has a sunset; Fairway's tax is to pay off debt and is more street related. He noted staff can get additional information on how projects have been grouped together by other jurisdictions. He again reminded the Council of the probable request by LANE4 for a 1% increase to sales tax for a CID for improvements to both Prairie Village and Corinth shopping centers.

Dale Warman stated he supported parks, but noted the City is cutting staff and in these uncertain times feels the question merits more discussion.

David Belz stated if the City goes forward, he wants to have a sunset on the tax. He is not sure how the sunset should be determined, but he feels it is needed.

Dale Beckerman stated the City should not plan projects if it does not have the money to fund them. He does not see any other way to fund the Parks Master Plan and feels the sales tax option should be considered with a sunset. However, he is not sure the tax should be fully designated to parks and does not feel the City can wait until 2012 to take action.

Diana Ewy Sharp stated the Parks Master Plan is part of Village Vision. David Belz stated if it is known what is to be funded and a sunset date established, he could possibly support the sales tax.

Laura Wassmer noted the Master Plan is a "plan" and its adoption does not mean the Council supports every aspect of the plan. She actually can not remember the specifics of the Parks Master Plan recommendations for other parks and how much they would cost to implement. She is not sure she supports all the recommendations made. Diana Ewy Sharp responded without funding, it is difficult for the Park & Recreation Committee to establish a priority.

Al Herrera noted the Master Plan, which was approved by the Council, states in the plan sales tax as a possible source of funding. He feels the Council should move forward with exploration of this option. He noted he does not have a problem setting a sunset on the tax.

Dale Beckerman noted the Parks Master Plan is a much more concrete plan than Village Vision. It is the job of the Parks & Recreation Committee to prioritize the recommendations. He does not feel it can be compared to Village Vision. Chris Engel responded the Committee has created a priority based on a four year funding plan.

Charles Clark stated a decision needs to be made no later than the next meeting to make the deadline for having the question on the November 2010 general election ballot.

Laura Wassmer confirmed funding for the past two years has been approximately \$150,000.

Dennis Enslinger stated looking at a holistic approach; this is really a Capital Improvements Program discussion. There are a lot of logistics to be considered and implications on other budget items. He noted there is no funding for the CIP after 2011.

David Morrison asked what costs would be involved in placing the question on the ballot. Mr. Enslinger stated staff could prepare a timeline with estimated costs. Dale Warman noted he would like to be made aware of anything the staff sees coming up in the future that would impact this decision.

Michael Kelly announced this item would be discussed further at the next meeting of the Council Committee of the Whole.

STAFF REPORTS

Public Safety

- Chief Jordan noted his staff has met with Dan Andersen regarding the needs for the Jazz Fest celebration.
- Eight cars have been stolen while warming up during the past few weeks. Most have been involved in crimes. His staff continues to try to educate the public.
- The department received three reports on a scam going through the area focusing on elderly residents calling asking for funds for a grandchild. One was successful in securing money.
- Sgt. Greg Hudson announced his retirement after 25 years with the Department – information on a retirement celebration will be forthcoming.
- Staff changes from the recent retirements have Sgt. Roberson moving from traffic to Special Operations and Sgt. Carney moving to the Traffic Unit.

Michael Kelly asked about traffic problems at Falmouth. Chief responded the department received more than 50 calls and is looking into ways to better address the issue surrounding the holiday display.

Ruth Hopkins asked for an update on 75th Place. Chief responded there are still problems; however, the residents are being more patient. He feels progress has been made.

Public Works

- Keith Bredehoeft reported that more snow is forecast. The oldest truck was out most of the first snow event, but otherwise, the equipment has been holding up well. The heavy snow and a large number of vehicles parked on the street created difficulties for the crews during the first snow event particularly in residential neighborhoods.
- The Campus Brick Project and 75th Street Consultant Selection Projects will be coming to Council in the near future.

Charles Clark asked when the CARS projects would be let. Mr. Bredehoeft responded they are still working on design and no date has been set to go out for bid.

Mayor Shaffer expressed his thanks to the employees of both departments for their excellent service during the past few weeks and the sacrifices they made to keep the City safe for travel.

Administration

- The Legislative Breakfast will be held on Saturday, February 6th at City Hall followed by a Council Work session.
- The Park & Recreation Committee will hold a public forum on the proposed park improvements at its meeting on January 13th at 7 p.m.
- Katie Logan announced the protest period for the ruling on the challenge to the City's Charter Ordinance begins after the judge signs the Journal Entry. The City has not received the signed Journal Entry yet.
- Dennis Enslinger noted there will be five Council meetings in 2010 that will not be held on their regular dates due to holidays and events.
- There will be a retirement party this Friday, January 8th honoring Bob Pryzby's service to the City.
- There will also be an art exhibit opening on Friday, January 8th beginning at 6:30 p.m.
- The City has free tickets available for the Sunday, January 31st concert by "The Noteables" United States Air Force Heartland of America Band at Asbury United Methodist Church.
- Construction of the new prosecutor's office will begin in a few weeks; staff will try to keep the impact on the Council Chambers minimal but asks for your patience during this process.

Adjournment

With no further business to come before the Council Committee of the Whole, Council President Michael Kelly adjourned the meeting at 7:20 p.m.

Michael Kelly
Council President



MAYOR

Council Meeting Date: January 19, 2010

Mayor's Report: Consider appointment to City Council

RECOMMENDATION

Mayor Shaffer requests Council ratification of the appointment of Steve Noll to complete the unexpired term of former Councilman David Voysey expiring in April, 2010.

BACKGROUND

Steve Noll has been an active Prairie Village resident over the past several years. He previously served on the City Council representing Ward 2 from 1991 to 2006. He chaired the Policy/Services Committee, Insurance Committee, City Pension Boards and was involved with the City's 50th & 45th Anniversary celebrations. Steve is also active in several other civic organizations.

ATTACHMENTS

1. Volunteer application

PREPARED BY

Joyce Hagen Mundy
City Clerk

Date: January 14, 2010



City of Prairie Village

APPLICATION TO VOLUNTEER

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

Name STEVE NOLL Spouse's Name MARIANNE
Address 4500 W. 71 TERRACE PV, KS Zip 66208 Ward 2
Telephone: Home 913-262-1560 Work 816-461-1897 Fax _____
E-mail steve-noll@sbcglobal.net Other Number(s): Cell 913-620-7704
Business Affiliation JACKSON COUNTY HISTORICAL SOCIETY; EXECUTIVE DIRECTOR
Business Address P.O. BOX 4241 INDEPENDENCE, MO 64051
What Committee(s) interests you? CITY COUNCIL, WARD 2 OPEN SEAT

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

WE HAVE LIVED IN PRAIRIE VILLAGE FOR 26 YEARS. I PREVIOUSLY SERVED AS THE ELECTED COUNCIL MEMBER FOR WARD 2 FROM 1991 TO 2006.

OTHER CIVIC INVOLVEMENTS: AMERICAN ROYAL, KANSAS CITY MARATHON / KC SPORTS COMMISSION, HERITAGE LEAGUE OF GREATER KANSAS CITY, HISTORIC KANSAS CITY FOUNDATION, 40 YEAR AGO CLUB, PV LIONS CLUB, GREAT AMERICAN BARBECUE / 25-TO-1 FUND, HERITAGE OF AMERICA POST CARD CLUB, INDEP. TOURISM ADVISORY BOARD, EAST FUND (SMEF)

Thank you for your interest in serving our community.

