

CITY OF PRAIRIE VILLAGE

September 21, 2009

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

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



September 21, 2009



*City Council
Meeting*



Dinner will be provided by:
Dragon Inn

*Chicken with Cashew Nuts
Seasonal Vegetables
Sweet & Sour Pork
Beef with orange flavor*

Ice Cream Cake from Mely's

**JOINT MEETING
PLANNING COMMISSION & COUNCIL COMMITTEE
September 21, 2009
6:00 p.m.
Council Chambers**

AGENDA

MICHAEL KELLY, COUNCIL PRESIDENT

CONSENT AGENDA

- *COU2009-93 Consider Adoption of Ordinance Incorporating the 2009 Uniform Public Offense Code and the Standard Traffic Ordinance**

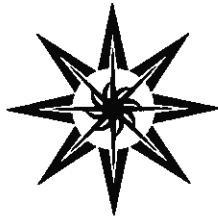
AGENDA ITEMS FOR DISCUSSION

- COU2007-51 Village Vision
Dennis Enslinger & Ron Williamson**

Approx. 7:15 pm

- *COU2009-91 Consider Ordinance and Resolutions related to the upcoming Bond Issue for Public Improvements
Gary Anderson, Gilmore & Bell, P.C.**
- *COU2009-90 Consider revision to the Council Policy CP056 "Financial Management Policies"
Karen Kindle**
- *COU2009-92 Consider agreement with Bucher, Willis & Ratliff Corporation for completion of a Safe Routes to School Plan and Phase II application
Dennis Enslinger**

***Council Action Requested the same night**



CITY CLERK DEPARTMENT

Council Committee Meeting Date: September 21, 2009
Council Meeting Date: September 21, 2009

COU2009-93 Consider Adoption of Ordinances Incorporating the 2009 Uniform Public Offense Code and the Standard Traffic Ordinance

RECOMMENDATION

Recommend the Governing Body adopt Ordinance 2210 incorporating the Uniform Public Offense Code, (UPOC) and Ordinance 2211 incorporating the Standard Traffic Ordinance (STO), 2009 edition, prepared and published by the League of Kansas Municipalities with certain sections deleted and with additional and supplemental sections.

BACKGROUND

On an annual basis, the City receives the latest edition of the UPOC and STO from the League of Kansas Municipalities. Prior to the request for incorporation, the offense codes and traffic ordinances were reviewed against current City ordinances for any discrepancies. Any deletions or additions were reviewed and approved by the City Attorney.

The changes include the following:

STO Ordinance - Article 13, Section 87 is amended to read that the mandatory fine is \$105 (Handicapped Parking).

UPOC Ordinance - The following numbering changes were made under 11-104:

- Section 6.24 "Unlawful Posting of Pictures and Advertisement to 6.25
- Section 6.25 "Opening, Damaging or Removing Coin-Operated Machines" to 6.27
- Section 6.26 "Possession of Tools for Opening, Damaging or Removing Coin-Operated Machines to 6.28

ATTACHMENTS

Ordinance 2210
Ordinance 2211

PREPARED BY

Joyce Hagen Mundy
City Clerk

Date: September 18, 2009

ORDINANCE NO. 2210

AN ORDINANCE AMENDING CHAPTER XI OF THE CODE OF THE CITY OF PRAIRIE VILLAGE, 2003, ENTITLED "PUBLIC OFFENSES & TRAFFIC" BY INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", EDITION OF 2009, WITH CERTAIN DELETIONS AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; AND REPEALING CHAPTER XI, ARTICLE 1 OF THE PRAIRIE VILLAGE MUNICIPAL CODE

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

SECTION ONE

11-101. is hereby adopted to read as follows:

11-101. INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Prairie Village, Kansas, that certain code known as the "Uniform Public Offense Code," edition of 2009, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, with certain sections deleted and with additional and supplemental sections, such incorporations being authorized by K.S.A. §§12-3301 and 12-3302 and K.S.A. §§12-3009 through 12-3012. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped, "Official Copy as Incorporated by the Code of the City of Prairie Village, Kansas" with such additional sections clearly marked and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

SECTION TWO

11-102. is hereby adopted to read as follows:

11-102. UNIFORM PUBLIC OFFENSE CODE; ADDITIONS.

Article 5 of the Uniform Public Offense Code is hereby amended by deleting existing Section 5.6 and inserting in place thereof the following:

Section 5.6 Purchase or Possession of Cigarettes or Tobacco Products by a Minor.

It shall be unlawful for any person:

- (a) Who is under 18 years of age to purchase or attempt to purchase cigarettes or tobacco products; or
- (b) Who is under 18 years of age to possess or attempt to possess cigarettes or tobacco products. (K.S.A. 79-3321:3322, as amended)

Violation of this section shall be an ordinance cigarette or tobacco infraction for which the fine shall be a minimum of \$25 and a maximum of \$100. In addition, the judge may require the juvenile to appear in court with a parent or legal guardian.

SECTION THREE

11-103. is hereby adopted to read as follows:

11-103. SAME.

Article 5 of the Uniform Public Offense Code is hereby amended by deleting the existing Section 5.8 and inserting in place thereof the following:

Section 5.8 Unlawful Possession, Consumption, and Acquisition of Alcohol or Cereal Malt Beverages by a Minor.

- (a) No person under 21 years of age shall possess or consume alcoholic liquor or cereal malt beverages except as authorized by law.

Violation of this subsection is a violation punishable:

- (1) By a fine of not less than \$200.00 or by 40 hours of community service or by both, if committed on premises licensed pursuant to Article 26 of Chapter 41 of the Kansas Statutes Annotated; or
(2) By a fine of not less than \$200.00 or by 10 hours of community service, or by both, if committed on any other premises.

- (b) No person under 21 years of age shall obtain or purchase, or attempt to obtain or purchase, alcoholic liquor or cereal malt beverages from any person except as authorized by law.

Violation of this subsection is a violation punishable by a fine of not less than \$100.00 and not more than \$250.00 or by 40 hours of community service, or by both.

SECTION FOUR

11-104. is hereby adopted to read as follows:

11-104. SAME.

Article 6 of the Uniform Public Offense Code is hereby supplemented to add the following provisions:

Section 6.26 Unlawful Posting of Pictures and Advertisements.

- (a) Unlawful posting of pictures and advertisements is:

- (1) The putting up, affixing or fastening of either or both to a traffic control device or traffic control standard or telegraph, telephone, electric light, power or other utility pole, but it is not unlawful to affix official traffic control devices to such poles; or
(2) The placement of either or both on public property other than as prescribed in subdivision 3 of this subsection;
(3) The placement of either or both on right-of-way without the consent of the landowner or the person in possession whose land lies along the right-of-way where such picture or advertisement is placed; or
(4) The placement of either on private property without the consent of the landowner or the person in possession of such property.

- (b) It is unlawful for any person within the city limits to tack, paste, paint, hang or place in any manner whatsoever, or cause to be tacked, posted, hung, or placed in any manner whatsoever, any handbills, dodgers, signs, or advertisements, written or unwritten, or printed matter, to or upon any telephone or telephone pole, sidewalk, or building in the city, or to throw, scatter or cause to be thrown or scattered, any handbills, dodgers or other advertisements or propaganda, or of written or printed matter or paper of any kind upon any street, alley, sidewalk, vacant lot, city property, or yard within the city limits.

Unlawful posting of pictures and advertisements is a Class C violation.

Section 6.27 Opening, Damaging or Removing Coin-Operated Machines.

Opening, damaging or removing coin-operated machines is willfully and knowingly opening, removing or damaging any parking meter, coin telephone, vending machine dispensing goods or services, money changer or any other device designed to receive money in the sale, use or enjoyment of property or services or any part thereof, with intent to commit theft.

Violation of this section is a Class A violation.

Section 6.28 Possession of Tools for Opening, Damaging or Removing Coin-Operated Machines.

Possession of tools for opening, damaging or removing coin-operated machines is the possession of any key, tool, instrument or other device, or any drawing, print or mold of a key or other device or any explosive specifically designed for or suitable for the use in opening or breaking into any parking meter, coin telephone, vending machine dispensing goods or services, money changer or any other device designed to receive money in the sale, use or enjoyment of property or services with intent to commit theft.

Violation of this section is a Class B violation.

SECTION FIVE

11-105. is hereby adopted to read as follows:

11-105. SAME.

Article 9 of the Uniform Public Offense Code is hereby amended by deleting the existing Section 9.9 and inserting in place thereof the following:

Section 9.9 Abusing Toxic Vapors

- (a) Abusing toxic vapors is knowingly possessing, buying, using, smelling, or inhaling the fumes of toxic vapors with the intent of causing a condition of euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system.
- (b) This section shall not apply to the inhalation of anesthesia or other substances for medical or dental purposes.
- (c) In a prosecution for a violation of this section, evidence that a container lists one or more of the substances which are defined as a toxic vapor as one of its ingredients shall be *prima facie* evidence that the substance in such container contains toxic vapors and emits the fumes thereto. (K.S.A. 21-36a12(a))

Abusing toxic vapors is a Class B violation. In addition to any sentence or fine imposed, the court shall enter an order which requires that the person enroll in and successfully complete an alcohol and drug safety action education program or treatment program as provided in K.S.A. 8-1008, and amendments thereto, or both the education and treatment program.

SECTION SIX

11-106. is hereby adopted to read as follows:

11-106. SAME.

Article 9 of the Uniform Public Offense Code is hereby supplemented to add the following provisions:

Section 9.14 Loitering.

(a) Loitering is loafing, wandering, standing or remaining idle, either alone or in concert with others, in a public place in such manner so as to:

(1) Obstruct any public street, public highway, public sidewalk or public building or any other place of public access by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians;

(2) Committing in or upon any public street, public highway, public sidewalk or public building or any other place of public access any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, public sidewalk or public building or any other place of public access, all of which prevents the free and uninterrupted ingress, egress and regress therein, thereon and thereto.

(b) When any person causes or commits any of the conditions enumerated in this section, a law enforcement officer shall order that person to stop causing or committing such conditions and to move on or disperse. Any person who fails or refuses to obey such order is guilty of a violation of this section.

Violation of this section is a Class C violation.

Section 9.15 Unsolicited Publications – Penalty.

(a) No person shall either directly or indirectly place or deposit or cause to be placed or deposited, upon any building or structures used for human abode, including the lot or lots upon which the structure is located or upon any right-of-way or city property within the city, any newspaper, magazine, publication or any other printed material if the owner or occupant of the structure has previously requested in writing that the publisher or deliverer of the material not place or deposit the material on the structure or lot.

(b) Exceptions. The provisions of this section shall not apply to distributions made through the U.S. Postal Service or any other private postal service.

(c) Penalties. Any person who violates the provisions of this section shall, upon conviction thereof, be punished for each such violation by a fine not exceeding \$100 for each such violation.

Section 9.16 Residential Picketing.

It is unlawful for any person to engage in picketing before or about the residence or dwelling of any individual in the city or before or about any church in the city.

Every person convicted of violating this section shall be imprisoned for not more than one year or fined not more than \$2,500 or by both such fine and imprisonment, provided that any person convicted of a second or subsequent conviction shall be required to be confined to not less than five consecutive days in the county jail in addition to any penalty assessed, which period of imprisonment shall not be suspended nor the defendant placed on probation until the five consecutive days are served.

SECTION SEVEN

11-107. is hereby adopted to read as follows:

11-107. SAME.

Article 10 of the Uniform Public Offense Code is hereby amended by deleting existing Section 10.1 and inserting in place thereof the following:

Section 10.1. Criminal Use of Weapons.

- (a) Criminal use of weapons is knowingly:
- (1) selling, manufacturing, purchasing, possessing or carrying any bludgeon, sandclub, metal knuckles or throwing star, or any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement;
 - (2) carrying concealed on one's person, or possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, slung shot, dangerous knife, straight-edged razor stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife, with no blade more than four inches in length, shall not be construed to be a dangerous knife or a dangerous or deadly weapon or instrument;
 - (3) carrying on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;
 - (4) carrying any pistol, revolver, shotgun, rifle or other firearm with similar characteristics, concealed or exposed on or about the person, or in or on any part or area of any air, land or water vehicle unless the pistol, revolver or other firearm is unloaded and encased in a container that completely encloses the pistol, revolver or other firearm, except when on the person's land or in the person's abode or fixed place of business;
 - (5) setting a spring gun;
 - (6) possessing any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.
- (b) Subsections (a)(1), (2), (3) and (4) shall not apply to or affect any of the following:
- (1) law enforcement officers, or any person summoned by an officer to assist in making arrests or preserving the peace, while actually engaged in assisting that officer;
 - (2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crimes, while acting within the scope of their authority;
 - (3) members of the armed services or reserve forces of the United States or the Kansas national guard, while in the performance of their official duty; or
 - (4) manufacture of, transportation to or sale of weapons to a person authorized under (b)(1) through (b)(3) of this section to possess those weapons.
- (c) Subsection (a)(4) does not apply to or affect the following:
- (1) watchmen, while actually engaged in the performance of the duties of their employment;
 - (2) licensed hunters or fishermen, while engaged in hunting or fishing;
 - (3) private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;

- (4) detectives or special agents regularly employed by railroad companies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment; or
- (5) the state fire marshal, the state fire marshal's deputies or any member of a fire department authorized to carry a firearm pursuant to K.S.A. Supp. 31-157 and amendments thereto, while engaged in an investigation in which the fire marshal, deputy or member is authorized to carry a firearm, pursuant to K.S.A. 31-157 and amendments thereto.
- (d) Subsections (a)(1) and (6) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment that has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and that has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. 5841 *et seq.* in the name of that person and, if that person transfers that firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.
- (e) Subsection (a)(4) shall not apply to any person carrying a concealed weapon as authorized by K.S.A. Supp. 75-7c01 through 75-7c17.
- (f) It shall be a defense that the defendant is within an exemption. (K.S.A. 21-4201)
- (g) Violation of this section is a Class A violation.

10.1.1 Concealed Carry; Where Prohibited.

- (a) No license issued pursuant to Chapter 32 of the 2006 Session Laws of Kansas shall authorize the licenses to carry a concealed weapon into:
 - (1) Any place where an activity declared a common nuisance by K.S.A. 22-3901, and amendments thereto, is maintained;
 - (2) Any police, sheriff, or highway patrol station;
 - (3) Any detention facility, prison, or jail;
 - (4) Any courthouse;
 - (5) Any courtroom, except that nothing in this section would preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in the judge's courtroom;
 - (6) Any polling place on the day an election is held;
 - (7) Any meeting of the governing body of a court, city, or other political or taxing subdivision of the state, or any committee or subcommittee thereof;
 - (8) On the state fairgrounds;
 - (9) Any state office building;
 - (10) Any athletic event not related to or involving firearms which is sponsored by a private or public elementary or secondary school or any private or public institute of postsecondary education;
 - (11) Any professional athletic event not related to or involving firearms;
 - (12) Any portion of a drinking establishment as defined by K.S.A. 41-2601, and amendments thereto, except that this provision shall not apply to a restaurant as defined by K.S.A. 41-2601, and amendments thereto;
 - (13) Any elementary or secondary school building or structure used for student instruction or attendance;
 - (14) Any community college, college, or university facility;
 - (15) Any place where the carrying of firearms is prohibited by federal or state law;
 - (16) Any child exchange and visitation center provided for in K.S.A. 75-720 and amendments thereto;
 - (17) Any community mental health center organized pursuant to K.S.A. 19-4001 *et seq.*, and amendments thereto; mental health clinic organized

pursuant to K.S.A. 65-211 *et seq.*, and amendments thereto; psychiatric hospital licensed under K.S.A. 75-3307b, and amendments thereto; or state psychiatric hospital, as follows: Larned state hospital, Osawatomie state hospital, or Rainbow mental health facility;

- (18) Any city hall;
 - (19) Any public library operated by the state or by a political subdivision of the state;
 - (20) Any day care home or group day care home, as defined in Kansas administrative regulation 28-4-113, or any preschool or childcare center, as defined in Kansas administrative regulation 28-4-420; or
 - (21) Any church or temple.
- (b) Violation of section is a class A violation. (2006 Session Laws of Kansas, Chapter 32)

10.1.2 Concealed Carry; Where Prohibited by Employers.

- (a) Nothing in Chapter 32 of the 2006 Session laws of Kansas shall be construed to prevent:
 - (1) Any public or private employer from restricting or prohibiting in any manner persons licensed under the act from carrying a concealed weapon while on the premises of the employer's business or while engaged in the duties of the person's employment by the employer; or
 - (2) Any entity owning or operating business premises open to the public from restricting or prohibiting in any manner persons licensed under the act from carrying a concealed weapon while on such premises, provided that the premises are posted in a manner reasonably likely to come to the attention of persons entering the premises, as premises where carrying a concealed weapon is prohibited; or
 - (3) A property owner from restricting or prohibiting to any manner persons licensed under the act from carrying a concealed weapon while on such property provided that the premises are posted, in a manner reasonably likely to come to the attention of persons entering the property where carrying a concealed weapon is prohibited.
- (b) Carrying a concealed weapon on premises in violation of any restriction or prohibition allowed by subsection (a), or in violation of any restriction or prohibition allowed by subsection (b) or (c) if the premises are posted as required by such subsection, is a class B violation. (2006 Session Laws of Kansas, Chapter 32)

10.1.3 Concealed Carry; When Impaired. It is a class A violation for a person licensed pursuant to Chapter 32 of the 2006 Session Laws of Kansas to carry a concealed weapon while under the influence of alcohol or drugs, or both. (2006 Sessions Laws of Kansas, Chapter 32)

SECTION EIGHT

11-108. is hereby adopted to read as follows:

11-108. SAME.

Article 10 of the Uniform Public Offense Code is hereby supplemented to add the following provisions:

Section 10.24 Intoxicating Liquor and Cereal Malt Beverage -- Consumption and Possession of Open Containers Prohibited at Certain Places.

It is unlawful for any person to drink, consume, or possess an open container of alcoholic liquor or cereal malt beverage upon the public streets, alleys, roads or highways, or upon property owned by the City.

(a) The provisions of this section shall not apply to the consumption or possession of alcoholic liquor or cereal malt beverage upon property owned by the city and operated as the Prairie Village Community Center; provided further, that no person shall possess or consume any alcoholic liquor or cereal malt beverage at the Prairie Village Community Center unless:

(1) That person is in attendance at an event or a function for which permit authorizing the serving and consumption of liquor and beer has been previously issued by the city, and

(2) The liquor or beer being consumed has been provided by the individual, person, or organization to which the permit has been issued.

Violation of this section is a Class C violation.

Section 10.25 Drunkenness.

It is unlawful for any person to be drunk on any highway, street or in any public place or building in the city.

Violation of this section is a Class B violation.

Section 10.26 Impersonating an Officer.

It is unlawful for any person to exercise or to assume to exercise any of the powers conferred upon any police officer, or to represent himself or herself to be any such officer, or to possess the power and authority thereof, unless such person is a duly authorized officer of the law.

Violation of this section is a Class B violation.

Section 10.27 Vehicles in City Parks.

It is unlawful to run, stand or park any motor vehicle or motorized bicycle through or across or over any part of any city park, other than roadways or parking areas so designated.

Violation of this section is a Class C violation.

Section 10.28 Smoking on Common Carrier Buses -- Penalty.

(a) No person shall smoke or carry in his or her hand a lighted cigar, cigarette or pipe, while in or upon any motorbus operated in common carrier passenger service upon the streets or public ways of the city.

(b) Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$5 nor more than \$100.

Section 10.29 Public Urination or Defecation.

No person shall urinate or defecate in any place open to the public or while exposed to public view, except while using appropriate fixtures in a restroom or other facility designed for the sanitary disposal of human waste.

Violation of this section is a Class C violation.

Section 10.30 Public Nudity.

No person shall knowingly or intentionally appear in a state of nudity in a public place. Nudity is defined as the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering; the showing of the female breast with

less than a full opaque covering of any portion thereof below the top of the nipple; or the depiction of covered male genitals in a discernible state of sexual arousal.
Violation of this section is a Class A violation.