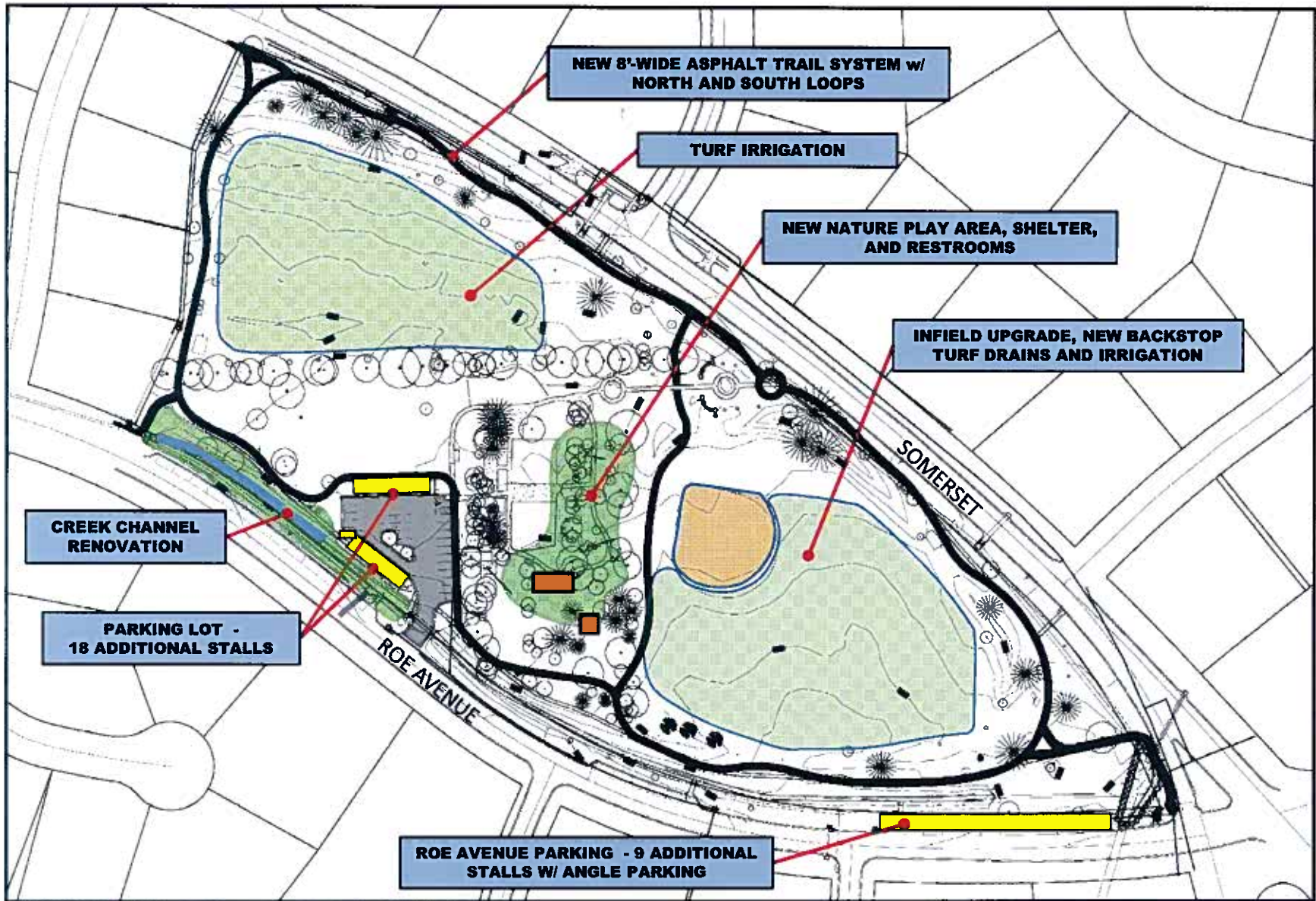
Franklin Park Renovations

Public Forum

January 13, 2010

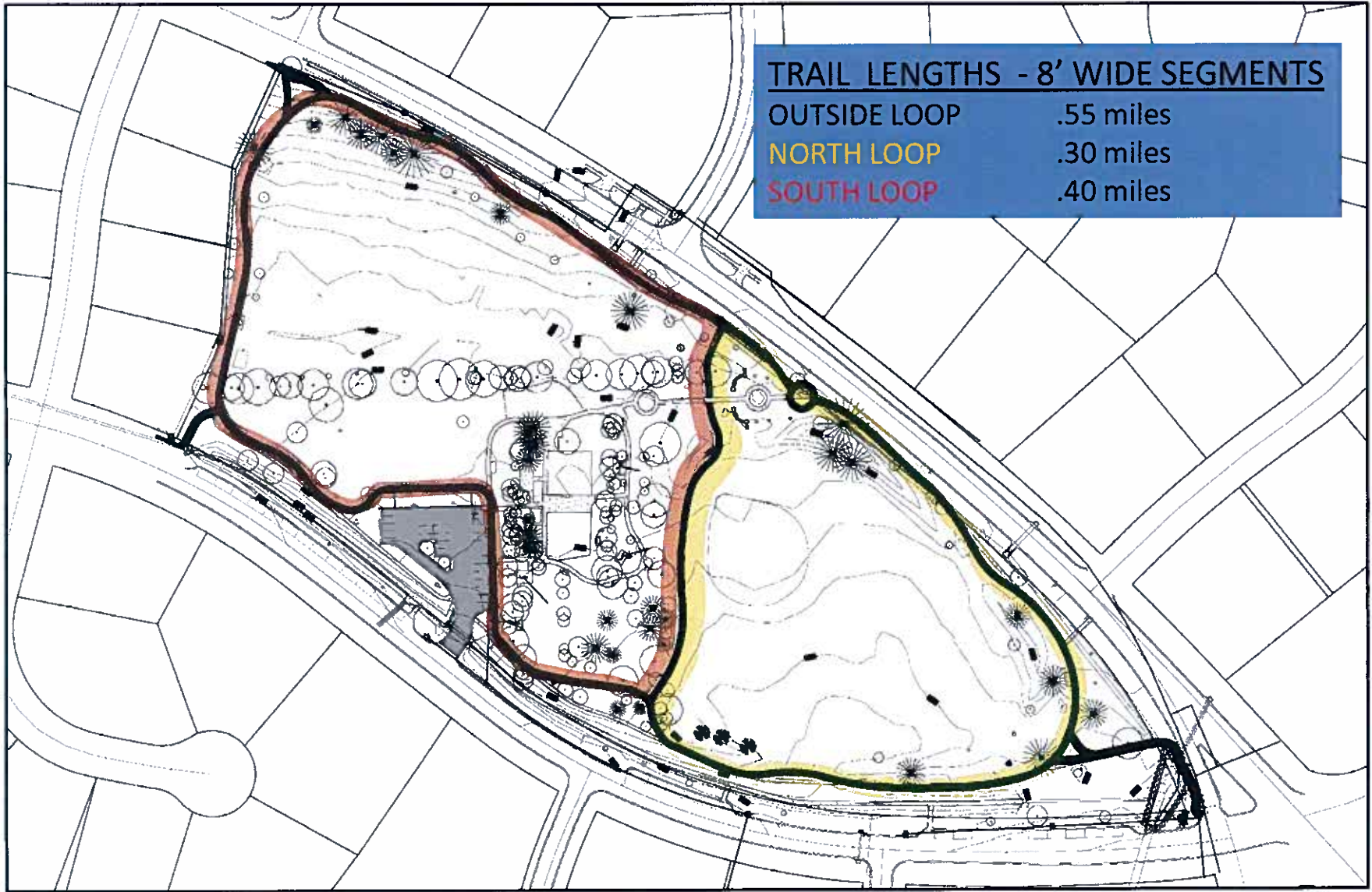


Master Plan



2010 Project Elements

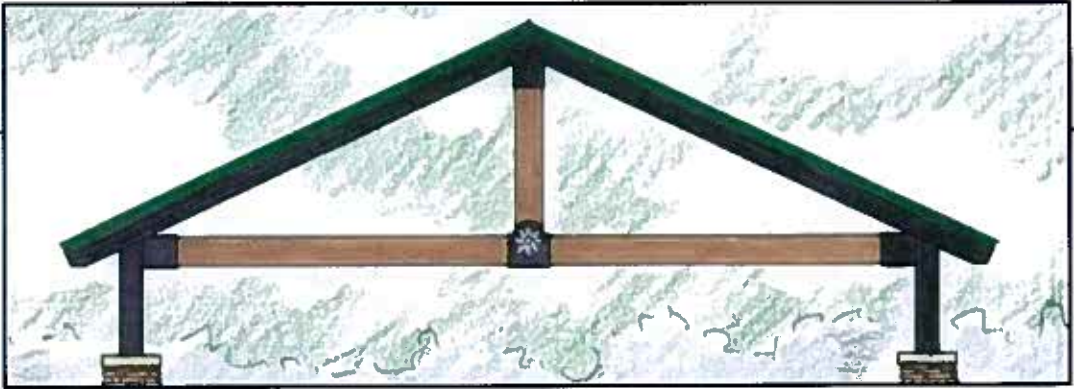
Trail System Improvements