SECTION NINE

11-109. is hereby adopted to read as follows:

11-109. SAME.

Article 11 of the Uniform Public Offense Code is hereby supplemented to add the following provisions:

Section 11.13 Window Peeping.

Window peeping is the going upon property owned or occupied by another without such person's consent for the purpose of looking into any window, door, skylight or other opening into a house, room or building.

Violation of this section is a Class A violation.

Section 11.14 Severability.

If any provision of this Article 11 is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby.

SECTION TEN Repeal

Existing Article 1 of Chapter XI of the Prairie Village Municipal Code is hereby repealed.

SECTION ELEVEN Effective Date

This ordinance shall take effect and be enforced from and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2009

RONALD L. SHAFFER, MAYOR

ATTEST:

APPROVED AS TO FORM:

JOYCE HAGEN MUNDY, CITY CLERK

CATHERINE P. LOGAN, CITY ATTORNEY

ORDINANCE NO. 2211

AN ORDINANCE AMENDING CHAPTER XI OF THE CODE OF THE CITY OF PRAIRIE VILLAGE, 2003, ENTITLED "PUBLIC OFFENSES & TRAFFIC" BY REPEALING CHAPTER XI, ARTICLE 6 ENTITLED "STANDARD TRAFFIC ORDINANCE" AND INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", EDITION OF 2009, WITH CERTAIN DELETIONS AND ADDITIONS; AND PRESCRIBING ADDITIONAL REGULATIONS.

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

SECTION ONE

11-601. is hereby adopted to read as follows:

11-601. INCORPORATING STANDARD TRAFFIC ORDINANCE

A. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Prairie Village, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2009, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3301 and 12-3302 and K.S.A. 12-3309 through 12-3012. Not less than three copies of said standard ordinance shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Prairie Village, Kansas," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, municipal judges and all administrative departments of the city charged with the enforcement of the ordinances shall be supplied, at the cost of the city, such number of official copies of such "Standard Traffic Ordinance" similarly marked, deleted and changed as may be deemed expedient.

SECTION TWO

Article 13, Section 87 of the Standard Traffic Ordinance is hereby amended as follows:

Article 13, Section 87, subsection (e)(2) is deleted and replaced with the following:

"(e)(2): Violation of subsection (e)(1) is punishable by a mandatory fine of \$105."

SECTION THREE

11-602. is hereby adopted as follows:

11-602. SAME; TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this article that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.

(b) All traffic violations which are included within this article, and which are not ordinance traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses.

SECTION FOUR

11-603. is hereby adopted as follows:

11-603. PENALTY FOR SCHEDULED FINES.

The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judges establish a fine in a fine schedule shall not be more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.

SECTION FIVE

11-604. is hereby adopted as follows:

11-604. TRAFFIC CONTROL SIGNAL PREEMPTION DEVICES

Article 4, Section 13.1 of the Standard Traffic Ordinance is hereby amended as follows:

Article 4, Section 13.1, subsection (c) is deleted and replaced with the following:

“(c) The provisions of this section shall not apply to the operator, passenger, or owner of any of the following authorized emergency or public works vehicles, in the course of such person’s emergency or public safety duties:

- (1) Publicly owned fire department vehicles
- (2) Publicly owned police vehicles
- (3) Motor vehicles operated by ambulance services permitted by the emergency medical services board; or
- (4) Publicly owned public works vehicles during snow removal operations.”

SECTION SIX

11-605. is hereby adopted as follows:

11-605. UNATTENDED MOTOR VEHICLE.

Article 13, Section 107 of the Standard Traffic Ordinance is hereby amended by deleting existing Section 107 and inserting in place thereof the following:

“Sec. 107. Unattended Vehicles. No person either operating or in charge of a motor vehicle shall leave the vehicle unattended and unlocked on either a public or private area within the City unless the ignition of such vehicle is in the locked position and the keys are removed from the ignition and are not visible from the exterior of the vehicle. These provisions shall not apply if the windows are closed and the doors locked or the vehicle is in a closed and secure building. A vehicle shall be presumed unattended if the owner or person in charge of the vehicle is not in the vehicle or is not in the immediate vicinity so as to have direct control or access to the vehicle.”

SECTION SEVEN

Existing Article 6 of Chapter XI of the Prairie Village Municipal Code is hereby repealed.

SECTION EIGHT

Effective Date

This ordinance shall take effect and be enforced from and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2009.

Ronald L. Shaffer, Mayor

ATTEST:

APPROVED AS TO FORM:

Joyce Hagen Mundy, City Clerk

Catherine P. Logan, City Attorney



BWR | Right in the Center

MEMORANDUM

TO: Prairie Village Governing Body and Planning Commission
FROM: Dennis Enslinger, Assistant City Administrator and Ron Williamson, BWR, Planning Consultant
SUBJECT: Annual Review of Village Vision
DATE: September 21, 2009

The Kansas Planning Statutes require that the Planning Commission perform an annual review of the Comprehensive Plan (Village Vision) to determine whether it is still valid or whether it should be amended. The Village Vision was officially adopted by the Governing Body May 21, 2007. Village Vision is both a Comprehensive Plan and a Strategic Investment Plan and therefore many of the actions contained within it are items that would not normally be addressed by the Planning Commission.

The Planning Commission reviewed Village Vision at its June 2, 2009 meeting and authorized a public hearing to incorporate the Parks and Recreation Plan 2009 into Village Vision and this has been completed. The Planning Commission did not recommend other changes in Village Vision, but it was their consensus that the Implementation Chapter needed further discussion and that it would be most appropriate in a joint meeting with the Governing Body.

Please review the Village Vision in its entirety and bring comments to the meeting addressing changes, if any, that you would like to discuss. If no changes are suggested to the basic Plan itself, the Implementation Chapter will be the focal point of discussion. Actions recommended by Village Vision were organized by Goal, Theme, Action, Responsibility, Timeframe and Programmatic Initiative. Staff has reviewed the Implementation Matrix—"Action Items by Timeframe" and has provided an update on what has been accomplished on each item.

The Governing Body and Planning Commission should review the Implementation Matrix and delete actions, add new actions, change responsibility, change timeframes or add further definition to the actions in order to establish the current priority of actions.

BUCHER, WILLIS & RATLIFF CORPORATION

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VILLAGE VISION IMPLEMENTATION MATRIX – ACTION ITEMS BY TIME FRAME

Goal	Theme	Action	Responsibility	Time Frame	Programmatic Initiative	Status September 21, 2009
Community Facilities and Services (CFS)	Community Center	Conduct an assessment of community needs and preferences and feasibility study for a new or expanded community center, or reciprocal relationships with other facilities	City Council	Short Term	Improving Public Facilities and Service Delivery (2G)	A citizen survey conducted as a part of the Parks and Recreation Master Plan indicated strong support (66%) for a community center. The Parks Plan contains a general discussion of the community center, but detailed feasibility study needs to be done to determine program and cost. The City is in the process of drafting an RFQ to conduct a Community Center Feasibility Study
Leadership and Governance	Communication with the Public	Enhance communication between government officials and the public. Enhance transparency of processes and financial accountability	City Council	Short Term	Fostering Communication and Effective Planning Practices (2H)	Web page has been updated, Village Voice is distributed monthly and email communication occurs on a regular basis. The City is in the process of updating the website. City has recently changed the format of Village Vision to a larger bi-monthly edition. The City has implemented the Code Red notification system in 2008.
Prosperity	Enhancing the Tax Base	Consider more aggressively marketing Prairie Village to attract new business establishments and expand the tax base	City Council	Short Term	Marketing and Promoting Prairie Village (2C)	Needs to be addressed.
Prosperity	Nature of Commercial Development	Consider designating a Director of Economic Development who will be responsible for overseeing economic development initiatives	City Council	Short Term	Enhancing Economic Tools and Mechanisms (2A)	No action taken. Currently, the City Administrator and the Assistant City Administrator oversee Economic Development Activities.
Community Character (CC)	Community Activities	Consider creating a Parks & Recreation Department to coordinate recreation, community activities, and cultural events	City Council	Short Term	Enhancing Parks and Open Space (2I)	Addressed in Parks and Recreation Master Plan and recommended a part time recreation programmer.
Housing (HO)	Zoning and Code Enforcement	Examine incentive programs to encourage home renovation	City Council	Short Term	Maintaining and Diversifying the Housing Stock (2D)	Exterior Grant Program (2008 and 2009).
Transportation	Public Transportation	Participate in region-wide in initiatives to assess and implement public transit improvements	City Council	Short Term	Improving Public Facilities and Service Delivery (2G)	Participation in Johnson County Transportation Committee, CARS and MARC Committees. In 2009, the City submitted projects to be included in the MARC 2040 Transportation Plan which are in the process of being evaluated.
Leadership and Governance	Communication with the Public	Offer workshops to educate and inform residents about issues related to zoning, building codes, and home maintenance in	Codes Administration Department	Short Term	Fostering Communication and Effective Planning Practices (2H)	City participated in the Northeast Johnson County Chamber of Commerce Home Renovation Workshop in 2008.
Housing (HO)	Zoning and Code Enforcement	Allow for a greater variety of housing types throughout Prairie Village	Planning Commission	Short Term	Maintaining and Diversifying the Housing Stock (2D)	The recently adopted MXD District responds to this action.
Housing (HO)	Zoning and Code Enforcement	Develop and promote the use of a design style guide for renovation to create housing that meets the preferences of today's homebuyers and is sensitive to the character of existing	Planning Commission	Short Term	Updating Ordinances and Codes (2F)	There have been initial discussions with Prairie Village and Prairie Hills Homes Associations. Because of the variety of housing types and the covenants that apply to many subdivisions, it is viewed that this will be responded to from citizen's requests and will likely be for small areas.
Land Resources (LR)	Character of Land Use	Permit higher residential densities and mixed uses near existing commercial areas and along	Planning Commission	Short Term	Updating Ordinances and Codes (2F)	There have been no requests. The City has adequate zoning districts to accommodate proposed developments. The has approved a higher density plan for a portion of the Meadowbrook Country Club and Golf Course site.
Land Resources (LR)	Character of Land Use	Consider developing a redevelopment plan for the Meadowbrook Country Club property	Planning Commission	Short Term	Updating Ordinances and Codes (2F)	The Planning Commission and Governing Body approved a Preliminary Plan in 2007. A final plan will need to be approved prior to the start of development.
Land Resources (LR)	Codes and Regulations	Update the zoning ordinance to reflect contemporary land use issues while preserving the identity and character of Prairie Village	Planning commission	Short Term	Updating Ordinances and Codes (2F)	The City adopted the MXD Planned Mixed Use District in 2007 which permits the mix of uses that is not ordinarily found in Traditional Zoning Districts. Additional process still needs to be make regarding this goal.
Prosperity	Enhancing the Tax Base	Consider revising the zoning ordinance to allow for more residential, commercial, and office development, particularly in walkable, mixed-use areas of greater intensity	Planning Commission	Short Term	Updating Ordinances and Codes (2F)	The MXD District was adopted in June 2007.
Community Character (CC)	Community Activities	Expand Community Arts Programming	Prairie Village Arts Council	Short Term	Promoting Arts, Culture, and Activities (2J)	Needs to be addressed. The Arts Council is currently working on a Jazz event to be held in 2010.
Land Resources (LR)	Codes and Regulations	Consider updating building codes to facilitate renovation and rehabilitation activities	Codes Administration Department	Short Term	Updating Ordinances and Codes (2F)	The City has adopted the 2006 International Building Codes and has not experienced any problems with renovation or rehabilitation of existing structure. The City will be working on adopting the 2009 ICC code provisions in 2010.
Land Resources (LR)	Character of Land Use	Explore the future redevelopment of the Corinth Square Shopping Center as a mixed-use center featuring quality public space	City Council	Mid Term	Investing in the Public Realm (2B)	Discussions have been held with Highwoods and its successor, Lane4 concerning long term redevelopment but no plans have emerged to date.
Leadership and Governance	Communication with the Public	Consider establishing a public relations function within City government to manage communications, public relations, and marketing	City Council	Mid Term	Marketing and promoting Prairie Village (2C)	Communications Committee created in 2007. The Deputy City Clerk position has been expanded to include an emphasis on communications and public relations.
Transportation	Public Transportation	Ensure that seniors and residents with special needs have adequate transportation opportunities through public transportation as well as specialized vans, shuttles, or taxi	City Council	Mid Term	Improving Public Facilities and Service Delivery (2G)	Currently provided through Johnson County. The City may want to consider researching and exploring participation in the Catch a Ride Program.
Learning	Managing Assets	Ensure appropriate adaptive reuse of closed school buildings	City Council / Board of Education	Mid Term	Investing in the Public Realm (2B)	To be addressed when it is determined that schools will be closed. Somerset School is likely to be the first school closure considered for discussion.
Housing (HO)	Homes Associations / Community Groups	Encourage homes associations to develop networks of volunteer community groups that support neighborhood beautification efforts and assist the elderly with home maintenance	Park & Recreation Committee	Mid Term	Maintaining and Diversifying the Housing Stock (2D)	Island Maintenance Committee created in 2007. initial meetings have been held with Prairie Village and Prairie Hills Homes Associations. Additional process still needs to be make regarding this goal.
Community Facilities and Services (CFS)	Streets and Sidewalks	Consider burying above ground power and utility lines where possible	City Council	Long Term	Improving Public Facilities and Service Delivery (2G)	This will be addressed on a project by project basis. Was discussed as a part of the 75th Street study.

VILLAGE VISION IMPLEMENTATION MATRIX – ACTION ITEMS BY TIME FRAME

Goal	Theme	Action	Responsibility	Time Frame	Programmatic Initiative	Status September 21, 2009
Housing (HO)	Affordability	Consider developing incentive programs to encourage the provision of affordable housing options within new developments	City Council	Long Term	Maintaining and Diversifying the Housing Stock (2D)	To be addressed.
Prosperity	Business Friendly Policies	Consider developing a small business assistance program that provides support to small / start-up locally based businesses	City Council	Long Term	Enhancing Economic Tools and Mechanisms (2A)	To be addressed.
Transportation	Bike & Pedestrian Friendly	Provide interconnected bike routes, lanes, and paths to facilitate safe bicycle travel throughout the Village	City Council	Long Term	Investing in the Public Realm (2B)	This was addressed in the Parks and Recreation Master Plan 2009. Additional discussion needs to be held on on-road bike facilities.
Transportation	Traffic Calming	Implement traffic calming plans for critical areas	City Council	Ongoing	Investing in the Public Realm (2B)	A traffic calming policy was adopted in 2007 and several requests have been evaluated and implemented. The City has continued to fund traffic calming projects through the CIP.
Prosperity	Nature of Commercial Development	Encourage the development of small, independent businesses	City Council	Ongoing	Enhancing Economic Tools and Mechanisms (2A)	Currently this occurs through cooperation with the Northeast Johnson County Chamber of Commerce. Further discussion is needed on this goal.
Community Character (CC)	Community Activities	Encourage neighborhood and homes associations, schools, and other major institutions to sponsor festivals, block parties, and other cultural events that are open to the community	City Council	Ongoing	Promoting Arts, Culture, and Activities (2J)	Prairie Village Center Annual Art Show, Corinth and Prairie Village Shopping Centers - summer movie nights, city assists in barricades, traffic control, etc. to help facilitate activities.
Community Character (CC)	Diversity	Cultivate an environment that celebrates diversity	City Council	Ongoing	Promoting Arts, Culture, and Activities (2J)	The City strives to have a diverse workforce through proactive recruiting and routinely trains employees on diversity topics.
Housing (HO)	Homes Associations / Community Groups	Consider providing advice, education, and technical support to homes associations on topics such as architectural style guides and	City Council	Ongoing	Maintaining and Diversifying the Housing Stock (2D)	Creation of Homes Association Committee and initial meetings with Prairie Village and Prairie Hills Homes Associations.
Leadership and Governance	Communication with the Public	Provide more opportunities for public involvement in government decision-making processes, preferably at the outset of new	City Council	Ongoing	Fostering Communication and Effective Planning Practices (2H)	Implemented Homes Association Notification of Building Permits in 2007; creation of Homes Association Committee; Planning Commission requires neighborhood meetings on applications prior to their meetings.
Leadership and Governance	Intergovernmental Cooperation	Build on intermunicipal cooperative activities, agreements, and planning initiatives	City Council	Ongoing	Fostering Communication and Effective Planning Practices (2H)	Participation in MARC; First Suburbs Coalition; Mayor's Climate Protection Agreement; Johnson County Transportation Committee; Johnson County SMAC Watershed Study; Snow/Ice Control Interlocal Agreement, Operation Greenlight; Interlocal Street Maintenance; and the creation of the Superpass program for shared pool facilities in the NE begun in 2009.
Learning	Educational Programs	Encourage educational institutions to expand educational opportunities for residents of all	City Council	Ongoing	Promoting Arts, Culture, and Activities (2J)	Needs to be addressed.
Learning	Managing Assets	Promote continued support of schools within the community	City Council	Ongoing	Fostering Communication and Effective Planning Practices (2H)	Safe Routes to Schools Plan. Support of Crossing Guards, SRO Officers, Dare Officer and Shawnee Mission East parking lot expansion.
Prosperity	Nature of Commercial Development	Promote Prairie Village as a regional destination for unique shopping options in a village atmosphere and encourage City residents to	City Council	Ongoing	Marketing and promoting Prairie Village (2C)	City continues involvement with Northeast Johnson County Chamber of Commerce. Additional process still needs to be made regarding this goal.
Transportation	Bike & Pedestrian Friendly	Ensure that infrastructure improvements meet the needs of all transportation users	City Council	Ongoing	Investing in the Public Realm (2B)	Pedestrian, bike and vehicle modes are all evaluated with each street improvement project. In addition, the Parks Master Plan identifies future trail and some bike facilities.
Housing (HO)	Zoning and Code Enforcement	Continue the City's rigorous code enforcement to preserve the existing housing stock and neighborhood character	Codes Administration Department	Ongoing	Maintaining and Diversifying the Housing Stock (2D)	Code enforcement is an ongoing process.
Land Resources (LR)	Open Space	Encourage active involvement in open space planning and improvements by the Park &	Park & Recreation Committee	Ongoing	Enhancing Parks and Open Space (2I)	Parks and Recreation Master Plan was prepared and adopted in 2009. Implementation of goals within the Park Plan will further achievement of this goal.
Community Facilities and Services (CFS)	Parks and Open Space	Preserve and protect natural areas	Park & Recreation Committee	Ongoing	Enhancing Parks and Open Space (2I)	Addressed in Parks and Recreation Master Plan 2009. Specific improvements were recommended for each park. Implementation of goals within the Park Plan will further achievement of this goal.
Community Facilities and Services (CFS)	Parks and Open Space	Enhance parks for active and passive recreation through capital improvement such as landscaping, tree and flower planting, shelters, picnic facilities, athletic fields, etc.	Park & Recreation Committee	Ongoing	Enhancing Parks and Open Space (2I)	Addressed in Parks and Recreation Master Plan 2009. Specific improvements were recommended for each park. Implementation of goals within the Park Plan will further achievement of this goal.
Land Resources (LR)	Character of Land Use	Enhance key corridors by encouraging more diverse, pedestrian friendly development along commercial corridors	Planning Commission	Ongoing	Investing in the Public Realm (2B)	75th Street Corridor Study was initiated however, this project has been placed on hold for the time being.
Transportation	Traffic Calming	Ensure adequate parking appropriate for users' needs	Planning Commission	Ongoing	Investing in the Public Realm (2B)	The parking requirements for public and private uses are reviewed in accordance with the parking requirements of the zoning ordinance.
Community Character (CC)	Attractive Environment	Evaluate street cleaning and sanitation practices to identify potential gaps in service provision. Offer supplementary services as necessary to keep streets clean.	Public Works Department	Ongoing	Improving Public Facilities and Service Delivery (2G)	City maintenance compliance with NPDES Permit annually; sweeps streets based on a schedule and inspects drainage system annually.
Community Character (CC)	Attractive Environment	Make streetscape improvements to enhance pedestrian safety and attractiveness of the	Public Works Department	Ongoing	Investing in the Public Realm (2B)	ADA and sidewalk improvements are made as streets are repaired to accommodate pedestrians.
Community Facilities and Services (CFS)	Streets and Sidewalks	Ensure streets and sidewalks are in good condition by conducting maintenance and	Public Works Department	Ongoing	Improving Public Facilities and Service Delivery (2G)	Public Works has an annual curb and gutter, sidewalk and street repair and replacement program.
Transportation	Bike & Pedestrian Friendly	Provide sidewalks in new and existing areas to allow for continuous pedestrian movement	Public Works Department	Ongoing	Investing in the Public Realm (2B)	New sidewalks are addressed with street resurfacing. City is developing a Safe Routes to Schools Plan.