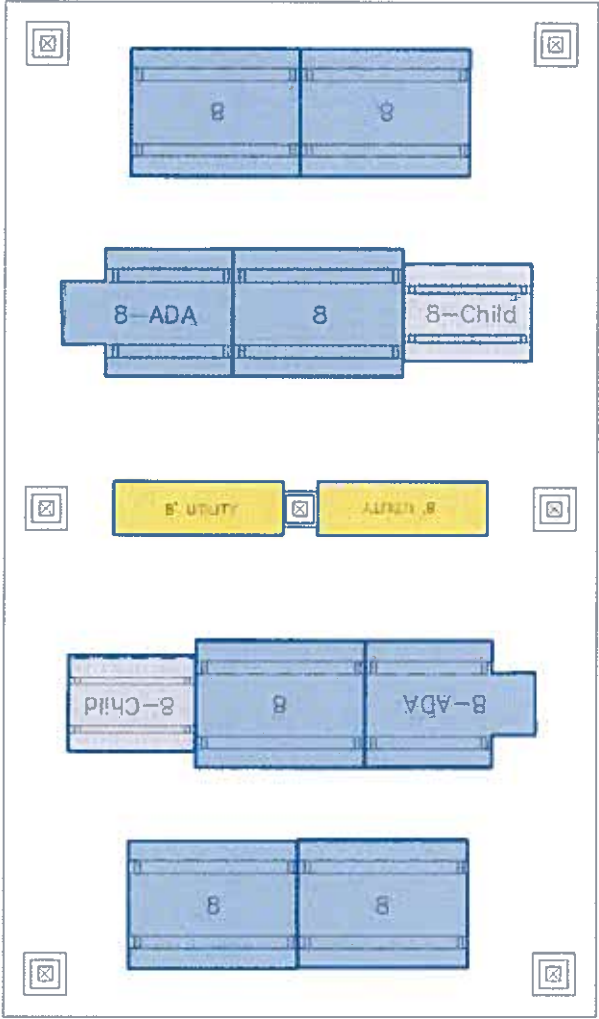
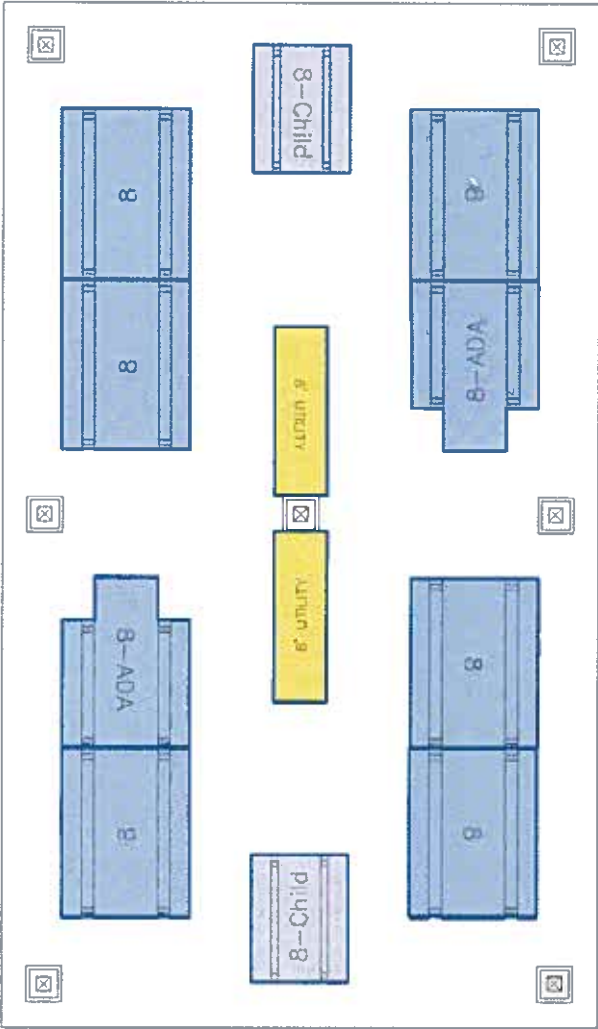
Trail System Master Plan

Shelter Design

Shelter Elevations



Shelter Table Layout Options

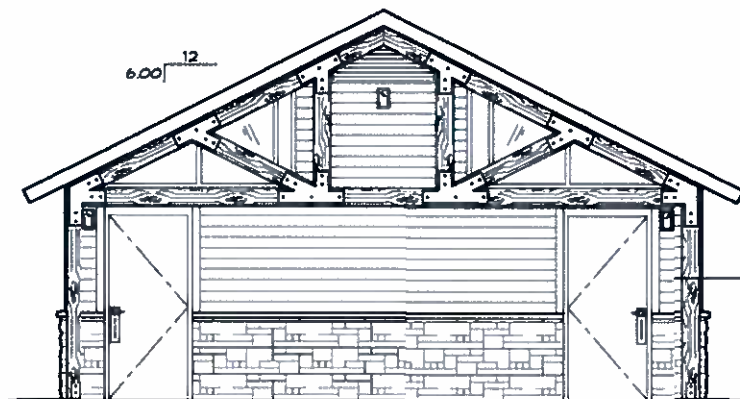
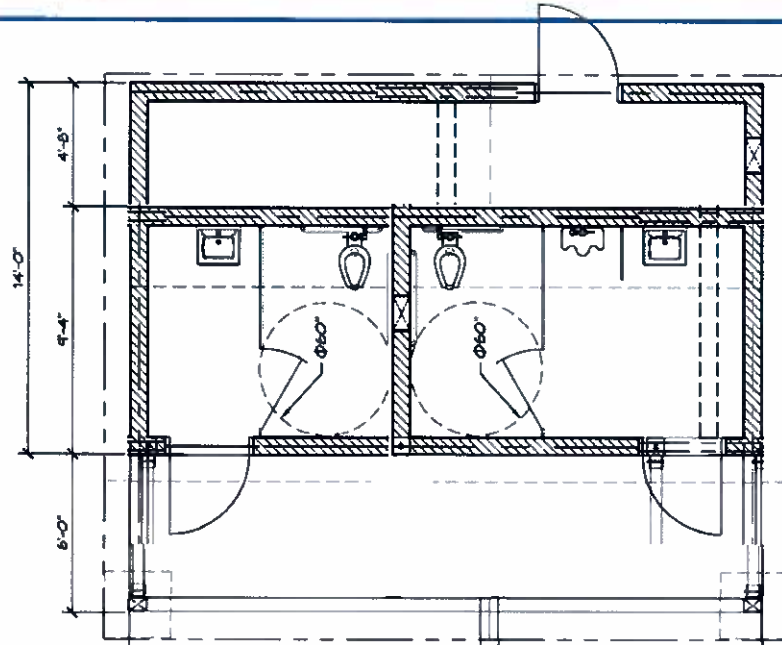


Restroom Design

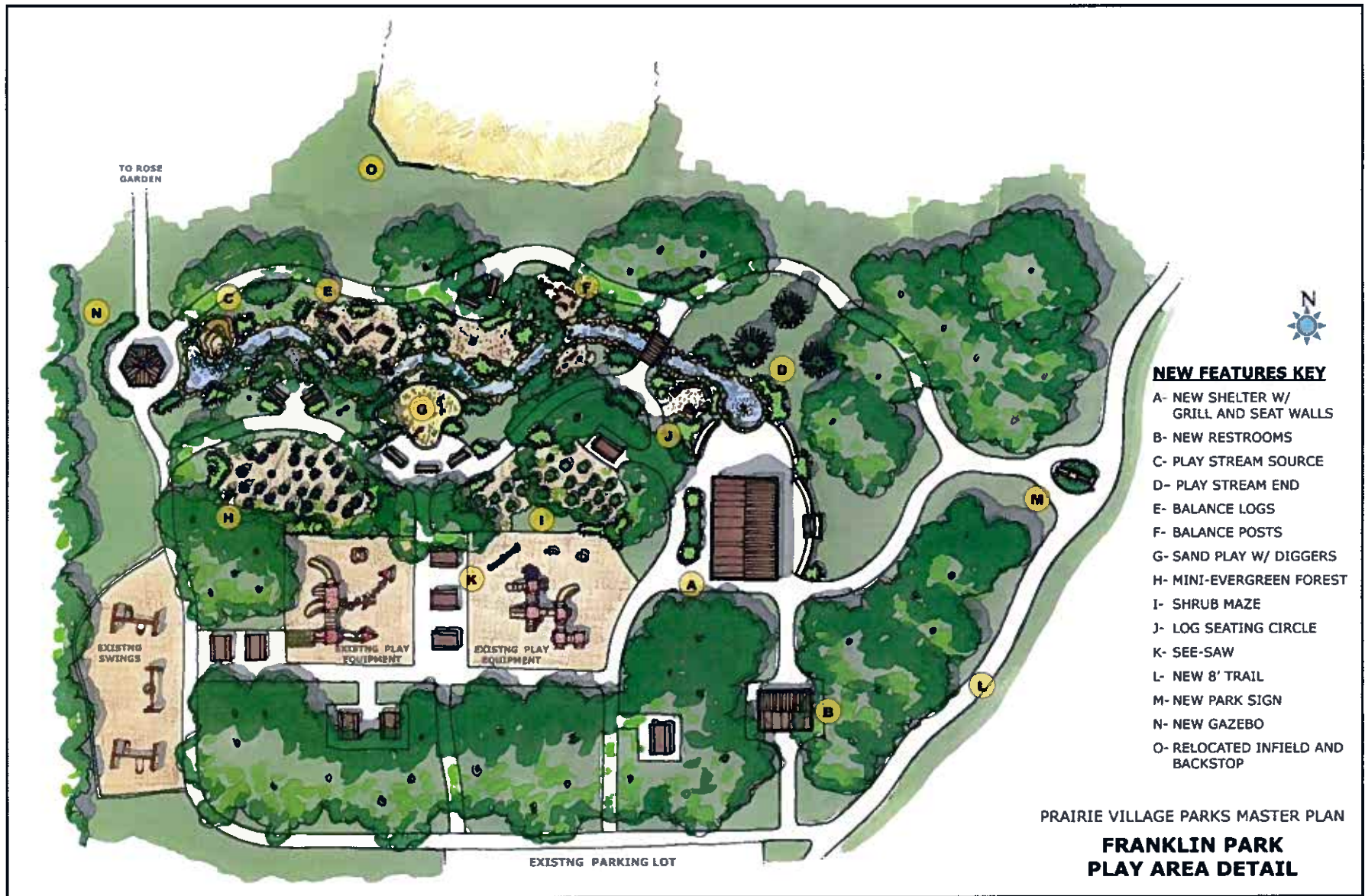
Restroom Design



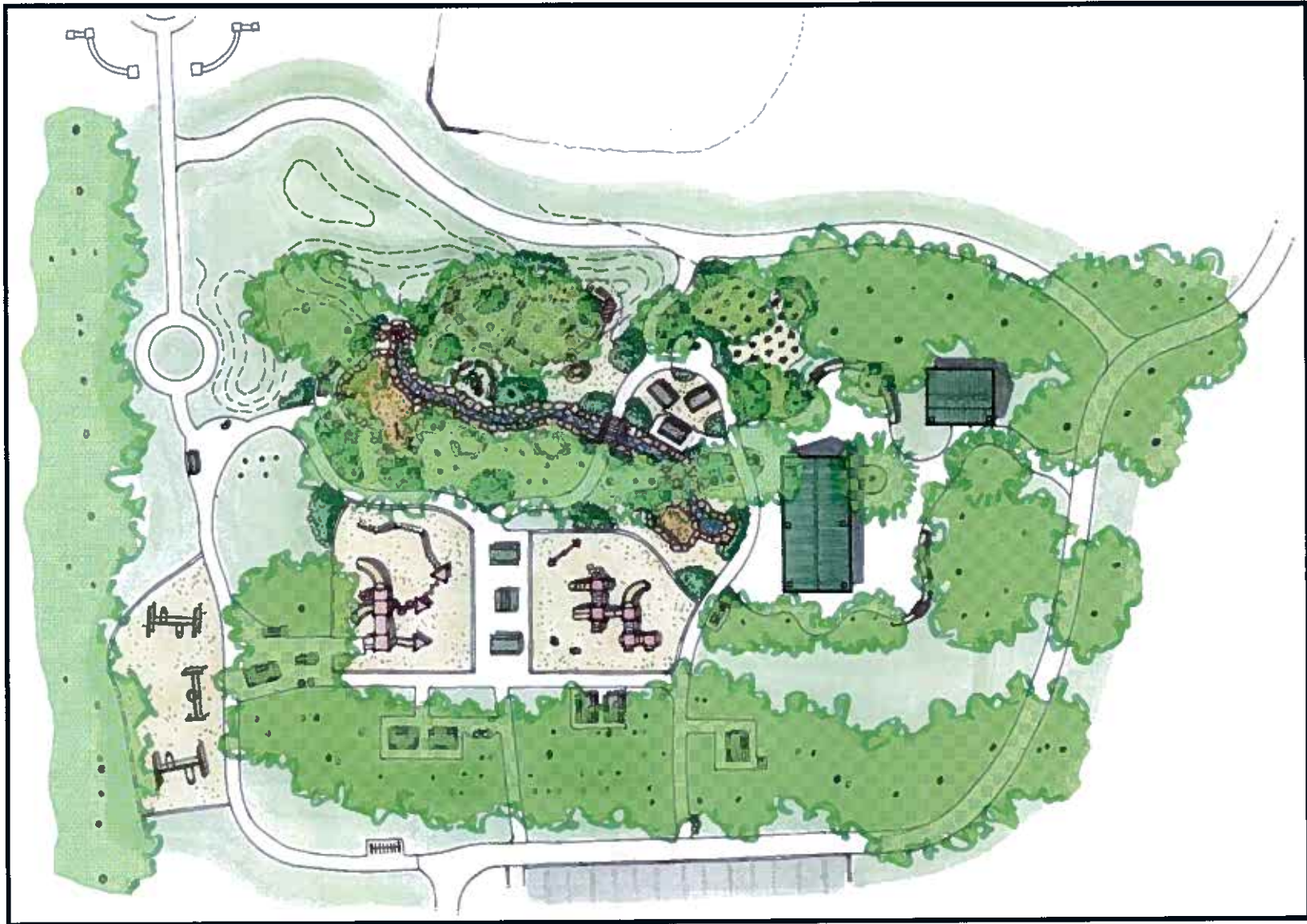
Restroom Floor Plans and Elevations