VILLAGE VISION IMPLEMENTATION MATRIX – ACTION ITEMS BY TIME FRAME

Goal	Theme	Action	Responsibility	Time Frame	Programmatic Initiative	Status September 21, 2009
Transportation	Traffic Calming	Ensure the quality of the transportation network with regular maintenance as well as efficient responses to seasonal issues such as snow	Public Works Department	Ongoing	Improving Public Facilities and Service Delivery (2G)	The City has a regular maintenance program which includes snow removal.
Transportation	Traffic Calming	Synchronize traffic light systems to facilitate traffic flow	Public Works Department	Ongoing	Investing in the Public Realm (2B)	This is being implemented through MARC's Operation Greenlight Program.



ADMINISTRATION

Council Meeting Date: September 21, 2009
Committee Meeting Date: September 21, 2009

COU2009-91 - Consider Ordinance No. 2206, Resolution No. 2009-15 and Resolution No. 2009-16 Related to the Upcoming Bond Issue for Public Improvements

RECOMMENDATION

Council adopt Ordinance No. 2206, Resolution No. 2009-15 and Resolution No. 2009-16.

SUGGESTED MOTIONS

Motion #1: Move to adopt Ordinance No. 2206 - AN ORDINANCE AUTHORIZING CERTAIN STORM DRAINAGE IMPROVEMENTS, AND PROVIDING FOR THE MANNER OF PAYING FOR THE SAME.

Motion #2: Move to adopt Resolution No. 2009-15 - A RESOLUTION AUTHORIZING CERTAIN MAIN TRAFFICWAY IMPROVEMENTS, AND PROVIDING FOR THE MANNER OF PAYING FOR THE SAME.

Motion #3: Move to adopt Resolution No. 2009-16 - A RESOLUTION AUTHORIZING CERTAIN IMPROVEMENTS TO PUBLIC BUILDINGS OF THE CITY OF PRAIRIE VILLAGE, KANSAS, AND THE ISSUANCE OF GENERAL OBLIGATION BONDS THEREFOR, ALL PURSUANT TO K.S.A. 12-1736 ET SEQ.

BACKGROUND

Staff continues to work with Bond Counsel and the Finance Advisor to prepare the bond issue documents. Attached are an ordinance and two resolutions that need to be adopted by Council in order to proceed with the bond issue. Each item is listed below along with a description of the item's purpose and how it relates to the bond issue.

Ordinance No. 2206 - AN ORDINANCE AUTHORIZING IMPROVEMENTS TO THE STORM DRAINAGE SYSTEM IN THE CITY OF PRAIRIE VILLAGE, KANSAS AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS THEREOF.

- Similar to last meeting, this ordinance establishes the City's authority to issue bonds for the storm drainage system improvements and also denotes the cost of the improvements.

Resolution No. 2009-15 - A RESOLUTION AUTHORIZING CERTAIN MAIN TRAFFICWAY IMPROVEMENTS, AND PROVIDING FOR THE MANNER OF PAYING FOR THE SAME.

- This resolution lists the street projects that the City anticipates will be funded with bond proceeds and denotes the cost of the improvements. This list is the result of narrowing down the list of streets included in the main traffic way ordinance based on condition ratings (Ordinance No. 2205 adopted on September 8, 2009). The actual streets completed will depend on the bids received. Should the City receive better bids than expected, another resolution could be adopted to include additional streets.

Resolution No. 2009-16 - A RESOLUTION AUTHORIZING CERTAIN IMPROVEMENTS TO PUBLIC BUILDINGS OF THE CITY OF PRAIRIE VILLAGE, KANSAS, AND THE ISSUANCE OF GENERAL OBLIGATION BONDS THEREFOR, ALL PURSUANT TO K.S.A. 12-1736 ET SEQ.

- This resolution lists the public building projects that will be included in the bond issue and denotes the cost for the improvements.

Mr. Gary Anderson, Gilmore & Bell, will be at the meeting to discuss these ordinances and answer questions.

Staff requests approval at the Council Meeting the same evening in order to continue the bond issue preparation work.

RELATION TO VILLAGE VISION

CFS2B - Enhance parks for active and passive recreation through capital improvement such as landscaping, tree and flower planning, shelters, picnic facilities, athletic fields, etc.

CFS3A - Ensure streets and sidewalks are in good condition by conduction maintenance and repairs as needed.

FINANCIAL IMPACT

Any bond issue-related costs incurred by the City's consultants are reimbursed by the bond proceeds.

ATTACHMENTS: Ordinance No. 2206, Resolution No. 2009-15 and Resolution No. 2009-16

Prepared By:
Karen Kindle
Finance Director
Date: 9/15/09

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF PRAIRIE VILLAGE, KANSAS
HELD ON SEPTEMBER 21, 2009**

The governing body met in regular session at the usual meeting place in the City, at 7:30 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

(Other Proceedings)

The matter of authorizing certain storm drainage improvements came on for consideration and was discussed.

Councilmember _____ presented and moved the adoption of an Ordinance entitled:

**AN ORDINANCE AUTHORIZING CERTAIN STORM DRAINAGE
IMPROVEMENTS, AND PROVIDING FOR THE MANNER OF PAYING FOR
THE SAME.**

Councilmember _____ seconded the motion to adopt the Ordinance. Thereupon, the Ordinance was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: _____.

Nay: _____.

The Mayor declared the Ordinance duly adopted; the Clerk designating the same Ordinance No. 2206.

(Other Proceedings)

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CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Prairie Village, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

(Published in *The Legal Record* on September ___, 2009)

ORDINANCE NO. 2206

AN ORDINANCE AUTHORIZING CERTAIN STORM DRAINAGE IMPROVEMENTS, AND PROVIDING FOR THE MANNER OF PAYING FOR THE SAME.

WHEREAS, K.S.A. 12-631r and 12-631s, as amended (the “Act”), authorize the City of Prairie Village, Kansas (the “City”) to construct storm sewers, channels, retention basins or drains for the purpose of managing the storm drainage areas of the City, and to issue general obligation bonds to pay the cost thereof; and

WHEREAS, the City has determined that it is necessary to improve or reimprove portions of the storm drainage system of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS, AS FOLLOWS:

Section 1. Pursuant to the Act, the governing body of the City hereby finds and determines that it is necessary to make the following improvements (collectively, the “Improvements”):

Drainage Improvement #1:

Construction of a new storm drainage pipe and drain inlets on Alhambra Street for a distance of approximately 1,000 feet from Mission Road and replacement of galvanized pipe in the intersection of Alhambra Street and Mission Road. Project includes design, engineering, inspections, and all other necessary improvements related thereto.

Drainage Improvement #2:

Construction of a new storm drainage pipe and inlets on Prairie Lane for a distance of approximately 900 feet from Tomahawk Road. Project includes design, engineering, inspections, and all other necessary improvements related thereto.

Drainage Improvement #3:

Improve or reimprove portions of the storm drainage system of the City by replacing existing deteriorated galvanized pipes and associated drainage structures with reinforced concrete pipe, concrete structures and/or trenchless rehabilitation methods. Project includes design, engineering, inspections, and all other necessary improvements related thereto. The pipe replacement will be City-wide based on a comprehensive plan of the City to prioritize and replace the pipes with the worst condition ratings.

Section 2. The City Administrator and other City staff are authorized to take all necessary actions to proceed with the Improvements.

Section 3. For the purpose of providing funds for the Improvements, as approved by the governing body, the City hereby authorizes the issuance of its general obligation bonds and/or temporary notes pursuant to the Act, in an amount not in excess of \$3,050,000, plus capitalized interest and costs of issuance.

Section 4. The City expects to make capital expenditures on and after the date of adoption of this Ordinance in connection with the Improvements, and intends to reimburse itself for such expenditures with the proceeds of one or more series of general obligation bonds and/or temporary notes of the City in the estimated maximum principal amount of \$3,050,000, plus capitalized interest and costs of issuance.

Section 5. This Ordinance shall take effect and be in full force and effect from and after its passage by the governing body and its publication in the official City newspaper.

PASSED by the governing body on September 21, 2009 and **APPROVED** by the Mayor.

(SEAL)

Mayor

ATTEST:

City Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF PRAIRIE VILLAGE, KANSAS
HELD ON SEPTEMBER 21, 2009**

The governing body met in regular session at the usual meeting place in the City, at 7:30 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

(Other Proceedings)

The matter of authorizing certain main trafficway improvements came on for consideration and was discussed.

Councilmember _____ presented and moved the adoption of a Resolution entitled:

A RESOLUTION AUTHORIZING CERTAIN MAIN TRAFFICWAY IMPROVEMENTS, AND PROVIDING FOR THE MANNER OF PAYING FOR THE SAME.

Councilmember _____ seconded the motion to adopt the Resolution. Thereupon, the Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: _____.

Nay: _____.

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. 2009-15.

(Other Proceedings)

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CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Prairie Village, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

RESOLUTION NO. 2009-15

A RESOLUTION AUTHORIZING CERTAIN MAIN TRAFFICWAY IMPROVEMENTS, AND PROVIDING FOR THE MANNER OF PAYING FOR THE SAME.

WHEREAS, K.S.A. 12-685 *et seq.*, as amended (the “Act”), authorizes the governing body of the City of Prairie Village, Kansas (the “City”), to improve or reimprove any main trafficway or trafficway connection designated and established under the Act, and to issue general obligation bonds therefor; and

WHEREAS, by the adoption of Ordinance No. 2205 on September 8, 2009, the City has previously designated the streets described on **Exhibit A** attached hereto, as a main trafficway or a main trafficway connector; and

WHEREAS, by the adoption of Ordinance No. 2205 on September 8, 2009, the City has previously designated the streets described on **Exhibit B** attached hereto, as a main trafficway or a main trafficway connector; and

WHEREAS, the City finds it necessary and desirable to authorize certain main trafficway improvements, as more fully described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS, AS FOLLOWS:

Section 1. Pursuant to the Act, the governing body hereby determines that it is necessary to make the following improvements (collectively, the “Improvements”):

Street Improvement #1:

Street rehabilitation for the streets described on **Exhibit A** attached hereto, including asphalt pavement replacement, curb installation, sidewalk installation, accessibility ramps, storm sewers, turf restoration, design, engineering, surveying, material testing and other related costs.

Street Improvement #2:

Relocation, improvement and reimprovement of Booth Drive from 77th Street to Cambridge Street and Cambridge Street from State Line Road to Somerset Drive, including removal of certain portions of said streets, reconstruction of roadways, drains, drain structures, curb installation, sidewalk installation, turf restoration, engineering, surveying, material testing and other related costs.

Section 2. The City Administrator and other City staff are authorized to take all necessary actions to proceed with the Improvements.

Section 3. The estimated cost for the Improvements shall not exceed \$6,000,000, plus capitalized interest and costs of issuance, to be paid by the issuance of general obligation bonds and/or temporary notes as authorized by the Act.

Section 4. The City expects to make capital expenditures in connection with the Improvements after the date of this Resolution and intends to reimburse itself for such expenditures with the proceeds of general obligation bonds and/or temporary notes in an amount not to exceed \$6,000,000, plus capitalized interest and costs of issuance.

Section 5. This Resolution shall take effect and be in full force and effect from and after its passage and approval by the governing body of the City.

PASSED by the governing body on September 21, 2009 and **APPROVED** by the Mayor.

(SEAL)

Mayor

ATTEST:

City Clerk

EXHIBIT A

Main Trafficways or Main Trafficway Connectors Street Improvement #1

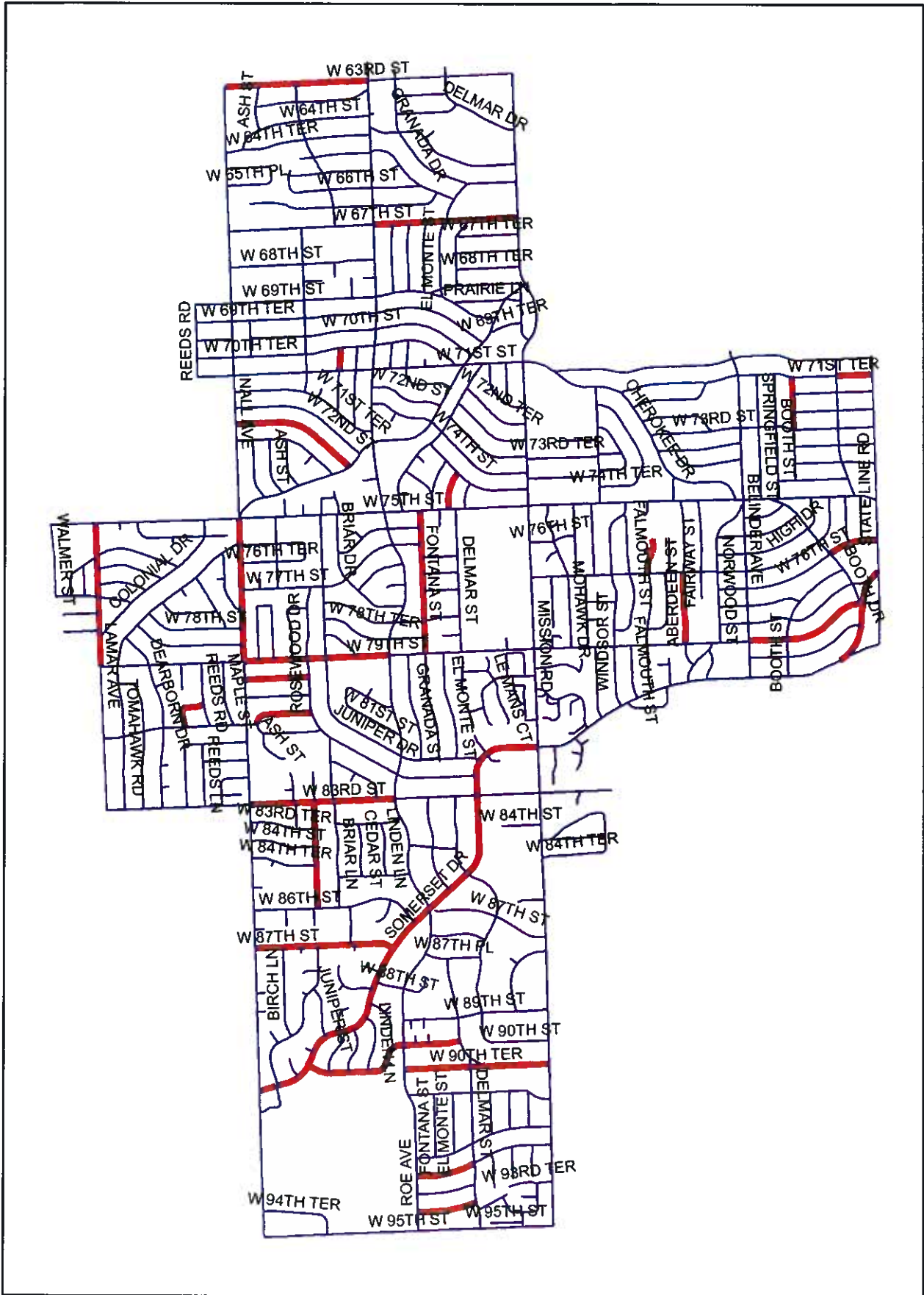
Street	From	To
90th St	Roe Ave	Somerset Drive
Juniper Lane	83rd St	86th St
71st Terr	State Line Rd	Eaton St
High Drive	71st Terr	73rd St Cul-de-sac
87th St	Somerset Drive	Nall Ave
Fontana St	75th St	79th St
93rd St	Delmar Rd	Roe Ave
76th St	State Line Rd	Booth Drive
80th Terr	Rosewood Drive	81st St
90th Terr	Delmar Rd	Roe Ave
90th Terr	Mission Rd	Delmar Rd
90th St	Delmar Rd	Roe Ave
94th St	Delmar Rd	Roe Ave
79th St	Booth St	Belinder Ave
79th St	Cambridge St	Booth St
67th St	Mission Rd	Roe Ave
63rd St	Roe Ave	Nall Ave
Cambridge St	State Line Rd	Somerset Drive
83rd St	Roe Ave	Nall Ave
Somerset Drive	Mission Rd	Nall Ave
Canterbury Drive	77th St	Canterbury Cul-de-sac
Outlook Drive	Reeds St	81st St
El Monte St	74th Terr	75th St
79th Terr	Rosewood Drive	Nall Ave
Cedar St	70th Terr	71st St
79th St	Roe Ave	Nall Ave
Aberdeen St	77th St	79th St
72nd Terr	Tomahawk Rd	Nall Ave
Nall Ave	75th St	79th St
Lamar Ave	75th St	79th St

EXHIBIT B

**Main Trafficways or Main Trafficway Connectors
Street Improvement #2**

Street	From	To
Booth Drive	75th St	Cambridge St
Cambridge St	State Line Rd	Somerset Drive

2009 Bond Streets



THE CITY OF PRAIRIE VILLAGE

Star of Kansas

Created by Public Works GIS

September 18, 2009

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF PRAIRIE VILLAGE, KANSAS
HELD ON SEPTEMBER 21, 2009**

The governing body met in regular session at the usual meeting place in the City, at 7:30 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

(Other Proceedings)

The matter of authorizing certain improvements to public buildings of the City came on for consideration and was discussed.

Councilmember _____ presented and moved the adoption of an Resolution entitled:

A RESOLUTION AUTHORIZING CERTAIN IMPROVEMENTS TO PUBLIC BUILDINGS OF THE CITY OF PRAIRIE VILLAGE, KANSAS, AND THE ISSUANCE OF GENERAL OBLIGATION BONDS THEREFOR, ALL PURSUANT TO K.S.A. 12-1736 ET SEQ.

Councilmember _____ seconded the motion to adopt the Resolution. Thereupon, the Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: _____.

Nay: _____.

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. 2009-16.

(Other Proceedings)

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CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Prairie Village, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

RESOLUTION NO. 2009-16

A RESOLUTION AUTHORIZING CERTAIN IMPROVEMENTS TO PUBLIC BUILDINGS OF THE CITY OF PRAIRIE VILLAGE, KANSAS, AND THE ISSUANCE OF GENERAL OBLIGATION BONDS THEREFOR, ALL PURSUANT TO K.S.A. 12-1736 ET SEQ.

WHEREAS, the governing body of the City of Prairie Village, Kansas (the "City") owns certain public buildings, including the City Hall/Police Building and the Public Works Building Complex, and is authorized pursuant to K.S.A. 12-1736 *et seq.* to issue general obligation bonds of the City for the purpose of paying all or part of improvements necessary to repair, reconstruct, remodel, replace or make additions to, furnish and equip a public building or buildings; and

WHEREAS, the City hereby finds and determines that it is necessary and advisable to make certain improvements to the City Hall/Police Building Complex and the Public Works Building Complex and to issue general obligation bonds therefor.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS, AS FOLLOWS:

Section 1. The governing body hereby finds it necessary and desirable to make the following improvements (collectively, the "Improvements") to certain of the City's existing public buildings:

Improve and equip the City Hall/Police Building Complex and the Public Works Building Complex, including design, engineering, inspections, and all other related improvements to the City Hall/Police Building Complex and the Public Works Building Complex that are necessary and appropriate.

Section 2. The City Administrator and other City staff are authorized to take all necessary actions to proceed with the Improvements.