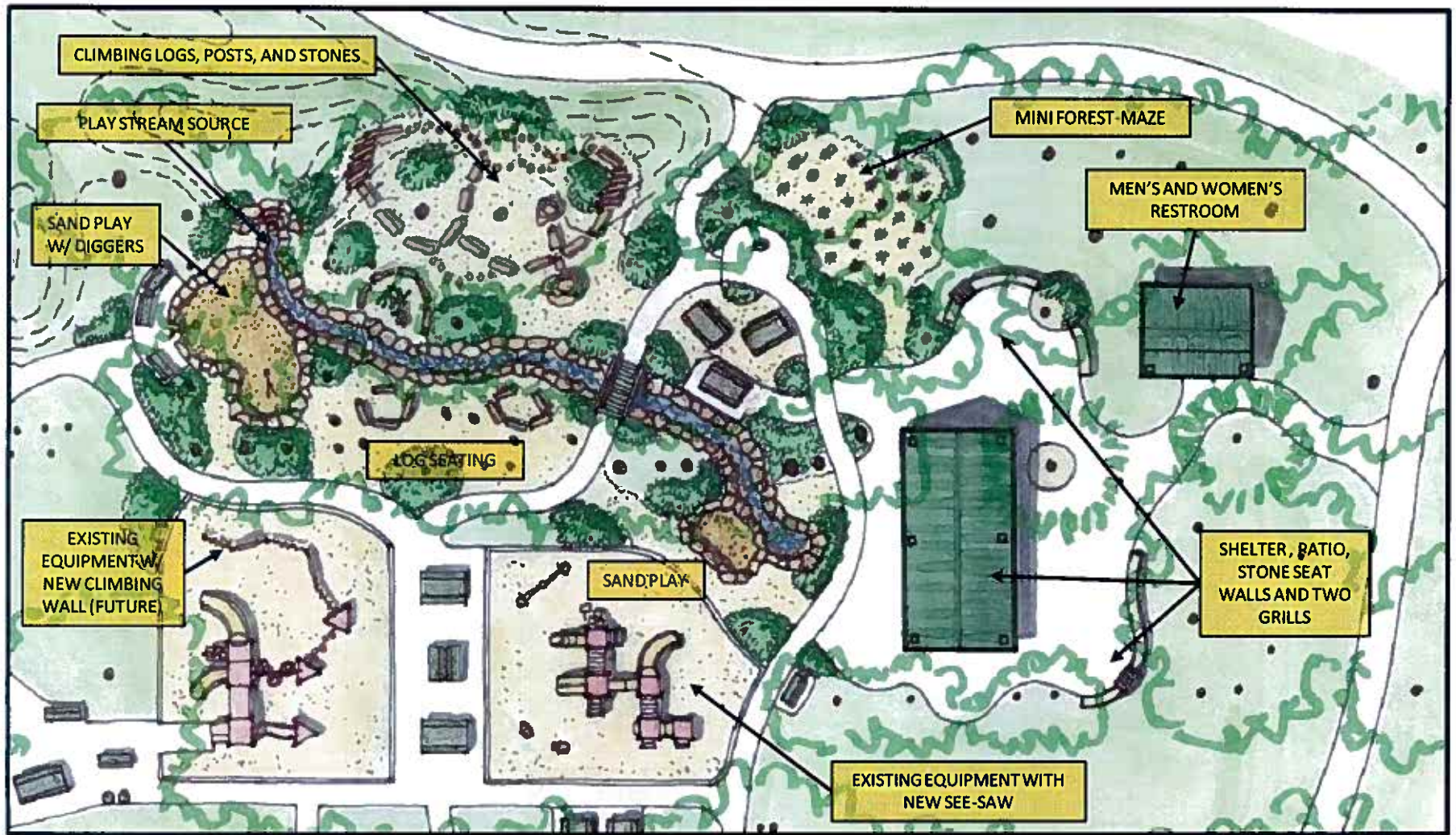
Nature Play/Shelter Area Site Plan



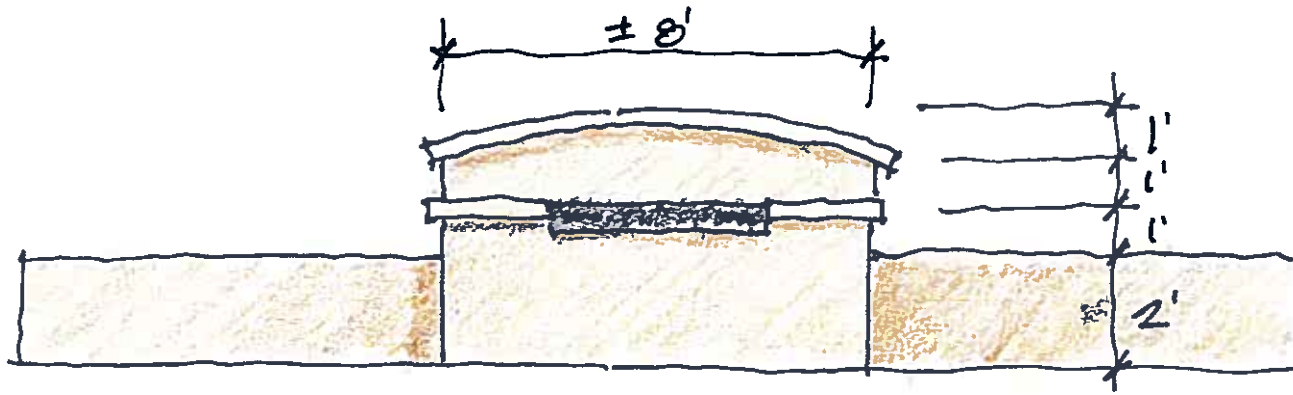
Nature Play/Shelter Area from Master Plan