Section 3. For the purpose of providing funds for the Improvements, as approved by the governing body, the City hereby authorizes the issuance of its general obligation bonds and/or temporary notes pursuant to the Act, in an amount not in excess of \$370,000, plus capitalized interest and costs of issuance.

Section 4. The City expects to make capital expenditures on and after the date of adoption of this Resolution in connection with the Improvements, and intends to reimburse itself for such expenditures with the proceeds of one or more series of general obligation bonds and/or temporary notes of the City in the estimated maximum principal amount of \$370,000, plus capitalized interest and costs of issuance.

Section 5. This resolution shall take effect from and after its passage by the governing body.

PASSED by the governing body on September 21, 2009 and **APPROVED** by the Mayor.

(SEAL)

Mayor

ATTEST:

City Clerk



ADMINISTRATION

Council Meeting Date: September 21, 2009
Committee Meeting Date: September 21, 2009

COU2009-90 - Consider Revision to Council Policy CP056 "Financial Management Policies"

RECOMMENDATION

Council approve the revisions to CP056 "Financial Management Policies."

SUGGESTED MOTIONS

Move to approve the revisions to Council Policy CP056 "Financial Management Policies" as denoted in the packet.

BACKGROUND

Staff continues to work with Bond Counsel and the Finance Advisor to prepare the bond issue documents. As part of the work, the City's debt management policy was reviewed. This policy is included as part of Council Policy CP056 "Financial Management Policies."

Section A.4 of the document addresses the City's policies regarding debt. Section A.4.e addresses limitations on the issuance of new debt. The proposed bond issue meets all of the criteria in this section except for the second bullet point. Debt service expenditures for the next five years will exceed 5% of operating expenditures. Staff discussed this requirement with the Finance Committee, as well as with the Finance Advisor. Both groups recommend removing this item from the policy. The other criteria provide adequate protection for the City and are the typical methods by which cities manage their outstanding debt.

ATTACHMENTS: Council Policy CP056, redline version

Prepared By:

Karen Kindle, Finance Director Date: 9/15/09



City Council Policy: CP056 - Financial Management Policies

Effective Date: ~~February 19, 2008~~ September 21, 2009

Amends: CP056 - Financial Management Policies, ~~October 20, 2003~~ February 19, 2003

Approved By: Governing Body

I. SCOPE

II. PURPOSE

A. Prairie Village Financial Management Policies provide a basic framework for the overall fiscal management of the City. The policies represent a foundation to address changing circumstances and conditions, and assist in the decision making process. The financial policies represent guidelines for evaluating both current activities and proposals for future programs.

III. RESPONSIBILITY

A. City Administrator / Finance Director

IV. DEFINITIONS

V. POLICY

A. The Prairie Village Financial Management Policies reflect long-standing principles and practices, which have enabled the City to maintain its financial stability. It is intended that the policies be reviewed annually so the guidelines represent a realistic, current framework for public policy decisions. Policy statements for the following areas:

- 1.0 Operating Budget Policies
- 2.0 Revenue Policies
- 3.0 Reserve Policies
- 4.0 Debt Policies
- 5.0 Capital Budget Policies
- 6.0 Accounting Policies
- 7.0 Investment Policies
- 8.0 Treasury Policies

1. Operating Budget Policies

The objective of the operating budget policies is to maintain adequate service levels at reasonable costs by following sound financial management practices.

- a.) Balanced budget. The operating budget shall be balanced. For each fund, ongoing costs shall not exceed ongoing revenues plus available fund balances used in accordance with Reserve Policies.
 - b.) Borrowing for operating expenditures. The City will not use debt or bond financing to fund current expenditures.
 - c.) Planning. The budget process will be coordinated so as to identify policy issues for governing Body consideration prior to the budget approval date so proper decision analysis can be made. The City Administrator shall have responsibility for: supervising the preparation and coordination of the budget, advising Department Managers of budget formats, timing and constraints; as well as the preparation of such cost/benefit studies and revenue/expenditure projections as necessary to fulfill such budgetary responsibilities.
 - d.) Performance evaluation. Where appropriate, performance measurement and productivity indicators shall be integrated into the annual budgeting process. All departments will be reviewed regularly for such performance criteria as program initiatives, compliance with policy direction, program effectiveness and cost efficiency. The information will be reported to the Governing Body annually.
 - e.) Budgetary controls. The City will maintain a budgetary control system to ensure adherence to the adopted budget and associated appropriations.
 - The Governing Body shall review proposed expenditures in the form of appropriation/claims ordinances presented at each Council meeting, as well as through quarterly financial reports.
-

CP056 - Financial Management Policies

- Prior to Council review, the City Treasurer shall review disbursements for the purpose of determining adherence to the approved accounting procedures.
 - The City Administrator and Finance Director will review monthly and quarterly expenditure reports to determine adherence to the approved budget. Department Managers shall have primary responsibility for insuring compliance with their approved departmental budget. If the City Administrator or Finance Director find an expenditure which constitutes a significant deviation (an unbudgeted impact of more than \$5,000 on a particular budget category) from the approved expenditure plan or approved budget, the department head will be asked to prepare an amended departmental budget an/or expenditure plan to accompany the appropriations ordinance for review by the Governing Body.
 - City Department Managers shall have primary responsibility for insuring compliance to approved departmental budget and expenditure plans.
- f.) Financial reports.
- Monthly expenditure reports will be prepared for Department Managers at the end of each month to enable them to meet their budget goals and to enable the City Administrator and Finance Director to monitor and control the budget.
 - Summary financial reports will be presented to the Governing Body quarterly.
- g.) Service levels. The City will attempt to maintain essential service levels. Changes in service levels will be governed by the following policies:
- h.1.) Budget process. The annual budget process is intended to weigh all competing requests for City resources within expected fiscal constraints. Requests for new ongoing programs made outside the annual process must substantiate the need for the new program.
 - h.2.) Personnel expenses. Requests for additional personnel should meet program initiatives and policy directives after service needs have been thoroughly documented or it is substantiated that the new employee will result in increased revenue or enhanced operating efficiencies.
2. Revenue Policies
- The objective of the revenue policies is to ensure that funding for public programs is derived from a fair, equitable and adequate resource base, while minimizing tax differential burdens. The City will keep the revenue system as simple as possible by avoiding nuisance taxes, fees or charges only as a revenue source.
- a.) Revenue structure. The City will maintain a diversified and stable revenue system to shelter programs from short-term fluctuations in any single revenue source.
- b.) Sources of services financing. Services which have a city-wide benefit will be financed with revenue sources which are generated from a broad base, such as property taxes and state aids. Services where the customer determines the use shall be financed with user fees, charges and assessments directly related to the level of service provided.
- c.) User fees. The City will maximize the utilization of user charges in lieu of general revenue sources for services that can be individually identified and where the costs are directly related to the level of service:
- Cost of service. The City will establish user charges and fees at a level which reflects the costs of providing the service, to the extent legally allowable. Operating, direct, indirect (where practical and available) and capital costs shall be considered in the charges. Full cost charges shall be imposed unless it is determined that policy and market factors require different fees.
 - Policy and market considerations. The City will also consider policy objectives and market rates and charges levied by other public and private organizations for similar services when fees and charges are established.
 - Annual review. The City will review fees and charges annually, and will make appropriate modifications to ensure that charges grow at a rate which keeps pace with the cost of efficiently providing the service.
 - Non-resident charges. Where practical or legally allowable, user fees and other appropriate charges shall be levied for activities or facilities in which non-residents participate in order to relieve the burden on City residents. Non-resident fees shall be structured at market levels.
 - Internal service fees. When interdepartmental charges are used to finance internal functions, charges shall reflect full costs; indirect expenses shall be included where practical.
- d.) License Fees. The City will establish license fees at levels which reflect full administrative costs, to the extent legally allowable.
- e.) Fines. Levels of fines shall be requested according to various considerations, including legal guidelines, deterrent effect, and administrative costs. Because the purpose of monetary penalties against those violating City ordinances is to deter continuing or future offenses, the City will not request any increase in fine amounts with the singular purpose of revenue enhancement.

CP056 - Financial Management Policies

- f.) Dedicated revenues. Except where required by law or generally accepted accounting practices (GAAP), no revenues shall be dedicated for specific purposes. All non-restricted revenues shall be deposited in the General Fund and appropriated by the annual budget process.
 - g.) Surplus property. Surplus and seized property will be disposed of in the most cost effective manner. Council approval shall be required for the disposal of fixed assets listed on the City's balance sheet.
 - h.) Reimbursements. The City will seek all possible Federal, State and County reimbursement for City programs and/or services.
 - i.) Monitoring System. Major revenue sources will be tracked on a routine basis. Five year trends will be developed and monitored for major revenue sources.
3. Reserve Policies
The objective of the reserve policies is not to hold resources solely as a source of interest revenue, but rather to provide adequate resources for cash flow and contingency purposes, while maintaining reasonable tax rates.
- a.) Cash flow and contingency - All Funds. The City will maintain a minimum "base" unallocated fund balance of five percent of all operating fund budgets to be used for cash flow purposes, unanticipated expenditures of a non-recurring nature, or to meet unexpected increases in service delivery costs. The funds will be used to avoid cash flow interruptions, generate interest income, avoid the need for short-term borrowing and assist in maintaining the City's bond rating.
 - To the extent that unusual contingencies exist as a result of state and federal aid uncertainties, or other unknown, a balance larger than this "base" amount may be maintained.
 - b.) Use of fund balances. Available fund balances will not be used for on-going operating expenditures, unless a determination has been made that available balances are in excess of required guidelines and that plans have been established to address future operating budget shortfalls. Emphasis will be placed on one-time uses which achieve future operating cost reductions. Use of fund balances must be authorized by the City Council.
 - c.) Annual review. An annual review of cash flow requirements and appropriate fund balances will be undertaken to determine whether modifications are appropriate for the reserve policies.
4. Debt Policies
The objective of the Prairie Village debt management policies is to maintain the City's ability to incur present and future debt at minimal interest rates in amounts needed without endangering the City's ability to finance essential City services. Recognizing that debt is usually a more expensive financing method, alternative financing sources will be explored before debt is issued.
- a.) Bond Rating. The City will manage financial affairs to ensure Aa or better bond rating.
 - b.) General obligation bonds, property tax supported. The City will utilize general obligation, property tax supported bonding to finance only those capital improvements and long term assets which have been determined by the City Council to be essential to the maintenance or development of the City and which cannot be financed with current revenue. Debt will be used to acquire major assets with expected lives which equal or exceed the average life of the debt issue.
 - c.) Special obligation revenue bonds. Special obligation revenue bonds, those bonds for which the City incurs no financial or moral obligation, shall only be issued if the associated development projects can be shown to be financially feasible and will contribute substantially to the welfare and/or economic development of the City and its citizens.
 - d.) Short term debt and leases. Because the City recognizes the inherent risk in short-term borrowing, it will not be used without careful investigation of financing options, cost of the financing and terms available. Lease/purchase will be used as a financing tool only when, through investigation, the City determines this is the most prudent and cost effective way to finance the project or equipment.
 - e.) Limitations on issuance of new debt. The City will establish and maintain limitations on the issuance of new property tax base supported bonded indebtedness. These limitations will promote a balanced relationship between expenditures for debt service and current municipal costs, and assist in minimizing the overall property tax burden. The City will limit the issuance of new bonded debt so as to maintain or make improvements in key financial ratios, including;
 - Direct City debt should not exceed 3% of the estimated market value of property within the City.
 - ~~Total debt service expenditures should not exceed 5% of total operating expenditures.~~
 - The percentage of direct City debt scheduled for retirement in the next 10 years should exceed 50% of the total outstanding debt.
 - General obligation maturities should not exceed the life of the project or asset financed with bonds.
 - f.) Debt Service. Bond issues should be scheduled to equalize annual debt service requirements to the degree that borrowing costs can also be minimized.
5. Capital Budget Policies

CP056 - Financial Management Policies

The objective of the capital budget policies is to ensure that the City of Prairie Village maintains its public infrastructure and equipment in the most cost-efficient manner.

- a.) Capital Infrastructure Program. The City will prepare and adopt a three year Capital Improvement Program which will detail each capital project, the estimated cost and funding source. A priority system will be used to rank recommended projects.
- b.) Operating budget impacts. Operating expenditures will be programmed to include the cost of implementing the Capital Improvement Program and will reflect estimates of all associated personnel expenses and operating costs attributable to the implementation and/or ongoing operations of capital outlays. All single items purchased by the City which have a cost of \$1000 or more and a useful life of more than one year will be considered Fixed Asset and will be added to the fixed asset inventory.
- c.) Repair and replacement. The City recognizes deferred maintenance increases future capital costs by an estimated five to ten times. Therefore, the City will endeavor to maintain its physical assets at a level adequate to protect the City's capital investments and minimize future maintenance and replacement costs. The capital budget will provide for the adequate maintenance, repair and orderly replacement of the capital plant and equipment from current revenues where possible.

6. Accounting Policies

The objective of the City's accounting policies is to ensure that all financial transactions of the City of Prairie Village are carried out according to the dictates of the City Charter, State Statutes, federal grant guidelines and the principles of sound financial management.

- a.) Accounting standards. The City will establish and maintain accounting systems according to the generally accepted accounting principles and standards (GAAP) of the Government Finance Officers Association (GFOA) and the Governmental Accounting Standards Board (GASB). A centralized system shall be used for financial transactions of all City departments.
- b.) Annual audit. An annual audit will be performed by a firm selected by the City Council and will issue an official opinion on the annual financial statements, with a management letter detailing areas that need improvement, if required.
- c.) Disclosure. Full disclosure will be provided in all financial statements and bond representatives.
- d.) Monitoring. Financial systems will be maintained to monitor expenditures and revenues on a monthly basis, with a thorough analysis and adjustment, if required, at mid-year.
- e.) GFOA Award. The City will annually submit necessary documentation to obtain the Certificate of Achievement for Excellence in Financial Reporting.

7. Investment Policies

The objective of the investment policies is to ensure that all non-pension related revenues received by the City are promptly recorded and deposited in designated depositories, and if not immediately required for payments of obligations, are placed in authorized investments earning interest income for the City according to the following criteria.

- a.) Objectives. The following objectives shall govern Prairie Village investments, as listed in order of importance.
 - Safety. Safety of principal is the foremost objective of the City of Prairie Village. Each investment transaction will be made in a manner which ensures that capital losses are avoided, whether from securities defaults or erosion of market value.
 - (a) All investments of funds of the City of Prairie Village will be collateralized to at least 100% of market value by instruments which are backed by the full faith and credit of the federal government or instruments issued by agencies of the federal government.
 - (i) If any mortgage is involved in the underlying value of the instruments pledged as security by an institution, City funds should be collateralized at market to 120% of total investment.
 - Liquidity. The cash position of the City of Prairie Village has peaks and valleys during the year which require that a portion of the investment portfolio emphasize liquidity. The City of Prairie Village will consider liquidity as a priority, while still recognizing the need to maximize yield.
 - Yield. The investment portfolio of the City of Prairie Village will be designed to attain a market-average rate of return through budgetary and economic cycles, taking into account the City's investment risk constraints, cash flow characteristics of the portfolio and prudent investment principles.
 - Local considerations. Subject to requirements of the above priority objectives and regulations of the State of Kansas, it is the policy of the City of Prairie Village to offer financial institutions within the City and the Kansas Municipal Investment Pool the opportunity to bid on investments. Financial institutions outside the City limits may also bid on investments in accordance with state statutory provisions. When the highest yield rate offered is the same or higher than the

CP056 - Financial Management Policies

weighted yield rate of current investments, the offer may be accepted. When the yield rate offered is lower than the weighted yield rate of current investments, the money will be invested in a short-term account until yield rates increase above the weighted yield rate of current investments.

- Maintaining the public trust. Because the investment portfolio is subject to public review and evaluation, the overall investment program will be designed and managed with a degree of professionalism that is worthy of the public trust. Investment officials will avoid any transaction that might impair public confidence in the City of Prairie Villages' ability to govern effectively.
- b.) Types of investments. The City of Prairie Village shall invest only United States Treasury bills/notes and certificates of deposit as authorized by Kansas statute.
- c.) Diversification. It is the policy of the City of Prairie Village to diversify its investment portfolio. Assets held in the general fund and other funds shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or a specific class of securities. Diversification strategies shall be established, with periodic review and revision, as appropriate. Before a significant change in type of investments is made, staff will consult with the Council Committee of the Whole. In establishing specific diversification strategies, the following general policies and constraints will apply:
- Portfolio maturities. Maturities will be staggered in a way that avoids undue concentration of assets in a specific maturity sector. Maturities will be selected which provide for income stability and reasonable liquidity.
 - Liquidity. For short-term cash management fund liquidity, investment practices will be followed which ensure that funds required for the next disbursement date and payroll date are covered through maturing investments or marketable U.S. Treasury securities.
8. Treasury Policies
The objectives of the Treasury Policies is to provide an effective way for the preparation and distribution of employee salaries and vendor accounts payable checks.
- a.) Payroll Procedure. The Accounting Department is authorized by the Governing Body to release funds for City payroll costs without prior claims ordinance approval. The City Administrator and/or Finance Director shall approve the transfer of funds between City checking accounts necessary to fund those costs, which shall be placed on a claims ordinance for approval of the Governing Body at their next regular meeting.
- b.) Accounts Payable Procedure. The Accounting Department is authorized by the Governing Body to prepare and distribute checks for payment to the City's accounts payable vendors after a claims ordinance and check register have been approved by the Governing Body.
- The Accounting Department is authorized to prepare and distribute payments without prior approval of the Governing Body on utility bills, insurance policies or other annual agreements that incur late payment fees if held for the next approved claims ordinance. These disbursements shall be placed on a claims ordinance for approval of the Governing Body at their next meeting.
 - All other emergency disbursement requests shall require approval of the City Treasurer or, in their absence, the City Administrator or their designee. If authorized and disbursement is made, a record of the disbursement shall be placed on a claims ordinance for approval of the Governing Body at their next meeting.

VI. PROCEDURES



ADMINISTRATION

Council Committee Meeting Date: September 21, 2009
Council Meeting Date: September 21, 2009

COU2009-92: Consider Authorizing the Mayor to Sign an Agreement for Planning Services with Bucher, Willis & Ratliff Corporation in the Amount of \$14,500 to complete a Safe Routes to School Plan and Phase II application.

RECOMMENDATION

Recommend the City Council authorize the Mayor to sign an Agreement with BWR in the amount of \$14,500 to complete a Safe Routes to School Plan and Phase II application. Agreement has been reviewed and approved by Legal Counsel.

BACKGROUND

On April 21st, City Council authorized staff to submit a grant application for the Safe Routes to School Program (SRTS). The City was awarded the grant (\$15,000) in January of 2008 and has two years to complete the grant process.

The program is intended to be a comprehensive planning tool for communities by looking at five components, often referred to as the "5 E's". These components are:

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

The initial application identified the following schools: Corinth Elementary, Prairie Elementary, Belinder Elementary, Briarwood Elementary, Mission Valley Middle School, and Indian Hills Middle School. The two private

schools (Saint Ann's and Kansas City Christian School) located in Prairie Village are also eligible should they choose to participate.

DISCUSSION

City staff has been working to complete various components of the Safe Routes to School Grant requirements including conducting surveys of school elementary and middle school children. The first survey was conducted in the spring of 2009. A second survey will be conducted during the fall 2009 semester.

The next part of the grant process is to identify and analyze the physical environment and conduct two meetings to present and discuss the findings from the physical analysis and survey results. The proposed agreement with BWR will provide these planning services.

The public meetings will take place in late October or early November and will provide additional information for BWR to complete the Safe Routes to School Plan and develop a Phase II application which could be submitted to the State for consideration.

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

Infrastructure:

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

Non-infrastructure:

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

FINANCIAL IMPACT

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

RELATED TO VILLAGE VISION

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

LRN1A Promote continued support of schools within the community.

ATTACHMENTS

Agreement for Planning Services, Safe Routes to School Plan and Phase II Grant Application

PREPARED BY

Dennis J. Enslinger

Date: September 21, 2009

**AGREEMENT FOR PLANNING SERVICES
SAFE ROUTES TO SCHOOL PLAN AND GRANT APPLICATION**

THIS AGREEMENT, made this _____ day of _____, 2009.

BY AND BETWEEN the **City of Prairie Village, Kansas**, hereinafter called “the City” and **Bucher, Willis & Ratliff Corporation** of Kansas City, Missouri, hereinafter called “the Consultant;”

WHEREAS, the Consultant currently provides planning advisory services for the City;

WHEREAS, the City in cooperation with USD 512 Shawnee Mission School District wish to prepare a 2009 Phase I Safe Routes to School (SRTS) plan and a Phase II grant application to the Kansas Department of Transportation (KDOT) to address public and private elementary and middle schools located in the city limits of Prairie Village; and

WHEREAS, the City desires additional planning services from the Consultant to facilitate and prepare a 2009 Phase I Safe Routes to School (SRTS) plan and a Phase II grant application to the Kansas Department of Transportation (KDOT);

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

**ARTICLE I
CONSULTANT RESPONSIBILITIES**

The Consultant shall perform for or furnish to the City professional services in all phases of the Project to which this Agreement applies as hereinafter provided. The Consultant shall serve as the City's prime planning and engineering professionals for this Project.

The standard of care for all professional planning, engineering, and related services performed or furnished by the Consultant under this Agreement will be the care and skill ordinarily used by members of the Consultant's profession, practicing under similar conditions at the same time and in the same locality. The Consultant makes no warranties, expressed or implied, under this Agreement or otherwise, in connection with the Consultant's services.

**ARTICLE II
SCOPE OF SERVICES**

Task 1 – Scoping Meeting

The Consultant will meet at the outset of the project with City of Prairie Village staff, including the Public Works Director and Police Chief, and USD 512 Shawnee-Mission School District officials to establish communication channels and protocol for the project. Items discussed in the scoping meeting will include:

- Known issues associated in neighborhoods near school
- Data collection needs and public involvement strategies

Data Provided by the City:

- 2005 Updated Citywide Traffic Study
- GIS data files from Johnson County
- Citywide sidewalk inventory
- Any available studies for each of the school sites

Task 2 – Initial Evaluation

The City will complete and provide the Consultant with summarized safe routes to school Student Talley and Parent Survey forms for each school using the template provided by KDOT.

Anticipated Schedule: City to complete and summarize surveys within four weeks of notice to proceed, assuming the notice to proceed occurs by September 22 2009. The survey results will be provided to the Consultant by approximately October 22, 2009.

Task 3 – Assessment of Existing Resources, Concerns and Opportunities

The Consultant will evaluate the results of the city’s data, field investigations, and student tallies and parent surveys. From this evaluation the Consultant will identify the existing resources, concerns and opportunities at a broad citywide level. The results of this assessment will be documented in a brief technical memorandum and will be summarized in an easily understood handout.

Anticipated Schedule: Completed within four weeks of notice to proceed.

Task 4 – SRTS Planning Meeting

The Consultant will facilitate two community meetings which will provide an opportunity for the public to discuss issues of concerns and identify possible solutions on a communitywide basis for neighborhoods around all schools. The consultant will present issues of concerns as identified through Tasks 2 and 3, and will solicit additional input from the public. The Consultant will then present a menu of possible solutions including engineering, enforcement, education, and encouragement solutions, and the value of evaluation. The feedback from this community meeting will be used as the basis for the recommended citywide SRTS plan and Phase II grant application.

It is anticipated one community meeting will be conducted for four schools in the northern portion of the city and one meeting will be conducted for four schools in the southern portion of the city.

Tasks Provided by the City and/or School Resource Officer:

- Community meeting location and facility needs arrangements
- Meeting refreshments

Consultant Deliverables:

- Presentation materials, workbooks, maps of each school, handouts and related informational materials

Anticipated Schedule: Community meetings are anticipated in late October/early November.

Task 5 – Field Investigations

The Consultant will conduct windshield survey field investigations of existing conditions around for each school.

Anticipated Schedule: Completed within eight weeks of notice to proceed.

- Field investigations to be conducted (as permitted by weather conditions) and completed by mid November, 2009

Task 6 – Safe Routes to School Plan

The Consultant will apply the information obtained in previous tasks to develop one citywide Safe Routes to School Plan. The plan will document the study process, baseline data, analysis, public involvement, recommended components of engineering, enforcement, education, encouragement, and evaluation. The plan will identify steps for implementation. The plan will be submitted to the City of Prairie Village, USD 512 Shawnee Mission School District, MARC, and KDOT for review and comment. Once the draft has been finalized, the plan will be available for distribution.

Consultant Deliverables:

- Draft Safe Routes to School Plan for review and comment (1 PDF digital copy and 1 digital copy in MS Word)
- Final Safe Routes to School Plan/ Phase II SRTS application
- 5 color copies, 1 PDF digital copy, and 1 digital copy in MS Word.

Anticipated Schedule: Completed within twelve weeks of notice to proceed (early to mid December, 2009).

Scope Assumptions:

- The City will be responsible for reproducing, distributing, and collecting the evaluation forms.
- The City will be responsible to obtain the following for formal submittal to KDOT as part of the Phase II SRTS Application :
 - Letters of Support
 - Authorization Letter
 - Concurrence Letter: Attach a copy of MARC's concurrence letter
 - Copy and Mail: Three copies of each application with attachments to KDOT to Becky Pepper at the following address:

Becky Pepper
State Bicycle and Pedestrian Coordinator
Kansas Department of Transportation
Bureau of Transportation Planning
700 SW Harrison
Topeka, KS 66603-3754
(p)785-296-8593

ARTICLE III COMPENSATION

The Consultant will perform the services described in Article II for a lump sum in the amount of \$14,500.00.

The Consultant shall invoice the City monthly bases on following Fee Schedule:

Completion of Tasks 1 and 2 - \$4,500
Completion of Tasks 3, and 4 - \$4500
Completion of Task 5-\$4,500
Completion of Task 6 -\$1000

Payments shall be made by the City within thirty days upon the receipt of invoices provided by the Consultant.

**ARTICLE IV
CITY'S RESPONSIBILITIES**

In addition to the responsibilities identified for the "City," the "City of Prairie Village," "the City," "City Staff," in the Scope of Services, the City shall do the following in a timely manner so as not to delay the services of the Consultant and shall bear all costs thereto:

1. Designate in writing a person and/or a department or agency to act as the City's representative with respect to the services to be performed or furnished by the Consultant under this Agreement. Such person, department or agency shall have complete authority to transmit instructions, receive information, interpret and define City's policies and decisions with respect to the Consultant's services for the Project.
2. Make available to the Consultant all existing data and records relevant to plan work elements, disks of electronic base maps from the county electronic mapping files and other information possessed by the City which are relevant to the Consultant in the completion of the work under this Agreement.
3. Approve all criteria and information as to City's requirements for the Project, including planning objectives and constraints, performance requirements, any budgetary limitations, and furnish copies of all standard forms in use by the City relative to the planning area or Project and host public meetings.
4. Furnish to the Consultant, upon the request of Consultant for performing the services, data prepared by or services of others, including without limitation, electronic base maps, drawings of physical conditions in or relating to existing surface or subsurface utilities or structures within the planning area, hydrographic surveys, environmental assessments, impact statements and other relevant environmental or cultural studies pertaining to the Project, the planning area and adjacent areas (if readily available).
5. Print copies of the final report, with the exception of the deliverables provided by the Consultant in Task 6 of Article II.

**ARTICLE VI
MISCELLANEOUS PROVISIONS**

1. **Times for Rendering Services:** The Consultant's services and compensation under this Agreement have been agreed to in anticipation of orderly and continuous progress of the Project through completion of all Phases. Specific periods of time for rendering services are set forth in Article II, Scope of Services, in this Agreement, by which times defined services are to be completed.

If the City fails to give prompt written/email authorization to proceed with any phase of services after completion of the immediately preceding phase, the Consultant shall be entitled to equitable adjustment of rates and amounts of compensations to reflect reasonable costs incurred by Consultant as a result of the delay or changes in the various elements that comprise such rates and amounts of compensation.

2. **Change in Scope:** The Scope of the work described in Article II, Scope of Services, shall be subject to modification or supplement upon the written agreement of the City and the Consultant. At the time of such modification of scope, equitable adjustments, agreeable to both parties, shall be made in the time of performance and the compensation to be paid for the services.
3. **Ownership of Documents:** Upon completion of the scope of work and final printing of all documents, and maps, all original documents, plans design and survey notes, artwork and map originals developed in connection with the services performed under this Agreement will be delivered to, and remain the property of, the City. Consultant may retain reproducible copies of the documents.
4. **Insurance:** The Consultant shall procure and maintain insurance for protection from claims under workers' compensation acts, claims for damages because of bodily injury including personal injury,

sickness or disease or death of any and all employees, and from claims or damages because of injury to or destruction of property including loss of use resulting there from. The Consultant shall list the City as an additional insured on the Consultant's general liability insurance policy.

5. **Termination:** This Agreement may be terminated by ~~either party~~ the City for convenience, and by Consultant upon ~~seven~~ fourteen (14) days written notice in the event of substantial failure by ~~the other party~~ City to perform in accordance with the terms hereof through no fault of ~~the terminating party~~ Consultant; provided, however, that in any such case, the Consultant shall be paid the reasonable value of the services rendered up to the time of termination on the basis of the payment provisions of this Agreement. Copies of all completed or partially completed reports, maps, designs and plans prepared under this Agreement shall be delivered to the City when and if this Agreement is terminated.
6. **Controlling Law:** This Agreement is to be governed by the law of the State of Kansas.
7. **Dispute Resolution:** In an effort to resolve any conflicts that arise during the design or construction of the project or following the completion of the project, the ~~Owner~~ City and the Consultant agree that all disputes between them arising out of or relating to this Agreement shall be submitted to non-binding mediation, unless the parties mutually agree otherwise.

The ~~Owner~~ City and the Consultant further agree to include a similar mediation provision in all agreements with independent contractors and consultants retained for the project and to require all independent contractors and consultants also to include a similar mediation provision in all agreements with subcontractors, subconsultants, suppliers or fabricators so retained, thereby providing for mediation as the primary method for dispute resolution between the parties to those agreements.

8. **Severability:** Any provision or part of the Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.
9. **Notices:** Any notice required under this Agreement will be in writing, addressed to the appropriate party at the address which appears on the signature page to this Agreement (as modified in writing from time to time by such party) and given personally, by registered or certified mail, return receipt requested, by facsimile or by a nationally recognized overnight courier service. All notices shall be effective upon the date of receipt.
10. **Successors and Assigns:** The City and Consultant each is hereby bound and the partners, successors, executors, administrators, legal representatives and assigns of City and Consultant are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, legal representatives and assigns of such other party in respect of all covenants and obligations of this Agreement. Neither the City nor the Consultant may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting or transfer is mandated by law or the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

IN WITNESS WHEREOF, said parties have caused this Agreement to be signed by their duly authorized officers in two (2) counterparts, each of which shall be deemed an original, on the day and year first above written.

CONSULTANT:

CLIENT:

BUCHER, WILLIS & RATLIFF CORPORATION

CITY OF PRAIRIE VILLAGE, KANSAS

By: _____
Scott A. Michie, AICP
Principal, Senior Vice-President

L. Shaffer, Mayor
Ronald

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
September 21, 2009
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 - September 8, 2009
- 2. Approve Claims Ordinance 2863
- 3. Approve an agreement with Lowenthal, Singleton, Webb & Wilson to audit the City's 2009 financial statements.
- 4. Authorize the Mayor to execute a proclamation recognizing October, 2009 as National Colonial Heritage Month and designating October 2, 2009 as Lancer Day.
- 5. Adopt Ordinance 2212 amending Chapter 11 of the Prairie Village Municipal Code, 2003, entitled "Public Offenses & Traffic".

- VI. MAYOR'S REPORT**
- VII. COMMITTEE REPORTS**
 - Council Committee of the Whole**

2009-90 Consider Revision to Council Policy CP056 "Financial Management Policies" - Michael Kelly

2009-91 Consider Ordinance and Resolutions related to the upcoming Bond Issue for Public Improvements - Michael Kelly

2009-92 Consider Authorizing the Mayor to Sign an Agreement for Planning Services With Bucher, Willis & Ratliff Corporation in the Amount of \$14,500 to complete a Safe Routes to School Plan and Phase II application - Michael Kelly

2009-93 Consider Adoption of Ordinances Incorporating the 2009 Uniform Public Offense Code and the Standard Traffic Ordinance

- VIII. STAFF REPORTS**
- IX. OLD BUSINESS**
- X. NEW BUSINESS**

Consider Project 190869: 2009 Street Resurfacing Program - Construction Change Order #2

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

September 21, 2009

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
SEPTEMBER 8, 2009**

The City Council of Prairie Village, Kansas, met in regular session on Monday, September 8, 2009, at 7:30 p.m. in the Multi-Purpose Room 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, David Voysey, Michael Kelly, Andrew Wang, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison and David Belz.

Also present were: Quinn Bennion, City Administrator; Katie Logan, City Attorney; Captain Wes Lovett & Sgt. Byron Roberson; Bob Pryzby, Director of Public Works; 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 acknowledged the presence of a Boy Scout from Troop 192 working on his "Communications" merit badge.

Jewell Johnson, 5440 West 83rd Street, presented the Council a signed petition from residents on the north side of 83rd Street opposing the construction of a sidewalk from Rosewood to Nall Avenue. There is a sidewalk on the other

side of the street and they do not feel another one is necessary on the north side. She also noted the cost of construction and the damage to the existing landscaping. Mayor Shaffer responded that no action would be taken by the City Council this evening and that they would be notified when this item would be considered by the City. Bob Pryzby stated this area is currently being surveyed and no design work has begun. David Morrison asked when he felt it would be discussed. Mr. Pryzby responded he would expect design work to be completed within 60 days. Mayor Shaffer stressed that the residents would be notified of the meeting when issue will be considered.

Jim Blackwell, 4200 Homestead Drive, noted that he has had a 20'8" driveway apron since his home was constructed in 1954 as well as having received a variance for the height of his curbing. During the recent construction on Homestead, topographical changes were made to the street that have created a rise into his driveway and his driveway has been reduced in width to 14'2". City staff have reviewed the construction and stated it was built to City standards. He requested that the winged edges of his driveway be returned to their original flat surface and feels this work should be done while the crews are still working on the street. Mayor Shaffer responded the work will be reviewed by staff and noted the need to meet the City's existing code in construction projects.

Michael Clark, 4403 Homestead Drive, expressed frustration with the raised height of the driveways on the north side of Homestead after the recent street work. He stated residents now have a hump to go over to get into their driveways. Mr. Clark also stated he was concerned with the vertical surface of

the new curb installed, noting that it was not a smooth surface and that he feared possible tire damage from the rough surface.

CONSENT AGENDA

Michael Kelly moved the approval of the Consent Agenda for Monday, September 8, 2009.

1. Approve Regular Council Meeting Minutes - August 17, 2009
2. Approve the agreement with Johnson County Airport Commission for using the New Century Airport for snowplow training for Public Works employees at a fee of \$50 per day.
3. Authorize the Mayor to execute a Proclamation recognizing September 17-23, 2009 as Constitution Week.
4. Approve disposal of certain assets by auction.
5. Approve funding emergency repairs to the Police Department's Radio System caused by lightning.
6. Adopt Resolution Nos.2009-07, 2009-08, 2009-10, 2009-11, 2009-12 and 2009-13 Designating Authorized Individuals for Bank Accounts.
7. Approve the revised Public Financial Participation Application.
8. Approve the adoption of Ordinance 2203 amending Chapter Five of the Prairie Village Municipal Code, 2003 entitled "Business Regulation" by repealing the existing Article 1 entitled "General Regulations and Licenses" and adopting a new Article 1 of the same name and title and adding a new Article 7 entitled "Residential Rental Properties".
9. Approve the adoption of Ordinance 2204 amending Chapter 5 of the Prairie Village Municipal Code, 2003, entitled "Massage Therapy" repealing the existing Article 5 entitled "Massage Therapy" and adopting a new Article 5 entitled "Massage Therapy".

A roll call vote was taken with the following members voting "aye":

Herrera, Warman, Hopkins, Voysey, Kelly, Wang, Wassmer, Beckerman, Clark and Belz.

MAYOR'S REPORT

Mayor Shaffer reported everyone has returned from Dolyna and that it was a good trip. The Sister City will meet this Monday and discuss the trip. He felt a slide presentation from the trip would be given at a later meeting to the Council.

COMMITTEE REPORTS

Planning Commission

Consider Amendments to Zoning Ordinance Chapters 19.02 'Definitions' and 19.34 "Accessory Uses"

Dennis Enslinger stated that currently the zoning regulations include detailed requirements for the licensing of Home Occupations and Child Care Facilities. When these regulations and procedures change, the Zoning Ordinance must be amended. These requirements may be in conflict with licensing code and procedures. To address this situation, the Commission is recommending the deletion of the text related to the administrative process of licensing and simply retain language that requires they be licensed. The administrative requirements would all be found in the licensing regulations found in Chapter 5 of the Municipal Code. Changes have also been made to the definitions of "Day Care Center" to address the care of adults.

David Belz moved the Governing Body adopt Ordinance 2208 amending Chapter 19.02 of the Prairie Village Municipal Code, entitled "Definitions" by amending Section 19.02.160 entitled "Day Care Center" and Section 19.02.165 entitled "Day Care Nursery" and amending Chapter 19.34 entitled "Accessory Uses" by amending Section 19.34.010 entitled "Home Occupations as Accessory Uses:" paragraphs (C), (D) & (E) and Section 19.34.015 entitled "Family Day Care Home Accessory Use" paragraphs (A) (H) (I) & (J). The motion was seconded by Michael Kelly.

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

Consider Renewal of a Special Use Permit for the installation of wireless communication antenna at 5000 West 95th Street

Dennis Enslinger reported Verizon Wireless currently operates and maintains wireless communication antenna on the rooftop of the office building at 5000 West 95th Street. The installation includes two frames with two whip antennas and three panel antennas on each frame. A public hearing was held on the renewal of their Special Use Permit for this site before the Planning Commission on September 1st. No one was present to address the Commission nor did anyone attend the neighborhood meeting held by the applicant. The initial approval at this site was in 1999 for five years with a five-year renewal granted in 2004. The Planning Commission reviewed the application following the new regulations adopted and recommends the Special Use Permit be renewed for ten years subject to the 14 conditions recommended by staff.

David Belz moved the Governing Body adopt Ordinance 2209 approving the renewal of a Special Use Permit for the installation, operation and maintenance of communication antenna by Verizon Wireless on the property described as 5000 West 95th Street, Prairie Village, Kansas. The motion was seconded by Michael Kelly.

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

Dennis Enslinger announced the Planning Commission will consider six applications for wireless communication facilities at its October 6th meeting. These are either renewals of existing permits or requests for co-location at existing sites.

COUNCIL COMMITTEE OF THE WHOLE

COU2009-33 Consider approval of Contact with Springbrook Software, Inc. for Municipal Software

On behalf of the Council Committee of the Whole, Michael Kelly moved the Governing Body approve the contract with the elimination of the liquidated damages clause and related exhibits with Springbook Software, Inc. for municipal software. The motion was seconded by Charles Clark and passed unanimously.

COU2009-89 Consider Resolution 2009-14 and Ordinance No. 2205 related to the upcoming Bond Issue for Public Improvements

On behalf of the Council Committee of the Whole, Michael Kelly moved the Governing Body approve Resolution No. 2009-07 authorizing the offering for sale of general obligation improvement and refunding bonds, series 2009-A, of the City of Prairie Village, Kansas. The motion was seconded by David Voysey and passed unanimously.

On behalf of the Council Committee of the Whole, Michael Kelly moved the Governing Body adopt Ordinance 2205 designating certain streets and avenue within the City of Prairie Village, Kansas as main trafficways and trafficway connections. The motion was seconded by David Voysey.