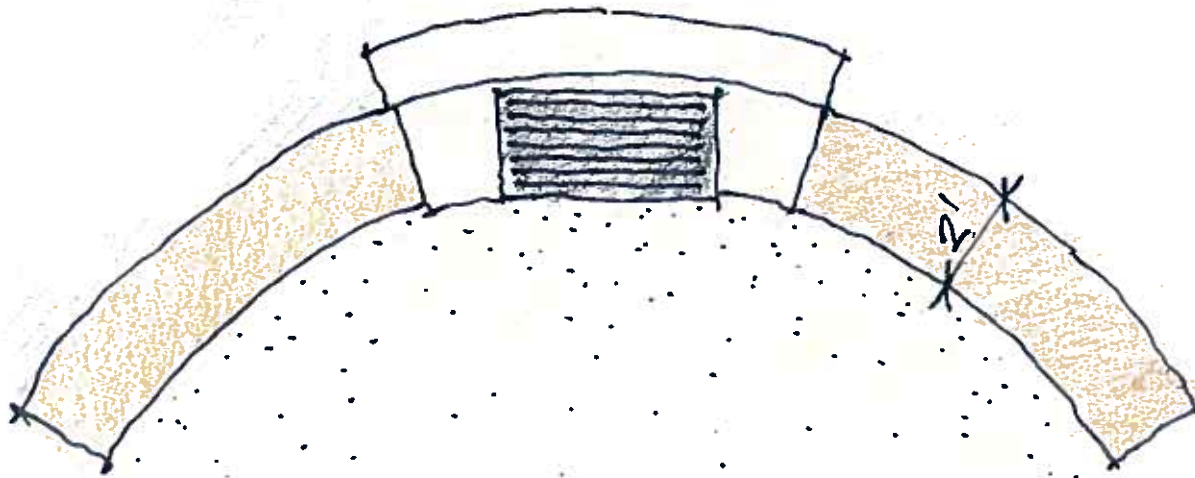
Nature Play/Shelter Area



Nature Play/Shelter Area

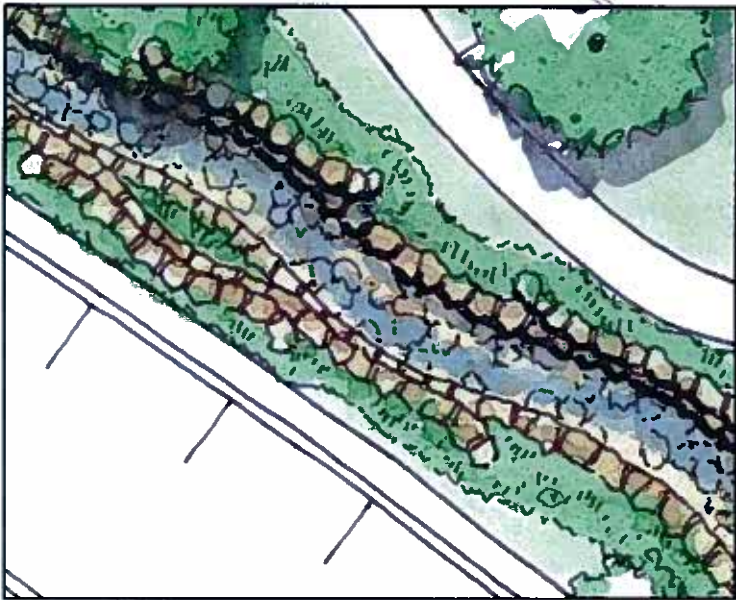


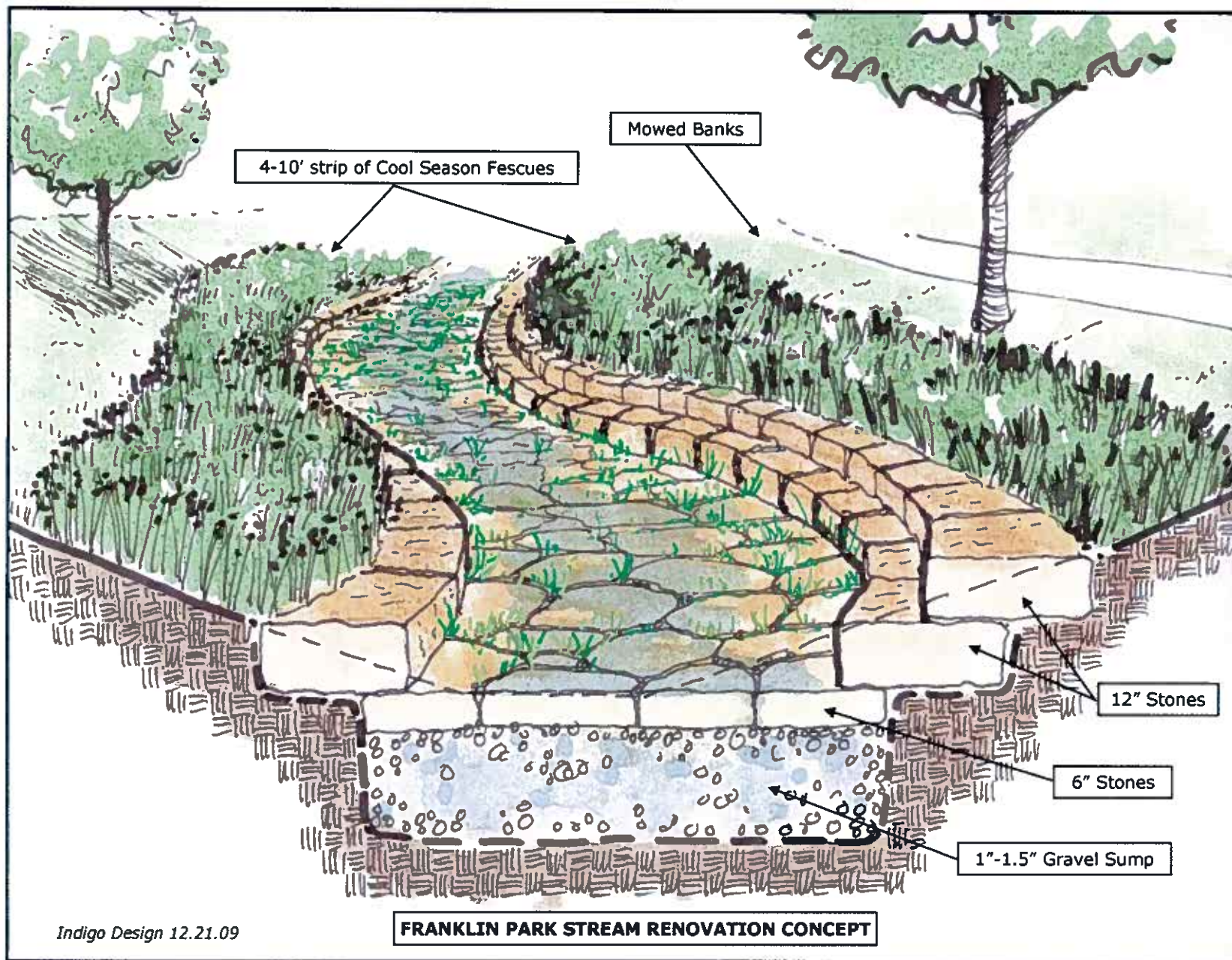
Elevation
Grills @ Shelter Area
Plan



**Parking Lot Expansion
and
Creek Channel Improvements**

Parking Lot Expansion and
Creek Channel Improvements

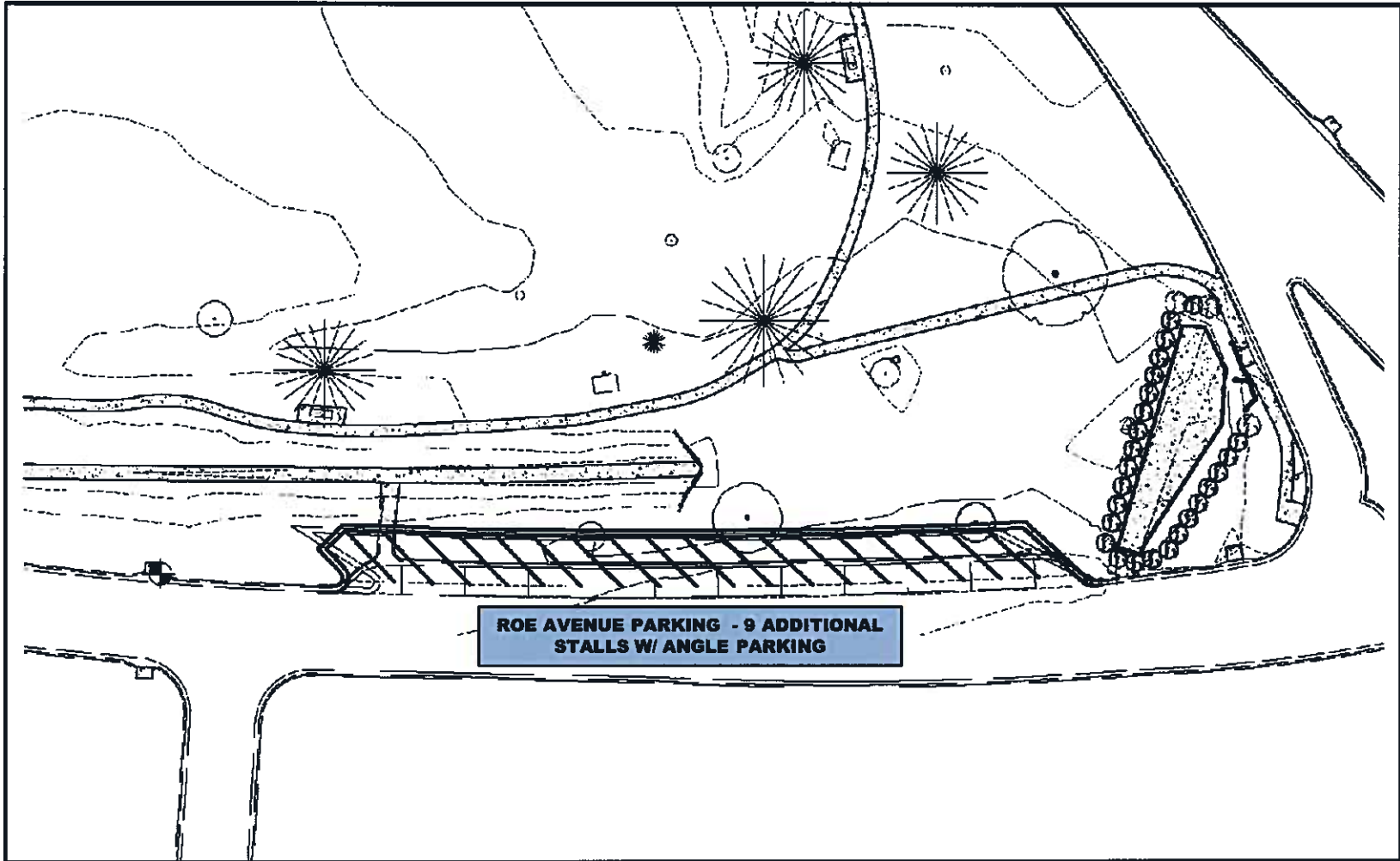




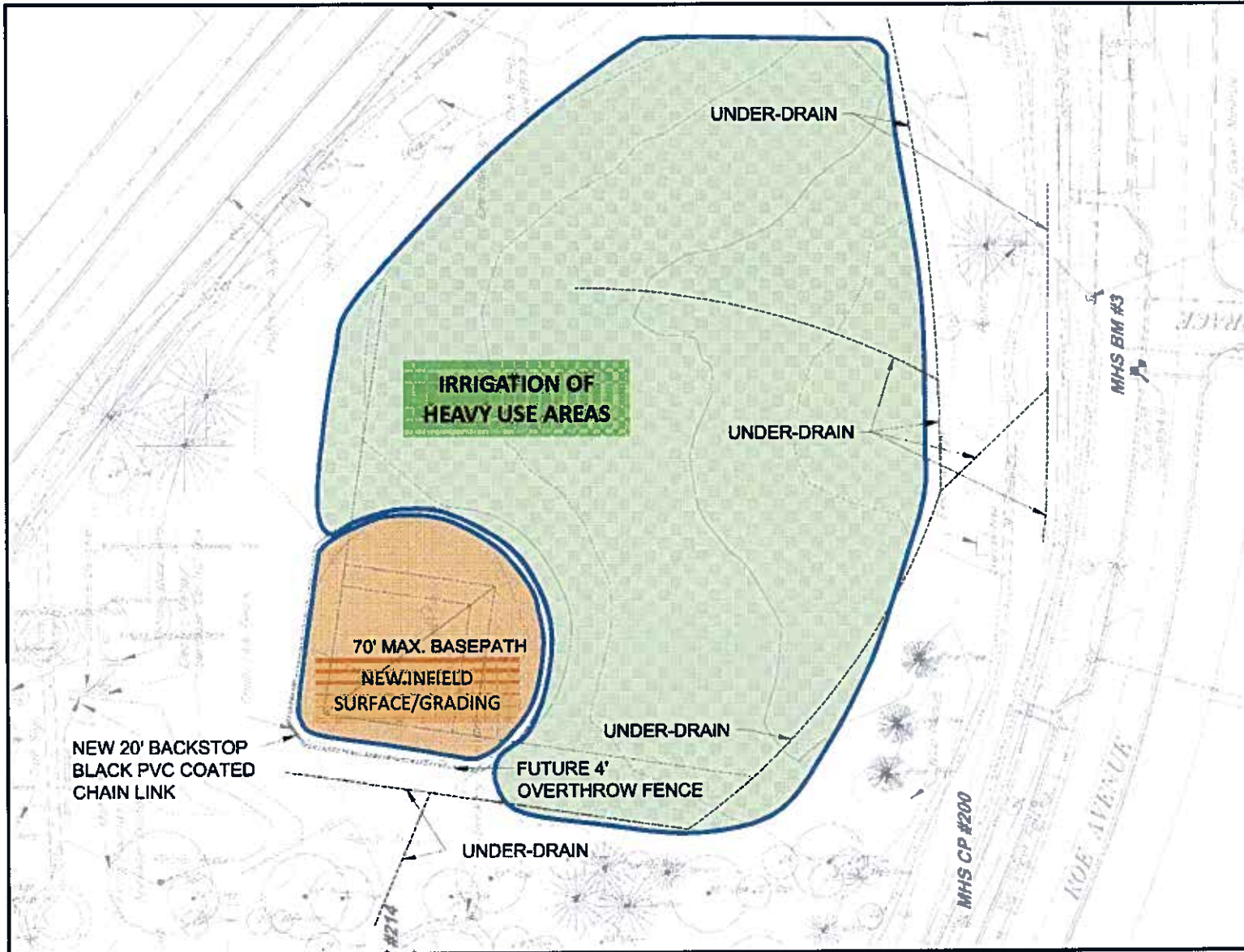
Fine Fescues for
Creek Channel
Improvements



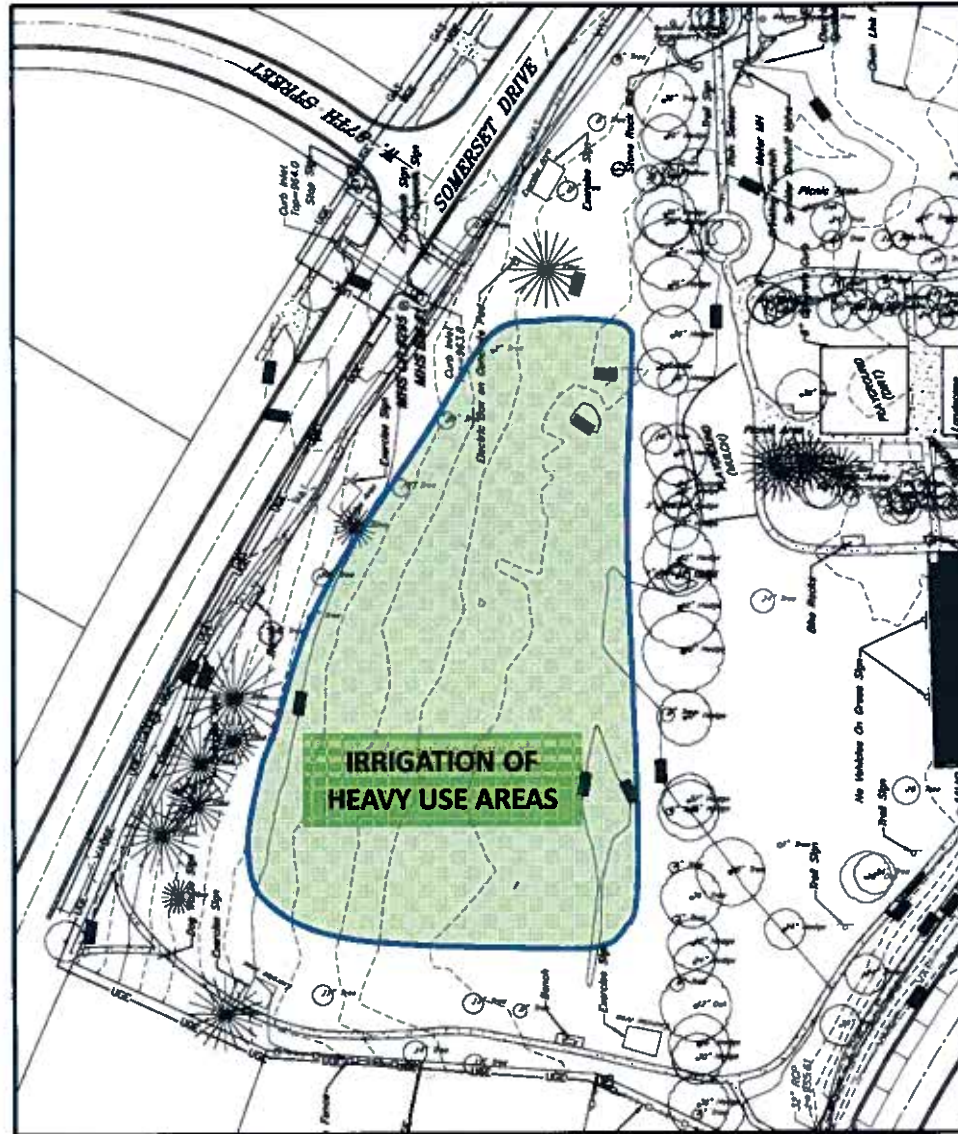
Roe Avenue Parking



Practice Field Improvements – North Field



Practice Field Improvements – South Field





The Opus Group
www.opuscorp.com

OPUS NORTHWEST, L.L.C.

460 Nichols Road, Ste. 300 | Kansas City, MO 64112

Phone 816-480-4444 | Fax 816-480-4344

January 14 2010

VIA EMAIL: denslinger@pvkansas.com

Dennis J. Enslinger, AICP
Assistant City Administrator
Municipal Building
7700 Mission Road
Prairie Village, Kansas 66208

RE: WITHDRAWAL NOTICE FOR APPLICATION PC 2008-03
Request for Rezoning from R-1a (Single Family Residential District)
to MXD (Mixed Use District) at 91st & Nall Avenue on the
Meadowbrook Country Club Property
Applicant: OPUS NWR, LLC

Dear Mr. Enslinger:

In light of continuing weakness in the housing and credit markets and the potential impact of these conditions on our proposed redevelopment plan, we hereby respectfully withdraw our request to modify stipulations associated with the above referenced application.

We still firmly believe in the redevelopment potential of the Meadowbrook Golf and Country Club and will continue to monitor economic and market conditions. When prudent to do so, we will return to the City to simultaneously submit new rezoning, development plan, plat, and incentive applications.

If you have any questions or comments, please feel free to call.