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

STAFF REPORTS

PUBLIC SAFETY

- Captain Lovett reported the City had 7 residential burglaries over a two day period over the past few weeks along State Line. They are increasing patrols and things have quieted down. He noted Leawood had 30-40 residential burglaries in a two week period in the northern part of the City. The burglaries occurred between six and ten in the evening with the primary focus on flat screen televisions and other electronics.
- Shawnee Mission School has opened school with an unexpected increase of 150 students. Capt. Lovett noted they have received a student parking complaint on Delmar. Sgt. Byron Roberson presented an overview of the history of parking issues related to Shawnee Mission East students noting it goes back to 1975.
- Sgt. Roberson showed a map showing the locations of surrounding Shawnee Mission East that have been designated for no parking, reviewing also the limitations. Most areas are signed for no parking 9 to 3 on both sides of the street. The school has given out over 500 parking passes for on site parking to Junior and Senior students. Sophomores park in the pool parking lot or on side streets.
- It was noted there has been significant improvement over the past years with only about twenty vehicles parking on residential streets. Currently those parking on the street could be accommodated on-site once the contractors leave, but noted it is the school's decision as to who parks on-site. He added the number of students driving will increase as the year goes on and more students get their driver's license.
- However, he pointed out that in January 2010, Kansas will begin enforcing graduated licenses which will only allow 15 and 16 year-old drivers to transport siblings. He is not certain what the impact of this legislation will be - it may increase the number of drivers with no car-pooling or it may decrease the number of drivers.

David Belz stated the individual on Delmar who has the complaint spoke with him and he encouraged the resident to propose a solution. He is suggesting the residents to be allowed to purchase parking permits that would allow them to park on their streets. This has been done in other areas. Ruth Hopkins stated residential parking permits were used to address parking problems surrounding the "Lockline Office Building".

Sgt. Roberson noted it is labor intensive to monitor parking. He noted most of the current signage in place was done at the request of the neighborhoods submitting a petition requesting the limitation. He would be ok with making a change if there was neighborhood support, but not comfortable making a change based on one individual.

David Belz stated he views the parking permits as a reasonable alternative. Dale Beckerman felt it makes sense to accommodate the needs of the residents. Ruth Hopkins stated she felt if the restrictions were removed the amount of student parking would increase significantly. Laura Wassmer did not feel a change was merited based on one complaint, noting the City has come a long way in addressing this on-going problem. Andrew Wang noted there were other issues creating the need for parking permits for the "Lockline" area.

Michael Kelly stated he is not opposed to the Police Department investigating options. Dale Beckerman stated he would consider making a change if it was requested and supported by a neighborhood.

PUBLIC WORKS

- Bob Pryzby reported the pool has closed and crews are working to identify the locations of the suspected leaks
- He noted several projects have been published for bid including: El Monte Fountain, Prosecutor's Office and the City Hall Brick Wall.
- Twelve proposals were received for the work on 75th Street. Dale Warman & David Belz will be reviewing the proposals.
- The contractor for the 2009 Paving Program is working on Homestead, the final street in the project. Mission Lane Bridge only has curb work remaining and should open by October 1st. A ribbon cutting ceremony will be held for the re-opening.
- Mr. Pryzby announced with the receipt of additional funding, Johnson County CARS has moved some of the proposed 2011 projects up to 2010 including a piece of Somerset Avenue. A rain garden has been created by volunteers at Meadowlake Park.
- Mr. Pryzby stated he is working to complete the listing of bond projects prior to leaving on vacation October 16th.

ADMINISTRATION

- Chris Engel stated the pool has closed for the 2009 season with an overall increase in attendance of 1.5% or approximately 800 persons. He noted many of those were from the "Super Pass" program. Revenue from the sale of memberships for 2009 reflects an increase of 2.5%. Mr. Engel noted these are preliminary figures through August 31st and noted final figures will be distributed at a later date.
- Dennis Enslinger stated he submitted four proposals for funding under Transportation 2040. . .Brush Creek Trail, Mission Road Improvements, Roe Avenue Bicycle/Trail Project and West 75th Street Improvements.

- The codes department is currently working with a potential restaurant tenant in Corinth Square. The 5,000 sq. ft. area previously occupied by Noels will become a hamburger type restaurant.
- Mr. Enslinger announced the City's Planner, Ron Williamson, is cutting back hours worked and approaching retirement. Staff met with the individuals who would take over his work with the City. City staff is looking at simplifying the process for residential projects by having those staff reports being prepared internally. Commercial and large residential projects would continue to go through BWR.

Michael Kelly asked how long it had been since the City went out to bid for planning services. Charles Clark responded it has been four years. Mr. Kelly stated he felt the City should consider going out to bid. Mr. Enslinger noted that is the Council's decision.

- Quinn Bennion announced that he and Dennis Enslinger would be out of town next week attending a City Managers Conference (ICMA).
- Mr. Bennion noted applications are being accepted for Leadership Northeast and encouraged Council members who have not participated in the past to consider attending. He noted two city staff will be attending.
- During the 2010 budget discussion, it was suggested and money budgeted for the City to make a legislative visit. Mayor Shaffer, Dennis Enslinger and he will be making a visit the end of September. Mayor Shaffer will already be in the area on other business. Rob Johnson, formerly with NEJCC, has coordinated the trip and scheduled several meetings with representatives and agency visits.

David Morrison asked if Mr. Johnson was being paid by the City. Mr. Bennion responded he was being paid \$1000 to coordinate the trip, meetings and provide legislative expertise. Mr. Morrison questioned the cost and Mr. Bennion pointed out that through existing relationships he has been able to set up several influential meetings. Ruth Hopkins noted the City has attempted unsuccessfully to set up similar meetings for several years.

OLD BUSINESS

There was no Old Business to come before the Governing Body.

NEW BUSINESS

There was no New Business to come before the Governing Body.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Parks and Recreation Committee	09/09/2009	7:00 p.m.
Sister City Committee	09/14/2009	7:00 p.m.
Council Committee of the Whole	09/21/2009	6:00 p.m.

=====

The Prairie Village Arts Council is pleased to announce an oils exhibit by Harriet Bigham for the month of September. The reception will be held on September 11th from 6:30 - 7:30 p.m.

The Shawnee Mission Education Foundation 17th Annual Fall Breakfast is September 24th at 7:30 am at the Overland Park Convention Center. The City has reserved a table of 10. If you would like to attend, RSVP by September 11th to Jeanne Koontz at jkoontz@pvkansas.com.

Prairie Village Peanut Butter Week will be October 5 - 9 this year. Bring some peanut butter to the October 5th Council meeting!

The October exhibit in the R. G. Endres Gallery will be the annual State of the Arts. It will be a juried exhibit and three prizes of \$1,000 will be awarded including the R. G. Endres Memorial Best of Show Award. There will also be a new prize of \$500 - the Viewer's Choice Award. The receptions and awards reception will be held on October 9th from 6:00 to 8:00 p.m., with the awards being announced at 7:00 p.m.

The Johnson and Wyandotte County Mayor's Association Holiday Party will be held on December 2nd.

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

ADJOURNMENT

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

at 8:55 p.m.

Joyce Hagen Mundy
City Clerk

CITY TREASURER'S WARRANT REGISTER

DATE WARRANTS ISSUED:

Warrant Register Page No. 1

September 21, 2009

Copy of Ordinance
2863

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
<u>EXPENDITURES:</u>			
Accounts Payable			
92816-92898	8/7/2009	357,188.20	
92899-92908	8/12/2009	8,378.96	
92909-92909	8/17/2009	2,906.96	
92910-92996	8/21/2009	570,807.39	
92997-92999	8/22/2009	246.22	
93000-93005	8/26/2009	3,244.24	
93006-93006	8/28/2009	12.00	
Payroll Expenditures			
8/14/2009		265,158.68	
8/28/2009		254,605.12	
Electronic Payments			
Intrust Bank -credit card fees (General Oper)		505.87	
State of Kansas - sales tax remittance		921.91	
Marshall & Ilsley - Police Pension remittance		7,565.25	
Intrust Bank - fee		407.99	
KCP&L		15,773.75	
CBIZ - Section 125 admin fees		252.92	
Intrust Bank - purchasing card transactions		11,106.78	
United Health Care		1,149.68	
Kansas Gas		492.37	
Wells Fargo HSA		2,794.19	
TOTAL EXPENDITURES:			\$ 1,503,518.48
Voided Checks			
Hy-Vee	#92943	(65.08)	
Hy-Vee	#92944	(181.14)	
TOTAL VOIDED CHECKS:			(246.22)
GRAND TOTAL CLAIMS ORDINANCE			1,503,272.26

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

Passed this 21st day of September 2009.

Signed or Approved this 21st day of September 2009.

(SEAL)

ATTEST: _____

City Treasurer

Mayor



ADMINISTRATION

Council Meeting Date: September 21, 2009

CONSENT AGENDA - Consider Agreement with Lowenthal, Singleton, Webb & Wilson to Audit the City's 2009 Financial Statements

RECOMMENDATION

The Council approve the agreement with Lowenthal, Singleton, Webb & Wilson to audit the City's 2009 financial statements.

BACKGROUND

KSA 75-1124 requires the City to have an annual audit. In 2004, the City issued a Request for Proposals for auditing services and selected Lowenthal, Singleton, Webb & Wilson (LSWW) for the 2004 audit with the option of auditing the financial statements for the three subsequent fiscal years (2005, 2006 and 2007). The firm has performed the audits of the 2004, 2005, 2006, 2007 and 2008 financial statements.

At the July 17, 2008 Finance Committee meeting, the Committee discussed doing an RFP for audit services. Staff noted that LSWW's services have been satisfactory. Staff recommended and the Committee agreed that continuity of the auditor during the implementation of Governmental Accounting Standards Board Statement 45 and the implementation of the new financial accounting software was very important.

The proposed fee for the 2009 audit is \$21,290, a 3.4% increase over the cost of the 2008 audit.

FUNDING SOURCE

Funding for the financial statement audit is included in the 2009 budget for the Financial Management Program.

RELATION TO VILLAGE VISION

LG1.b. Enhance communication between government officials and the public. Enhance transparency of processes and financial accountability.

ATTACHMENTS: Agreement with Lowenthal, Singleton, Webb & Wilson.

Prepared By: Karen Kindle, Finance Director Date: September 15, 2009

LOWENTHAL, WEBB & ODERMANN, P.A.

David A. Lowenthal, CPA
Patricia L. Webb, CPA
Audrey M. Odermann, CPA

CERTIFIED PUBLIC ACCOUNTANTS

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Brian W. Nyp, CPA
Thomas H. Sewell, CPA

Members of American Institute
and Kansas Society of
Certified Public Accountants

September 9, 2009

Mayor and City Council
City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208

We are pleased to confirm our understanding of the services we are to provide the City of Prairie Village, Kansas, (the City) for the year ended December 31, 2009. We will audit the financial statements of the governmental activities, each major fund, budgetary comparison schedules and the aggregate remaining fund information, which collectively comprise the basic financial statements of the City as of and for the year ended December 31, 2009.

Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management discussion and analysis (MD&A), to accompany the City's basic financial statements. As part of our engagement, we will apply certain limited procedures to the City's RSI. These limited procedures will consist principally of inquiries of management regarding the methods of measurement and presentation, which management is responsible for affirming to us in its representation letter. Unless we encounter problems with the presentation of the RSI or with procedures relating to it, we will disclaim an opinion on it. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited: management's discussion and analysis and OPEB information.

Supplementary information other than RSI, such as combining and individual fund financial statements, also accompanies the City's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and will provide an opinion on them in relation to the basic financial statements: combining statements and individual fund statements.

The following additional information accompanying the basic financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements and for which our auditor's report will disclaim an opinion: introductory and statistical sections.

Audit Objective

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to above when considered in relation to the basic financial statements taken as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. If our opinions on the financial statements are other than unqualified, we will fully discuss the reasons with you in advance. If for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. You have requested that we prepare the financial statements that are the subject matter of this audit for the year ended December 31, 2009, hereinafter referred to as nonattest services. You are responsible for those financial statements. You are responsible for making management decisions and performing all management functions; for designating an individual with suitable skill, knowledge, or experience to oversee our assistance with the preparation of your financial statements and related notes and any other nonattest services we provide; and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the financial statements of the respective financial position of the governmental activities, each major fund, budgetary comparison schedules and the aggregate remaining fund information of the City's and the respective changes in financial position and where applicable, cash flows, in conformity with U.S. generally accepted accounting principles.

Management is responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. Management is responsible for adjusting the financial statements to correct material misstatements and for confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud and illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud and illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws and regulations. With regards to the electronic dissemination of audited financial statements, including financial statements published electronically on your website (if any), you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Audit Procedures-General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws and governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity.

Because an audit is designed to provide reasonable, but not absolute, assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from you about the financial statements and related matters.

Audit Procedures-Internal Control

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

Audit Procedures-Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with applicable laws and regulations and the provisions of contracts and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Audit Administration, Fees and Other

When delivered to the City, the audit reports and financial statements produced in connection with this engagement letter are public records and may be used (a) to fulfill the requirements of continuing disclosure under SEC Rule 15c2-12, (b) as inserts or incorporated by reference in offering documents issued by the City, and (c) for any lawful purpose of the City, all without subsequent consent from us. Any official statements in connection with debt issuances which include the above mentioned audit reports and financial statements shall contain the following: "Our independent auditor has not been engaged to perform and has not performed, since the date of its report included herein, any procedures on the financial statements addressed in that report. The independent auditor also has not performed any procedures relating to this official statement."

In the interest of facilitating our services to your organization, we may communicate by facsimile transmission or send electronic mail over the Internet. Such communications may include information that is confidential to your organization. Our firm employs measures in the use of facsimile machines and computer technology designed to maintain data security. While we will use our best efforts to keep such communications secure in accordance with our obligations under applicable laws and professional standards, you recognize and accept that we have no control over the unauthorized interception of these communications once they have been sent and consent to our use of these electronic devices during this engagement.

We may prepare a general ledger trial balance for use during the audit. Our preparation of the trial balance will be limited to formatting information in the general ledger into a working trial balance. Also, as part of the audit we will prepare a draft of your financial statements and related notes. You will be required to review and approve those financial statements prior to their issuance and have a responsibility to be in a position in fact and appearance to make an informed judgment on those financial statements. Further, you are required to designate a qualified management-level individual to be responsible and accountable for overseeing our services.

Our audit engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

The workpapers for this engagement are our property and constitute confidential information. However, we may be requested to make certain workpapers available to others pursuant to authority given by law, regulation or other legal process. If requested, access to such workpapers will be provided under the supervision of firm personnel. Furthermore, upon request, we may provide photocopies of selected workpapers to governmental agencies who may intend or decide to distribute the photocopies or information contained therein to others, including other governmental agencies. You agree to reimburse us for our personnel and other costs associated with our compliance with such requests. Our policy is to retain workpapers for five years after the engagement. During the term of this engagement, we agree to comply with the provisions of K.S.A. 44-1030.

You agree that the term "those charged with governance", as used in Statement on Auditing Standards No. 114 for defining our communication responsibilities under that standard, consists of the mayor, city council, and the city administrator.

It is understood that the services provided by our firm necessarily rely, to some extent, on information provided by your organization, including management representations, as well as information and documents. Accordingly, your organization indemnifies our firm and its owners and employees, and holds them harmless from all claims, liabilities, losses or costs in connection with services provided by our firm that are affected in any way by erroneous, misleading, or incomplete information furnished by your organization. This indemnification will survive any terminations under this letter.

Audrey M. Odermann, CPA is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it. We agree that our gross fee, including all expenses, for the above services shall not exceed \$21,290, except as noted above. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit, including delays resulting from the untimely delivery of and incomplete preparation of schedules and questionnaires we have requested from your staff. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to the City of Prairie Village, Kansas and believe this letter accurately summarized the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

LOWENTHAL, WEBB & ODERMANN, P.A.
Certified Public Accountants

By Audrey M. Odermann

RESPONSE:

This letter correctly sets forth the understanding of the City of Prairie Village, Kansas.

By: _____

Title: _____

Date: _____



stafford&westervelt

Stafford & Westervelt, Chartered
Certified Public Accountants

Offices in
Chanute, Independence, Parsons and Pittsburg, Kansas
Bentonville and Rogers, Arkansas

**To the Shareholders
Lowenthal, Singleton, Webb & Wilson Professional Association**

We have reviewed the system of quality control for the accounting and auditing practice of Lowenthal, Singleton, Webb & Wilson Professional Association (the firm) in effect for the year ended June 30, 2006. A system of quality control encompasses the firm's organizational structure, the policies adopted and procedures established to provide it with reasonable assurance of conforming with professional standards. The elements of quality control are described in the Statements on Quality Control Standards issued by the American Institute of CPAs (AICPA). The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of conforming with professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance with the system of quality control based on our review.

Our review was conducted in accordance with standards established by the Peer Review Board of the AICPA. During our review, we read required representations from the firm, interviewed firm personnel and obtained an understanding of the nature of the firm's accounting and auditing practice, and the design of the firm's system of quality control sufficient to assess the risks implicit in its practice. Based on our assessments, we selected engagements and administrative files to test for conformity with professional standards and compliance with the firm's system of quality control. The engagements selected represented a reasonable cross section of the firm's accounting and auditing practice with emphasis on higher-risk engagements. The engagements selected included among others, audits of Employee Benefit Plans and engagements performed under *Government Auditing Standards*. Prior to concluding the review, we reassessed the adequacy of the scope of the peer review procedures and met with firm management to discuss the results of our review. We believe that the procedures we performed provide a reasonable basis for our opinion.

In performing our review, we obtained an understanding of the system of quality control for the firm's accounting and auditing practice. In addition, we tested compliance with the firm's quality control policies and procedures to the extent we considered appropriate. These tests covered the application of the firm's policies and procedures on selected engagements. Our review was based on selective tests therefore it would not necessarily detect all weaknesses in the system of quality control or all instances of noncompliance with it. There are inherent limitations in the effectiveness of any system of quality control and therefore noncompliance with the system of quality control may occur and not be detected. Projection of any evaluation of a system of quality control to future periods is subject to the risk that the system of quality control may become inadequate because of changes in conditions, or because the degree of compliance with the policies or procedures may deteriorate.

In our opinion, the system of quality control for the accounting and auditing practice of Lowenthal, Singleton, Webb & Wilson Professional Association in effect for the year ended June 30, 2006, has been designed to meet the requirements of the quality control standards for an accounting and auditing practice established by the AICPA and was complied with during the year then ended to provide the firm with reasonable assurance of conforming with professional standards.

Stafford + Westerville, Chartered

Independence, Kansas

July 7, 2006



MAYOR

Council Meeting Date: September 21, 2009

Consent Agenda: Consider Proclamations recognizing October as National Colonial Heritage Month and designating October 2, 2009 as Lancer Day

RECOMMENDATION

Recommend the City Council authorize the Mayor to execute a proclamation recognizing October, 2009 as National Colonial Heritage Month.

Recommend the City Council authorize the Mayor to execute a proclamation designating October 2, 2009 as Lancer Day.

BACKGROUND

The month of October is recognized as National Colonial Heritage Month to remember the priceless legacy that the early settlers left to all American citizens.

October 2, 2009 is Lancer Day.

ATTACHMENTS

Proclamation

PREPARED BY

Jeanne Koontz, Deputy City Clerk

Date: September 17, 2009

CITY OF PRAIRIE VILLAGE

National Colonial Heritage Month October 2009

Whereas, the Kansas State Society of the National Society Colonial Dames XVII Century of Prairie Village, Kansas is locally sponsoring National Colonial Heritage Month during the month of October, 2009; and

Whereas, National Colonial Heritage Month brings to mind the first courageous settlers who arrived in America and who determined the direction for the formation of our country; and

Whereas, the members of this Society, by virtue of their lineal descent from those early arrivals, feel an obligation to work for the preservation of the priceless legacy that these early arrivals left to all American citizens; and

Whereas, they continue to convey the true meaning of the inheritance by reminding us that our privilege to live in a free country has stemmed from "loving our country, obeying its laws, respecting its flag and defending it against all enemies"

NOW THEREFORE, I, Ronald L. Shaffer, by virtue of the authority vested in me as Mayor of the City of Prairie Village in the State of Kansas do hereby proclaim the month of October, 2009 as

NATIONAL COLONIAL HERITAGE MONTH

And encourage all citizens of the City of Prairie Village to observe this month as a means of reinforcing the priceless legacy that we inherit with our citizenship, in order to help preserve our rich culture and heritage with deep respect for the principles upon which our great country was founded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Prairie Village, Kansas, to be affixed at my office in the City of Prairie Village, Kansas, the 1st day of October, 2009.

Mayor Ronald L. Shaffer

City Clerk

Date

CITY OF PRAIRIE VILLAGE

WHEREAS, a closer relationship between the citizens and associates of our excellent educational facility, Shawnee Mission East, is desired, we, hereby decree: That the City of Prairie Village, Kansas will be changed to Lancer Village, Kansas for the duration of one day – said day to be designated as LANCER DAY; and

WHEREAS, to properly note the occasion, blue, black and white will become the official colors and Lancer Village will be decorated with such colors; further those loyal to the cause will wear the previously designated colors to so note their allegiance; and

WHEREAS, such a momentous occasion should be duly celebrated, a parade beginning at 2:00 p.m. on the appointed day will proceed from LANCER HIGH SCHOOL (Shawnee Mission East) by way of LANCER AVENUE (Mission Road) to the parking area in front of the clock tower in LANCER VILLAGE (Prairie Village Shopping Center), where those assembled will be treated to a pep rally and addresses by dignitaries of the City and school; and

WHEREAS, Joe Craig, President of the Student Congress, will with this proclamation take over the duties of Honorary Mayor of Lancer Village.

NOW, THEREFORE, I, Ronald L. Shaffer, Mayor of the City of Prairie Village, do hereby proclaim Friday, October 2, 2009 to be

LANCER DAY

IN WITNESS THEREOF, I hereunto set my hand and cause the Seal of the City of Prairie Village, Kansas to be affixed this 21st day of September, 2009.

Mayor Ronald L. Shaffer

City Clerk

Date



CITY CLERK DEPARTMENT

Council Meeting Date: September 21, 2009
Consent Agenda

Consider Adoption of Ordinance amending Chapter 11 entitled "Public Offenses & Traffic"

RECOMMENDATION

Recommend the Governing Body adopt Ordinance 2212 amending Chapter 11 of the Prairie Village Municipal Code, 2003, entitled "Public Offenses & Traffic"

BACKGROUND

In July, 2008, the City moved the Public Offense Code from Chapter 14 of the Municipal Code to Chapter 11 to accommodate the creation of a chapter for Stormwater regulations. When the articles were moved and renumbered, they were not proofed for internal code references. Several of these have been identified and are corrected by the adoption of Ordinance 2212. There is no change to the content of the regulations. The ordinance has been reviewed by the City Attorney.

ATTACHMENTS

Ordinance 2212

PREPARED BY

Joyce Hagen Mundy
City Clerk

Date: September 18, 2009

ORDINANCE NO. 2212

AN ORDINANCE AMENDING CHAPTER 11 OF THE PRAIRIE VILLAGE MUNICIPAL CODE, 2003, ENTITLED "PUBLIC OFFENSES & TRAFFIC" BY AMENDING SECTION 11-302 ENTITLED "PROHIBITED ACTS" AND SECTION 11-710 ENTITLED "TRUCK TRAFFIC; REGULATION" AND SECTION 11-715 ENTITLED "PARTIES TO VIOLATION" AND SECTION 11-717 ENTITLED "DRIVING EMERGENCY" AND SECTION 11-723 ENTITLED "REGULATION OF THE USE OF PUBLIC STREETS BY INDIVIDUALS WHILE JOGGING AND RUNNING" AND SECTION 11-803 ENTITLED "REMOVAL OF ABANDONED VEHICLES" AND SECTION 11-805 ENTITLED "PUBLIC NOTICE" AND SECTION 11-903 ENTITLED "TRANSPORTATION OF HAZARDOUS MATERIALS" AND SECTION 11-904 ENTITLED "HAZARDOUS MATERIALS ROUTES" AND SECTION 11-905 ENTITLED "PARKING OF VEHICLES OR TRAILERS CARRYING HAZARDOUS MATERIALS" AND SECTION 11-1001 ENTITLED "DEFINITIONS" AND SECTION 11-1101 ENTITLED "DEFINITIONS" AND SECTION 11-1107 ENTITLED "PERMIT CONTENTS" AND SECTION 11-1303 ENTITLED "INITIATION OF A RESTRICTED RESIDENTIAL PARKING AREA" AND SECTION 11-1304 ENTITLED "GENERAL PROVISIONS" AND SECTION 11-1305 ENTITLED "AREA AND STREET DESIGNATION AND ELIGIBILITY"

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

Section I

Section 11-302(f) of the Prairie Village Municipal Code, 2003, entitled "Prohibited Acts" is hereby amended by repealing Section 11-302(f) and enacting in lieu thereof a new Section 11-302(f) to read as follows:

- (f) It shall be unlawful for any person to use or possess with the intent to use:
- (1) Any simulated controlled substance;
 - (2) Any drug paraphernalia to use, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance;
 - (3) Any drug paraphernalia to plan, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, sell or distribute a controlled substance.

In determining whether an object is drug paraphernalia, a court or other authority shall consider the factors listed in K.S.A. 21-36a11, and amendments thereto, in addition to all other logically relevant factors.

Section II

Section 11-710 of the Prairie Village Municipal Code, 2003, entitled "Truck Traffic; Regulation" is hereby amended by repealing Section 11-710 and enacting in lieu thereof a new Section 11-710 to read as follows:

11-710. TRUCK TRAFFIC; REGULATION. No truck as defined in section 11-211 of this article (except as is engaged in the repair or construction of streets within the city) shall be allowed to enter upon any of the streets of the city except the following named streets:

- (a) 75th Street;
- (b) 95th Street;
- (c) Nall Avenue;
- (d) State Line, from 75th Street to 79th Street;

(e) Mission Road from Tomahawk to 95th Street; provided, that at the time of any alleged violation of these restrictions, there shall be posted upon the streets of the city, signs indicating streets which allow truck traffic. Trucks and other motor vehicles delivering or receiving goods or merchandise to or from any house or premises within the city shall be permitted to enter thereon while delivering the goods or merchandise, provided that the trucks and other motor vehicles travel as close to their destination point as is reasonably possible on the closest designated truck route, then from that truck route using the most direct route to the point of pick up or delivery and shall return to the nearest designated truck route after the delivery as is reasonably possible.

Section III

Section 11-715 of the Prairie Village Municipal Code, 2003, entitled "Parties to Violation" is hereby amended by repealing Section 11-715 and enacting in lieu thereof a new Section 11-715 to read as follows:

11-715. PARTIES TO VIOLATION. Every person who commits, attempts to commit, conspires to commit or aids or abets in the commission of any act declared herein to be unlawful, whether individually or in connection with one or more other persons, or as a principal, agent or accessory is guilty of such offense and every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provisions of sections 11-208:218 is likewise guilty of such offense. Every person who knowingly and willfully gives to a police officer false information is guilty of a misdemeanor.

Section IV

Section 11-717 of the Prairie Village Municipal Code, 2003, entitled "Driving Emergency" is hereby amended by repealing Section 11-717 and enacting in lieu thereof a new Section 11-717 to read as follows:

11-717. DRIVING EMERGENCY. When snow, sleet or freezing rain is causing slippery or hazardous conditions which might lead to serious traffic congestion, the mayor of the city may declare a traffic emergency. Until such is terminated, no vehicle shall be operated on any emergency route, as defined in section 11-219 without first having equipped such vehicle with effective skid chains or snow tires, excepting that vehicles with dual wheels need not be equipped with skid chains or snow tires.

Section V

Section 11-723 of the Prairie Village Municipal Code, 2003, entitled "Regulation of the use of Public Streets by Individuals while jogging and running" is hereby amended by repealing Section 11-723 and enacting in lieu thereof a new Section 11-723 to read as follows:

11-723. REGULATION OF THE USE OF PUBLIC STREETS BY INDIVIDUALS WHILE JOGGING AND RUNNING. For purposes of public safety and welfare, any person using the public streets of the city during the period from a half-hour after sunset to a half-hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, shall be required to wear on his or her person some type of reflective apparel or materials of sufficient size and placement so as to be visible to vehicular traffic from a distance of 200 feet, in addition to comply with the provisions of the current Standard Traffic Ordinance for Kansas Cities, which apply to pedestrians, as incorporated by reference in section 11-601.

Section VI

Section 11-803 of the Prairie Village Municipal Code, 2003, entitled "Removal of Abandoned Vehicles" is hereby amended by repealing Section 11-803 and enacting in lieu thereof a new Section 11-803 to read as follows:

11-803. REMOVAL OF ABANDONED VEHICLES. Whenever any person abandons a vehicle (motorized or trailer) for a period in excess of 48 hours, the police department, or its designated agent, may cause to have an approved commercial towing service remove the vehicle from such highway or other public property and place or store the same in a suitable and convenient place controlled by the approved commercial towing service; provided, however, before said vehicle is removed, the police department shall make a reasonable effort to determine and contact the owner of the vehicle. Any owner contacted shall be requested to remove the vehicle forthwith. The police department should follow protocols as outlined in Written Directive 61.4.1, which serves as an operational guideline to the police department concerning towing of vehicles.

Vehicles which are subject to being towed under conditions that do not constitute an immediate obstruction to the normal and safe movement of traffic and are determined to be abandoned, shall not be towed until the vehicle has had placed on its windshield or in another prominent location, a sticker or placard indicating the vehicle is in violation of section 11-802 and shall be removed by an approved commercial towing service at the direction of the Prairie Village Police Department after 48 hours from the time the sticker or placard was attached to the vehicle. The sticker or placard shall include such other information as the chief of police determines is necessary.

Section VII

Section 11-805 of the Prairie Village Municipal Code, 2003, entitled "Public Notice" is hereby amended by repealing Section 11-805 and enacting in lieu thereof a new Section 11-805 to read as follows:

11-805. PUBLIC NOTICE. After 15 days from the dates of mailing notice, the commercial towing service shall publish a notice once a week for three consecutive weeks in a newspaper of general circulation in Johnson County, Kansas. The notice shall describe the property and/or motor vehicle by name of maker, model, vehicle identification number, and owner, if known, stating that it has been towed and held by the respective commercial towing service and will be sold at public auction to the highest bidder for cash if the owner does not claim it within 10 days of the date of the third publication of the notice and pay the removal and storage charges, and publication costs incurred by the commercial towing service. Copies of the publication shall be filed with the Johnson County Clerk by the commercial towing service, along with the notices and affidavits described in section 11-804.

Section VIII

Section 11-903 of the Prairie Village Municipal Code, 2003, entitled "Transportation of Hazardous Materials" is hereby amended by repealing Section 11-903 and enacting in lieu thereof a new Section 11-903 to read as follows:

11-903. TRANSPORTATION OF HAZARDOUS MATERIALS. Except as provided in section 11-904 it shall be unlawful for any person, firm, corporation or other entity to transport any hazardous material upon any street, avenue, highway, road, alley or any other public right-of-way in the city.

Section IX

Section 11-904 of the Prairie Village Municipal Code, 2003, entitled "Hazardous Materials Routes" is hereby amended by repealing Section 11-904 and enacting in lieu thereof a new Section 11-904 to read as follows:

11-904. HAZARDOUS MATERIALS ROUTES. The provisions of section 11-903 shall apply to all streets, avenues, highways, roadways, alleys, other public rights-of-way or city owned property within the city except those specified within this section where transportation of hazardous materials shall be allowed.

- (a) Transportation of hazardous materials shall be allowed upon the following streets, avenues, highways or roadways as specified in 11-210.

Section X

Section 11-905 of the Prairie Village Municipal Code, 2003, entitled "Parking of Vehicles or Trailers carrying Hazardous Materials" is hereby amended by repealing Section 11-905 and enacting in lieu thereof a new Section 11-905 to read as follows:

11-905. PARKING OF VEHICLES OR TRAILERS CARRYING HAZARDOUS MATERIALS.

- A. It shall be unlawful for any person, firm, corporation or other entity to park any vehicle, trailer or semi-trailer carrying any hazardous material within the city.
- B. Subsection (a) shall not apply to vehicles, trailers or semi-trailers parked for continuous periods of time not to exceed one hour where such vehicles, trailers or semi-trailers are parked along those routes specified in section 11-904 of this code.
- C. Subsection (a) shall not apply to any vehicle, trailer or semi-trailer carrying any hazardous material where such vehicle, trailer or semi-trailer is not parked within 500 feet of any structure used for human habitation.

Section XI

Section 11-1001 of the Prairie Village Municipal Code, 2003, entitled "Definitions" is hereby amended by repealing Section 11-1001 and enacting in lieu thereof a new Section 11-1001 to read as follows:

11-1001. DEFINITIONS.

- A. Parade is any parade, march, ceremony, show exhibition, walk-a-thon, bike-a-thon or procession of any kind, or similar display, in or upon any street, park or other public place in the city; however, a parade shall not include any street race contest as defined in Chapter 11, Article 11.
- B. Parade Permit is a permit as required by this article.
- C. Person is any person, firm, partnership, association, corporation, company or organization of any kind.

Section XII

Section 11-1101 of the Prairie Village Municipal Code, 2003, entitled "Definitions" is hereby amended by repealing Section 11-1101 and enacting in lieu thereof a new Section 11-1101 to read as follows:

11-1101. DEFINITIONS.

- A. Street Race Contest -- The act of conducting a contest upon any street, park or other public place in the city which shall have two or more persons competing over a designated course and who, during the street race contest, shall not be required to follow the regulations set forth in the Standard Traffic Ordinance of Kansas Cities as amended herein. A street race contest does not include any parade as defined in section 11-1001(a) of the city code and does not include any contest utilizing mechanical devices for propulsion, whether powered by physical exertion or otherwise, except that a street race contest shall include participants utilizing wheelchairs which are powered by the participant's own physical efforts.
- B. The city reserves the right to waive or suspend any or all of the requirements of this article when the applicant is a governmental entity.
- C. Person -- Any person, firm, partnership, association, corporation, company or organization or entity of any kind.

Section XIII

Section 11-1107 of the Prairie Village Municipal Code, 2003, entitled "Permit Contents" is hereby amended by repealing Section 11-1107 and enacting in lieu thereof a new Section 11-1107 to read as follows:

11-1107. PERMIT CONTENTS. Each race permit shall state the following information:

- A. Starting time;
- B. Completion time;
- C. The portion of the street to be used, the portion of the street which will be open to vehicle traffic and the portions of the street to be traversed by participants in the street race contest;
- D. The maximum length of the race in miles or fractions thereof;
- E. A statement of all the conditions set out in section 11-1105 of this article;
- F. Such other information as the chief of police may find necessary to the enforcement of this article.

Section XIV

Section 11-1303(e) of the Prairie Village Municipal Code, 2003, entitled "Initiation of a Restricted Residential Parking Area" is hereby amended by repealing Section 11-1303(e) and enacting in lieu thereof a new Section 11-1303(e) to read as follows:

- E. Within 30 days after concluding the public hearing, the governing body shall render a decision regarding the request for the establishment of a "restricted residential parking area." The decision shall be by ordinance duly passed by the governing body and shall include the precise boundaries of the restricted residential parking area and shall state all restrictions that are applicable to the area. In making its decision, the governing body shall give consideration to the eligibility requirements as described in section 11-1305.
 - (1) The impact of such on-street parking restrictions on adjacent commercial areas and businesses.
 - (2) The availability of acceptable alternate locations for parking by displaced commuters.

Section XV

Section 11-1304(a) of the Prairie Village Municipal Code, 2003, entitled "General Provisions" is hereby amended by repealing Section 11-1304(a) and enacting in lieu thereof a new Section 11-1304(a) to read as follows:

- A. Permits shall be issued to the residents within the boundaries of the restricted residential parking area in accordance with this article. Upon application, each household will receive a permit for each motor vehicle registered to the address. In addition to the permits, each household will be issued five "guest" cards for any person visiting a resident living in the restricted residential area for any traditional guest purpose, provided that guest permits shall not be used by a "commuter" as defined by section 11-1302.

Section XVI

Section 11-1305(a) of the Prairie Village Municipal Code, 2003, entitled "Area and Street Designation and Eligibility" is hereby amended by repealing Section 11-1305(a) and enacting in lieu thereof a new Section 11-1305(a) to read as follows:

- (a) The governing body shall determine and make findings that at least three of the five conditions described in section 11-1301, exist in the area.

Section XVII

This Ordinance shall take effect and be in force from and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this ____ day of _____, 2009.

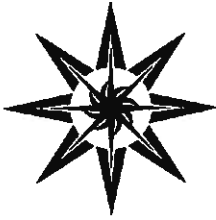
Ronald L. Shaffer, Mayor

ATTEST:

APPROVED AS TO FORM:

Joyce Hagen Mundy
City Clerk

Catherine P. Logan
City Attorney



PUBLIC WORKS DEPARTMENT

Council Meeting Date: September 21, 2009

NEW BUSINESS: CONSIDER PROJECT 190869: 2009 Street Resurfacing Program - CONSTRUCTION CHANGE ORDER #2

RECOMMENDATION

Staff recommends the City Council approve construction change order #2 with O'Donnell and Sons Construction for the construction of seven speed tables. One speed table is to be constructed for the Traffic Calming project along Rosewood Drive from Briar Street to 79th Street. Six speed tables are to be constructed for the Traffic Calming project in the area of 69th Street, Prairie Lane, and Oxford Road between Tomahawk Road and Roe Avenue. O'Donnell and Sons Construction is the City's contractor for the 2009 Street Resurfacing Program. This work will be funded from Project 190867 Traffic Calming Program in the amount of \$29,750.00.

BACKGROUND

The City Council has previously approved funding for the design of Traffic Calming projects in the City. The residents who live along each traffic calming project have met the requirement of 60% approval for the construction of the speed tables. The Contractor, O'Donnell and Sons Construction, is currently under contract with the City and will construct the asphalt speed tables. The traffic signing and pavement markings would be completed by Public Works and the City's pavement marking contractor, respectively. Two price quotes were obtained for the speed tables and O'Donnell and Sons Construction was the lower of the two. Adding this work by change order, to an existing contract, allows this work to be performed in a timely matter and potentially at a lower cost.

FUNDING SOURCE

Funding is available under project 190867: Traffic Calming.

ATTACHMENTS

1. Construction Change Order #2 with O'Donnell and Sons Construction

PREPARED BY

S. Robert Pryzby, Director of Public Works

September 21, 2009



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

City's Project: 2009 Street Resurfacing Program

Date Requested: September 21, 2009

Contract Date: February 17, 2009

Consultant's Name: N/A

Contractor's Name: O'Donnell and Sons Construction Co., Inc.

REQUIRED CHANGES TO PRESENT CONTRACT

Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
	\$0.00		Speed Tables	7	\$4,250.00	\$29,750.00

TOTAL \$0.00

TOTAL \$29,750.00
NET Increase \$29,750.00

EXPLANATION OF CHANGE - This change order is to cover the following items:

One Speed Table will be constructed for the Rosewood Drive Traffic Calming Project and six Speed Tables are to be constructed for the 69th Street, Prairie Lane, and Oxford Road Traffic Calming Project. Funds for this work will come from the Traffic Calming Program 190867.

The Consultant does not anticipate a related Engineering Change Order.

	Contract Value	Contract Days
Original Contract	\$1,949,872.40	
Current Contract including previous Change Orders	\$1,962,622.40	
NET This Change Order	\$29,750.00	
New Contract Price	\$1,992,372.40	

Contractor

Date

Bob Pryzby, Director of Public Works
City of Prairie Village, KS

Date

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

Date

MAYOR'S ANNOUNCEMENTS

Monday, September 21, 2009

Committee meetings scheduled for the next two weeks include:

Environment/Recycle Committee	09/23/2009	7:00 p.m.
Council Committee of the Whole	10/05/2009	6:00 p.m.
City Council	10/05/2009	7:30 p.m.