Best regards,

Richard L. Muller
Director, Real Estate Development

MAYOR'S ANNOUNCEMENTS

Tuesday, January 19, 2010

Committee meetings scheduled for the next two weeks include:

Prairie Village Arts Council	01/20/2010	7:00 p.m.
Community Center Sub-Committee	01/21/2010	7:00 p.m.
Friends of JazzFest	01/27/2010	6:00 p.m.
Environmental Recycle Committee	01/27/2010	7:00 p.m.
VillageFest Committee	01/28/2010	7:00 p.m.
Council Committee of the Whole	02/01/2010	6:00 p.m.
City Council	02/01/2010	7:30 p.m.

The Prairie Village Arts Council is pleased to announce a photography exhibit by Anne Nye during the month of January.

The Arts Council is sponsoring a free performance of the Noteables of the United States Air Force Heartland of America Band on January 31st at the Asbury United Methodist Church from 4:00 - 5:30 p.m. Pick up your tickets at City Hall!

The City Offices will be closed on Monday, February 15th in observance of President's Day. Deffenbaugh does not observe this holiday.

The annual large item pick-up has been scheduled for April 24th.

The City Clerk's office has a new style of ceramic coffee mug for sale. They are \$5.00 each.

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

INFORMATIONAL ITEMS
January 19, 2010

1. Mark Your Calendars
2. Committee Agenda

**Council Members
Mark Your Calendars
January 19, 2010**

January 2010	Anne Nye photography exhibit in the R. G. Endres Gallery
February 2010	Student mixed media Art Show in the R. G. Endres Gallery
February 1	City Council Meeting
February 12	Artist reception in the R. G. Endres Gallery 6:30 - 7:30
February 15	City offices closed in observance of Presidents' Day holiday
February 16(Tues.)	City Council Meeting
March 2010	Lynne Hodgman mixed media exhibit in the R. G. Endres Gallery
March 1	City Council Meeting
March 12	Artist reception in the R. G. Endres Gallery 6:30 - 7:30
March 15	City Council Meeting
April 2010	Dolyna Art Exhibit in the R. G. Endres Gallery
April 5	City Council Meeting
April 9	Artist reception in the R. G. Endres Gallery 6:30 - 7:30
April 19	City Council Meeting
May 2010	Rod Atteberry and Otto Miller mixed media exhibit in the R. G. Endres Gallery
May 3	City Council Meeting
May 14	Artist reception in the R. G. Endres Gallery 6:30 - 7:30
May 17	City Council Meeting
May 31	City offices closed in observance of the Memorial Day holiday
June 2010	Marearl Denning photography exhibit in the R. G. Endres Gallery
June 7	City Council Meeting
June 11	Artist reception in the R. G. Endres Gallery 6:30 - 7:30
June 21	City Council Meeting
July 2010	Ric Cummings photography exhibit in the R. G. Endres Gallery
July 4	VillageFest
July 5	City offices closed in observance of the Independence Day holiday
July 6 (Tuesday)	City Council Meeting
July 9	Artist reception in the R. G. Endres Gallery 6:30 - 7:30
July 19	City Council Meeting
August 2010	Senior Arts Council mixed media exhibit in the R. G. Endres Gallery
August 2	City Council Meeting
August 13	Artist reception in the R. G. Endres Gallery 6:30 - 7:30
August 16	City Council Meeting
September 2010	Joan Gerding oils exhibit in the R. G. Endres Gallery
September 6	City offices closed in observance of the Labor Day holiday
September 7(Tues.)	City Council Meeting
September 10	Artist reception in the R. G. Endres Gallery 6:30 - 7:30
September 20	City Council Meeting

October 2010	State of the Arts exhibit in the R. G. Endres Gallery
October 4	City Council Meeting
October 8	Artist reception in the R. G. Endres Gallery 6 - 8 p.m.
October 18	City Council Meeting
November 2010	Mid-America Pastel Societ pastels exhibit in the R. G. Endres Gallery
November 1	City Council Meeting
November 12	Artist reception in the R. G. Endres Gallery 6:00 - 8:00
November 15	City Council Meeting
November 25	City offices closed in observance of the Thanksgiving holiday
November 26	City offices closed in observance of the Thanksgiving holiday
December 2010	Marcus Cain mixed meda exhibit in the R. G. Endres Gallery
December 6	City Council Meeting
December 10	Artist reception in the R. G. Endres Gallery 6:30 - 7:30
December 20	City Council Meeting
December 24	City offices closed in observance of the Christmas holiday

ANIMAL CONTROL COMMITTEE

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

COMMUNICATIONS COMMITTEE

COM2008-01 Consider upgrade to City's Website (assigned 10/8/2007)

COUNCIL COMMITTEE

- COU2007-02 Consider Reducing size of Council & term limits for elected officials (assigned 1/8/2007)
COU2007-35 Consider reactivation of Project 190709: 83rd Street/Delmar Drainage Improvements
COU2007-40 Consider Code Enforcement - Interior Inspections (assigned 5/2/2007)
COU2007-74 Consider reactivation of Prairie Village Development Corporation (assigned 12/3/2007)
COU2008-21 Consider Project 190865:2009 CARS - Roe Avenue Resurfacing from Somerset Drive to 83rd Street (assigned 2/26/2008)
COU2008-22 Consider Project 190890: 2009 Street Resurfacing Program (assigned 2/26/2008)
COU2008-67 Consider sidewalk policy relative to sidewalks (8200 Rosewood) (assigned 8/13/2008)
COU2008-75 Consider approval of a modification to Personnel Policy 910 regarding "comp time" (assigned 10/1/2008)
COU2008-100 Consider approval of ordinance affirming City Boundaries (assigned 12/10/2008)
COU2009-03 Consider Project 191023: 2009 Concrete Repair Program (assigned 12/23/2008)
COU2009-14 Consider Project 190870: 2010 Street Resurfacing Program (assigned 1/13/2009)
COU2009-15 Consider Project 190721: 2009 Storm Drainage Repair Program (assigned 1/13/2009)
COU2009-16 Consider Project 190876: 2010 CARS, 83rd Street Resurfacing from Nall Avenue to Roe Avenue (assigned 1/13/2009)
COU2009-17 Consider Project 190877: 2009 CARS, 83rd Street Resurfacing: Roe Avenue to Somerset Drive (assigned 1/13/2009)
COU2009-26 Consider Project 190722: 2010 Storm Drainage Repair Program (assigned 2/6/2009)
COU2009-63 Consider Project 190866 - 75th Street Paving (assigned 6/10/2009)
COU2009-97 Consider Project 190653 El Monte Fountain Improvements (assigned 10/12/2009)
COU2009-98 Consider Project 190656 Community Center Study (assigned 10/12/2009)
COU2009-100 Consider Project 190728: Prairie Lane Drainage Project (assigned 10/14/2009)
COU2009-111 Consider Project 190653: El Monte Fountain Construction Change Order #1 (assigned 12/1/2009)
COU2009-114 Consider Approval of Council Policy 065 - Employee Service Awards (assigned 12/1/2009)
COU2009-123 Consider Project 190728: Prairie Lane Drainage Project - Engineering Change Order #1 (assigned 12/16/2009)
COU2009-124 Consider Construction Administration Agreement for Project 2010 Bond with Transystems (assigned 12/16/2009)
COU2009-125 Consider Construction Agreement with O'Donnell & Sons for Project 2010 Bond (assigned 12/16/2009)
COU2009-126 Consider Approval of a Resolution of Support and Commitment for Joint Membership in KCADC with the NE Johnson County Chamber and other NE cities (assigned 12/16/2009)
COU2010-01 Consider approval of an agreement with MMG for the design of phase 1 of the City's Website (assigned 12/30/2009)
COU2010-02 Consider approval of Memorandum of Understanding with Johnson County and other cities in support of public transportation (assigned 12/30/2009)
COU2010-03 Consider possible special sales tax vote and schedule for parks and recreation funding (assigned 12/30/2009)
COU2010-04 Discussion regarding Public Works Director Selection process (assigned 1/13/2010)

PARKS AND RECREATION COMMITTEE

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

PLANNING COMMISSION

- PC2007-01 Study City zoning regulations to address those items identified by the Village Vision Strategic Investment Plan in 2007 (assigned 8/20/2007)
PC2008-02 Consider development of ordinances to support best practices for renewable energy and for green design related to residential and commercial building design (assigned 7/7/08)

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)