The Prairie Village Arts Council is pleased to announce an oils exhibit by Harriet Bigham for the month of September.

Reminder - The Shawnee Mission Education Foundation 17th Annual Fall Breakfast is September 24th at 7:30 am at the Overland Park Convention Center.

Prairie Village Peanut Butter Week will be October 5 - 9 this year. Bring some peanut butter to the October 5th Council meeting!

Flu shots will be available to Council Members for \$10 on October 22, 2009 from 7:30 - 9:00 a.m. at Public Works or from 2 - 4 p.m. at City Hall.

The October exhibit in the R. G. Endres Gallery will be the annual State of the Arts. It will be a juried exhibit and three prizes of \$1,000 will be awarded including the R. G. Endres Memorial Best of Show Award. There will also be a new prize of \$500 - the Viewer's Choice Award. The receptions and awards reception will be held on October 9th from 6:00 to 8:00 p.m., with the awards being announced at 7:00 p.m.

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

INFORMATIONAL ITEMS
September 21, 2009

1. Council Committee of the Whole Minutes - September 8, 2009
2. Tree Board Minutes - September 2, 2009
3. Mark Your Calendars
4. Committee Agenda

COUNCIL COMMITTEE OF THE WHOLE
September 8, 2009

The Council Committee of the Whole met on Tuesday, September 8, 2009 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, David Voysey, Michael Kelly, Andrew Wang, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison and David Belz. Staff members present: Quinn Bennion, City Administrator; Captain Wes Lovett & Sgt. Byron Roberson; Bob Pryzby, Director of Public Works; 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.

David Voysey moved the approval of the Consent Agenda for Tuesday, September 8, 2009:

- **ADOPT RESOLUTION NOS. 2009-07, 2009-08, 2009-09, 2009-10, 2009-11, 2009-12 AND 2009-13 DESIGNATING AUTHORIZED INDIVIDUALS FOR BANK ACCOUNTS**
- COUNCIL ACTION TAKEN**
09/08/2009

The motion was voted on and passed unanimously.

COU2009-33 Consider approval of contract with Springbrook Software, Inc. for Municipal Software

Karen Kindle reviewed the extensive process followed for the selection of Springbrook Software for municipal software. The software package will replace existing databases and includes the following functions:

- Finance (general ledger, accounts payable, purchase orders, reporting, etc.)
- Budget
- Permits
- Licensing
- Code Enforcement
- On-line Permits (expected summer of 2010)
- On-line Licenses (expected summer of 2010)
- Work Orders (optional)

Since the initial approval in March, 2009, two other steps have been completed: the Business Process Study (BPS) and the finalization of the contract. The BPS took place at the end of April and staff has been working with Springbrook to ensure the accuracy of the information in the BPS and documentation of deliverables identified during the BPS. The contract negotiations, development and review are now complete and the City Attorney has reviewed and approved all of the contract documents.

Mrs. Kindle advised that once the contract and the BPS document are signed, the City will be placed on the implementation schedule. Based on current availability of Springbrook staff, the "go-live" date will be after January 1st in time for to use the software for 2011 budget preparation. The total project cost is within the total budget; however, Mrs. Kindle noted purchase of the work order software would be made at a later date and may result in a change in the amount of the contract. She also added the training costs are estimated and only actual training costs will be charged.

City Attorney Katie Logan noted in a telephone conversation today the City has agreed to a change in the master agreement. The agreement as included in your packed includes a "liquidated damages" clause which the vendor has asked to be removed noting there are several factors outside of their control that could impact the completion dates. Mrs. Logan stated she is confident that the City is protected by other language in the agreement and feels the request is reasonable and would not negatively impact the City.

Andrew Wang noted it is often difficult to enforce liquidated damages. Mayor Shaffer asked what the next step is after the contract is signed. Mrs. Kindle responded the City would continue working on items internally that are necessary for the smooth changeover and implementation of the new software. Based on the availability of trainers, on-site training is not anticipated until December.

The first programs to be operational are the financial and budget programs. Mayor Shaffer asked if anything is lost by not being operational until after the first of the year. Mrs. Kindle responded it may be beneficial to be able to finish a fiscal year on the existing software and begin the new year with the new software. She acknowledged the process has taken a long time, but noted Springbrook has been very detailed in their work and she is confident the transition will go well.

David Belz made the following which was seconded by Dale Warman and passed unanimously:

RECOMMEND THE CITY COUNCIL APPROVE THE CONTRACT AND RELATED EXHIBITS WITH SPRINGBROOK SOFTWARE. INC. FOR MUNICIPAL SOFTWARE WITH THE DELETION OF THE "LIQUIDATED DAMAGES" CLAUSE.

**COUNCIL ACTION TAKEN
09/08/2009**

COU2009-80 Consider Resolution 2009-14 and Ordinance No. 2205 related to the upcoming bond issue for Public Improvements

Quinn Bennion stated at the last meeting, Council directed staff to begin the bond issue process. Staff has been working with Bond Counsel and the Financial Advisor to begin preparing the documents for the bond issue. As part of the process, the City's Bond Counsel recommends the approval of a resolution of intent to issue bonds and the adoption of a main trafficway ordinance.

Gary Anderson, with Gilmore & Bell, stated the proposed resolution authorizes the offering for sale of general obligation improvement and refunding bonds, series 2009-A. The proposed resolution covers street and storm sewer projects which are authorized by K.S.A. 12-685 et seq and K.S.A. 12-631r& s respectively. He noted the resolution can be amended to include parks or other projects if Charter Ordinance No. 25 takes effect. Mr. Anderson added the resolution also includes authorization to refinance existing city bonds which would expire in 2014. The resolution serves as the official notification to the marketplace of the City's intent.

Gary Anderson stated Ordinance 2205 designates certain streets and avenues within the City as main trafficways and trafficway connections. The ordinance lists specific streets that could be funded by the bond proceeds. However, not all of the street listed may be constructed. The number of streets constructed will depend on how far the bond proceeds will go based on the bids received.

Quinn Bennion stated for bonds to be used the streets need to be so designated. The list of streets was provided by Public Works including streets that are projected for work during the next five years and those streets with a pavement rating less than 70. It does not include all the streets in the City. The list will be further narrowed closer to the actual bidding with a finalized list including alternates.

David Belz asked for the status of the protest petition and what is the advantage of the Charter Ordinance if bonds can be issued without it. Gary Anderson responded the Charter Ordinance provides a broader authority for to include items outside of street and infrastructure improvements to be funded through bonds. The Charter Ordinance 25 allows for the funding of park improvements. Some City's have adopted ordinances with even broader authority. He confirmed the City under the Kansas Statutes have been given the authority to fund the proposed infrastructure improvements with bonds.

David Belz confirmed that by using bond funds for capital improvements, the City would free up general fund money that could then be used for park improvements. Quinn Bennion responded a worksheet of proposed projects will be included in the next packet. He noted the bonds will be based on an estimated five years of projects with those funded by bonds expected to be completed within the next two years. This will free up funds that can be used elsewhere. Mr. Bennion added the Storm Drainage Ordinance will come before the Council at its next meeting.

David Morrison responded as of this date no signatures have been gathered on a protest petition. He has specifically delayed gathering signatures to provide the City Council with the opportunity to add a sunset to the charter ordinance.

Charles Clark confirmed the trafficway designation was only applicable to the issuance of bonds and would not change existing street designations found in the municipal code or zoning regulations.

David Voysey made the following motion, which was seconded by Ruth Hopkins and passed unanimously.

RECOMMEND THE GOVERNING BODY APPROVE RESOLUTION 2009-14 AUTHORIZING THE SALE OF GENERAL OBLIGATION IMPROVEMENT AND REFUNDING BONDS, SERIES 2009-A, OF THE CITY OF PRAIRIE VILLAGE, KANSAS.

**COUNCIL ACTION TAKEN
09/08/2009**

Ruth Hopkins made the following motion, which was seconded by Dale Warman and passed unanimously:

RECOMMEND THE GOVERNING BODY ADOPT ORDINANCE 2205 DESIGNATING CERTAIN STREETS AND AVENUES WITHIN THE CITY OF PRAIRIE VILLAGE, KANSAS AS MAIN TRAFFICWAYS AND TRAFFICWAY CONNECTIONS.

**COUNCIL ACTION TAKEN
09/08/2009**

Jeff White, City's Financial Advisor, noted the proposed refinancing action is estimated to yield a savings of \$60,000 for the City.

Report on Property Maintenance Issues

Dennis Enslinger reported the Codes Department was currently dealing with two long-term property maintenance problems that he wanted to share with the Council and get input on how to proceed.

7578 High Drive

The first property is 7578 High Drive and deals with Exterior Storage Code violations. This property has had several violations over the past years and in 2003, staff allowed "screening" of exterior storage as alternative compliance. Additional citations were given in 2005 and 2006. The property owner currently resides out of the state and the house is vacant.

In July, 2009, a citation was issued for failure to maintain roof, inoperable vehicle, trash and debris, and outside storage. A subsequent failure to appear in court warrant was issued by Municipal Court. Also in July, a weed violation was issued and the property owner hired a contractor to cut weeds and overgrowth of vegetation; however, he was unable to remove all of the overgrowth and weeds due to existing debris. Mr. Enslinger showed several photographs of the property and related violations.

Dennis Enslinger stated the next steps would be to address the problem by the City's code for buildings and construction or by the City's Code for Nuisances and Unsafe Structures which allows the Governing Body to declare the property a nuisance and require the property owner to abate the nuisance within 10 days or the City may abate the nuisance. Mr. Enslinger stated that although there are some building issues, he felt it would be difficult to prove the house is an unsafe structure. He reviewed the process for declaring a property a nuisance.

Al Herrera confirmed the owner has two outstanding warrants. Mr. Enslinger stated they have advised the property owner that they need to meet with him and that when they do, the police will be notified.

Dale Beckerman asked what would become of all the things in his yard if the City abated the property. Mr. Enslinger responded they would become property of the City.

The Council gave Mr. Enslinger direction to move forward with the process to declare the property a nuisance.

2002 West 71st Terrace

A building permit for a single family residence was issued for this property on February 27, 2008. The permit later expired due to lack of construction on the site and was reissued on September 10, 2008. Various inspections on the foundation were approved in October and November of 2008.

There has been no work on the property between November of 2008 and April of 2009. Code violations cited in March, April, May and June of this year have been resolved. In a meeting with the property owner in June, staff learned that the property is being held for collateral and he is working with his bank to resolve this issue. Mr. Enslinger showed photographs of the property with the uncompleted construction. He stated he is not ready to take additional action at this time but wanted to make the Council aware of the situation.

Laura Wassmer noted there was an incomplete sprinkler installation on the northeast corner of 83rd & Roe. Mr. Enslinger stated he believed an inspection had been done on that project but he would verify that.

Mr. Enslinger stated staff is looking at adopting a new property maintenance code in conjunction with adoption of the ICC codes in 2010. Ruth Hopkins said she felt the City needs to look at addressing uninhabitable house and would like to have the City's legal remedies investigated. She feels this will become a growing issue in the future. Mrs. Logan stated she would look into it. Dennis Enslinger stated most of the vacant properties in the City had paid their taxes. Some are currently in probate and there is one home where the property

owner is in a nursing home and has not given power of attorney to anyone. He noted the courts are fairly clear and supportive on property maintenance issues and codes.

Discussion on contractor selection policy

Bob Pryzby expressed his concern with the volume of funding coming into the area over the next year for construction through stimulus programs, accelerated CARS funding, the City's proposed bond projects as well as its 2010 Capital Improvement Program. He identified over \$46 million in funding without including the regular metropolitan area projects. He would like to be able to bid early for the best prices, for better contractors and to all for completed construction by the end of 2010.

Mr. Pryzby stated the 2009 construction season has been very successful for the City. The contractor has been able to quickly rehabilitate streets within two to six weeks. Streets have been rehabilitated without extensive design work. The City has had excellent contractors with good construction inspections. In order to be able to bid early and secure good contractors and lower costs, he is proposing a new process be followed – a Rapid Alternative Construction Delivery System. Under this system the City would provide a description of work and intended results; provide a basic plan of work using an aerial photo of the work; provide appropriate standard construction specifications and appropriate standard detail drawings.

Mr. Pryzby represented two options for implementation.

Option A:

There would be no typical design and specification documents. A construction team consisting of a contractor and engineer would bid on a project. The construction team would provide bid costs for each project covering the following items:

- Complete rebuild of street including curbing and sidewalk options.
- Mill 4-inches and repave including curbing and sidewalk options.
- Mill 2-inches and repave including curbing and sidewalk options.
- Replace galvanized pipe by size including street and private property restoration.

The basis for the award would be the greatest number of projects completed within the available funding. The city's public works department will provide typical construction administration via a consultant. Monthly payment would be made based on the percentage of work completed.

Option B:

There would be no typical design and specification documents. A construction team consisting of a contractor and engineer would bid on a project. The construction team would provide common unit bid costs such as:

- Complete curb replacement
- Complete sidewalk replacement
- Complete ADA ramp replacement
- Complete driveway apron replacement
- Complete pavement replacement
- 4-inch mill and overlay of pavement
- 2-inch mill and overlay of pavement
- Complete galvanized pipe replacement by size in right-of-way
- Complete galvanized pipe replacement on private property
- Complete drainage inlet replacement
- Complete drainage junction box replacement
- Complete drainage manhole replacement

The basis of award would be the lowest cost of unit bid costs. The city public works department would provide typical construction administration through a consultant. Monthly payments would be made based on the work completed.

Mr. Pryzby noted this process avoids the expenditure of six to 7 months in design as well as the design engineering costs. He would like to pre-select four contractors and meet with them and their engineer to discuss the process. He noted the City would need to adopt a charter ordinance to allow for selection without going through the bid process. Under this process he feels he would be able to open bids on November 5th and award contracts on November 16th.

Al Herrera liked saving 10 to 15 percent of the contract costs by eliminating design engineering; however, he was concerned with protests from contractors if the work was not bid. Mr. Pryzby responded pre-qualification is not a new concept and has been done successfully by others. He feels this is a good opportunity to use this process, Ms. Logan noted that a charter ordinance may need to be adopted before the process begins. He feels this is doable and noted that 15% of \$9 million is a significant cost savings for the City.

Mr. Pryzby stressed the work to be completed is basic street work and the contractor would be given standard specifications with the work to be done clearly identified by the City. Charles Clark added that reconstruction is not new design and there would be standards established for a contractor to meet in order to be pre-qualified. David Morrison asked the difference between pre-selection and pre-qualification. Mr. Pryzby responded specific qualifications must be met in pre-qualification.

David Voysey asked if the process would allow new firms to be considered.

Bob Pryzby stated he would prefer to have a contractor that could do both street and drainage work as nine of the identified sites will require both kinds of work.

Dale Warman stated he is familiar with pre-qualifications and stressed the need to re-evaluate the qualifications on an annual basis. Mr. Pryzby stated he likes the ability to pre-qualify contractors to prevent an inferior contractor from being awarded the project based solely on low bid.

Charles Clark noted this is a two step process. First the City prepares the qualifications and pre-qualifies contractors and then it receives bids from those accepted contractors.

Andrew Wang stated it makes sense to save money by eliminating design costs on basic maintenance and repair. He does not want to see smaller contractors eliminated from the process.

Quinn Bennion stated the concept needs further legal investigation. It may require the adoption of a charter ordinance and that may mean the proposed timetable would need to be modified.

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

TREE BOARD
City of Prairie Village, Kansas

MINUTES

Wednesday - September 2, 2009, 6:00PM Meeting
Public Works - Conference Room
3535 Somerset Drive

Board Members: Cliff Wormcke, Jack Lewis, Greg VanBooven, Deborah Nixon, Luci Mitchell, Art Kennedy, Tony Rostberg

Other Attendees: Bob Pryzby

- 1) **Review and Approve minutes from April 1, 2009 meeting.** - approved a motion to accept the minutes as amended by Jack and Deborah.

- 2) **Sub-Committee Report** - Jack Lewis will provide six plants for prizes. Deborah will confirm attendance by the speaker topic of "Winterizing Your Landscape" and will contact the garden clubs with Luci's assistance.
 - 2.1) **Fall Seminar**
 - a) **Finalization of plans**
 - b) **Confirm date, time and location**
 - 2.2) **Arboretum Committee**
 - a) **Update - Art Kennedy** - finalizing the report.
 - 2.3) **Arbor Day**
 - a) **Event Wrap-up** - Bob reported that he has received a note for the Arbor Day Association that the city Arbor Day celebration will need more documentation as part of the Tree City USA award.

- 3) **List of suitable trees for parking lots with recommendations on criteria for planting areas** - Bob requested that the Tree Board consider a list of trees for planting in parking lots. The consensus was to recommend the medium size tree of 2.5-inch caliper, and that a proper amount of pervious area be provided around the tree.

- 4) **Old Business** - none

- 5) **New Business** - none

- 6) **The next meeting agenda** - the next meeting is the fall seminar on Wednesday October 7 at 7 pm in the City Council Chambers.

**Council Members
Mark Your Calendars
September 21, 2009**

September 2009 Harriet Bigham oils exhibit in the R. G. Endres Gallery

October 2009 State of the Arts exhibit in the R. G. Endres Gallery
October 3-6 2009 LKM Annual Conference - Topeka Expocentre & Capitol Plaza Hotel
October 5 City Council Meeting
October 9 Artist reception in the R. G. Endres Gallery 6:00 - 8:00
October 19 City Council Meeting

November 2009 Mid America Pastel Society exhibit in the R. G. Endres Gallery
November 2 City Council Meeting
November 13 Artist reception in the R. G. Endres Gallery 6:00 - 8:00
November 16 City Council Meeting
November 26 City offices closed in observance of Thanksgiving
November 27 City offices closed in observance of Thanksgiving

December 2009 Mimi Pettigrew oils exhibit in the R. G. Endres Gallery
December 2 Johnson and Wyandotte County Mayor's Association Holiday Party
December 4 Mayor's 2009 Holiday Party
December 7 City Council Meeting
December 11 Artist reception in the R. G. Endres Gallery 6:30 - 7:30
December 21 City Council Meeting
December 25 City offices closed in observance of Christmas

January 2010
January 1 City offices closed in observance of the New Year holiday
January 4 City Council Meeting
January 8 Artist reception in the R. G. Endres Gallery 6:30 - 7:30
January 18 City offices closed in observance of Martin Luther King Jr. holiday
January 19(Tues.) City Council Meeting

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
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

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

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

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

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

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

November 1 City Council Meeting
November 12 Artist reception in the R. G. Endres Gallery 6:30 - 7:30
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

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

COMMITTEE AGENDA

September 21, 2009

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)
- COU2009-04 Consider Project P5000: 2009 Crack Seal/Slurry Seal Program (assigned 12/23/2008)
- COU2009-05 Consider Project P5001: 2009 Street 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)
- COU2009-27 Consider Project 190871: Mission Lane Bridge Replacement (assigned 2/6/2009)
- COU2009-63 Consider Project 190866 - 75th Street Paving (assigned 6/10/2009)
- COU2009-87 Consider Project 190869 - 2009 Street Resurfacing Program - Construction Change Order #1 (assigned 8/12/2009)
- COU2009-88 Consider adopting Resolution Nos. 2009-07 through 2009-13 (assigned 8/27/2009)
- COU2009-89 Consider adopting Ordinance Nos. 2205, 2006 and 2007 to pursue a bond issue (assigned 8/27/2009)
- COU2009-90 Consider revision to the Council Policy CP056 "Financial Management Policies" (assigned 9/14/2009)
- COU2009-91 Consider Ordinance and Resolutions related to the upcoming Bond Issue for Public Improvements (assigned 9/14/2009)
- COU2009-92 Consider agreement with Bucher, Willis & Ratliff Corporation for completion of a Safe Routes to School Plan and Phase II application (assigned 9/15/2009)
- COU2009-93 Consider Adoption of Ordinance Incorporating the 2009 Uniform Public Offense Code and the Standard Traffic Ordinance (assigned 9/18/2009)

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)