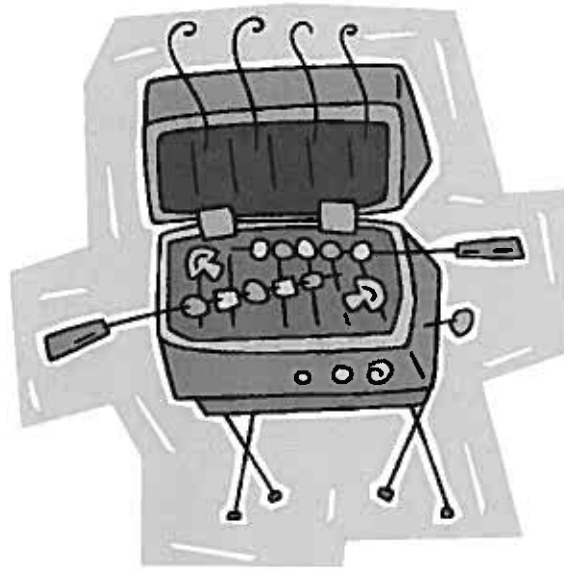


City Council Meeting
March 2, 2009



Dinner will be provided by:
Gates BBQ

Brisket & Turkey
Potato Salad, Coleslaw & Beans
Pickles
Bread

Dessert

COUNCIL COMMITTEE
March 2, 2009
6:00 p.m.
Council Chamber

AGENDA

DAVID VOYSEY, COUNCIL PRESIDENT

CONSENT AGENDA

AGENDA ITEMS FOR DISCUSSION

Update regarding American Recovery & Reinvestment Act (Stimulus Package) and submissions

**Discussion about meeting with Congressman Dennis Moore during NLC Conference
Ruth Hopkins, Michael Kelly and Diana Ewy Sharp**

***COU2009-32 Consider Approval for Purchase of Microwave Wireless Communication System for
Public Safety Purposes
Wes Lovett and Kyle Shipps**

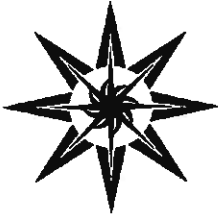
**COU2009-33 Consider Approval of the Selection of Springbrook Software Inc. for City software
package and online services
Karen Kindle**

**COU2009-34 Consider Approval of Council laptop purchase
Quinn Bennion & Nic Sanders**

**Discussion about quorum requirements and change in the statute in 2008
Katie Logan**

COU2007-51 Village Vision

***Council Action Requested the same night**



POLICE DEPARTMENT

**Council Committee Meeting Date: March, 2009
Council Meeting Date: March 2, 2009**

***COU2009-32:**

Consider allocation of funds for the completion of fiber optic work and microwave installation to ensure connectivity for Intergraph and future technology upgrades.

RECOMMENDATION

Staff recommends the City Council approve the funds necessary to install microwave and fiber optics in order to transmit/receive data to Overland Park as part of the Intergraph project.

COUNCIL ACTION REQUESTED ON: MARCH 2, 2009

SUGGESTED MOTION

I move that \$35,000.00 be allocated from the Equipment Reserve Fund to finance the installation of microwave and fiber optics as part of the Intergraph project.

BACKGROUND

As the Police Department moves forward with installing Intergraph Software, a communications pathway must be established with Overland Park. The microwave system was discussed during previous Council meetings regarding project costs. The system will have multiple connection ports, which will also be a major component in the county-wide radio project. The Department had previously projected costs for this system to be approximately \$25,000.00. Johnson County Emergency Communications is coordinating the installation and will be reimbursing the City \$12,000.00 from funds that have been established to pay for cooperative communications projects.

COST BREAKDOWN

COMPONENT	COST	VENDOR
Microwave System	\$22,480 (estimate)	Infiniti Wireless
Fiber Optics	\$ 8,151 (estimate)	K&W Underground
TOTAL (w/contingency)	\$35,000 (Johnson County will be reimbursing \$12,000)	

FUNDING SOURCE

2009 Technology Fund (Jail Tax)

ATTACHMENTS

1. Infiniti Wireless Estimate, and
2. K&W Underground Estimate

PREPARED BY

Wes Jordan
Chief of Police
Date: February 26, 2009



The leader in wireless network services

Quote

Date: February 25, 2009
 Expiration Date: April 11, 2009
 Quote Number: 3568

To: Jim Jones
 Johnson County, Kansas
 Emergency Communications Center
 913-791-5743

Salesperson	Email	FOB	Lead Time	Payment Terms	Shipping Method
Kyle Simeon	kyle@infinitiwireless.com	Sacramento	2-3 weeks ARO	Net 30	UPS Ground

Qty	Part Number	Description	Unit Price	Line Total
2.00	E00011F	Exalt EX-18s-16 IDU 15mbps + 0xT1 expandable to 16xT1 includes AC Adapter and rack mounting hardware	\$ 4,086.00	\$ 8,172.00
1.00	EA83F3H	Exalt EX-18s-16 ODU, 18GHz High Band (19.260-19.700)	\$ 3,307.00	\$ 3,307.00
1.00	EA83F3L	Exalt EX-18s-16 ODU, 18GHz Low Band (17.700-18.140)	\$ 3,307.00	\$ 3,307.00
2.00	K00R00011X	Upgrade Key EX-18 s-16 Single IDU 0xT1 -16T1+100Mbps	\$ 2,469.00	\$ 4,938.00
2.00	HP3-18RR	Radiowaves 3 ft 18ghz Exalt interface antenna w Radome	\$ 1,275.00	\$ 2,550.00
2.00	BGXZ60NFM-AS	Polyphaser 10MHZ-400MHZ, DC Pass, Coaxial Protectors, N(M) Protected Side Connector, N	\$ 103.00	\$ 206.00
1.00	FCL	Frequency Coordination and Licensing	\$ 1,500.00	\$ 1,500.00
1.00	PROMO	Exalt Spring EXS Promotion free licensing	\$ (1,500.00)	\$ (1,500.00)
		Spare Package		
	E00011F	Exalt EX-18s-16 IDU 15mbps + 0xT1 expandable to 16xT1 includes AC Adapter and rack mounting hardware	\$ 4,086.00	\$ -
	S006T02-ODU	EX-s Series 5 year advance replacement & emergency support single ODU	\$ 1,357.00	\$ -

- Shipping costs is not included . Estimated shipping costs have been provided for quotation purposes only
- Pricing is confidential between IWI and Johnson County
- PRODUCT THAT IS RETURNED UNAUTHORIZED WILL BE REFUSED AND RETURNED AT THE CUSTOMER'S EXPENSE. Return Material Authorization is required prior to shipping. Authorized material returned after 15 days may or may not be accepted and will be subject to a 20% restocking fee.
- 2 manufacturers warranty on all Exalt Equipment
- 5 year manufacturers warranty on Radiowaves antennas

The FREE Licensing Process

Customer submits purchase order to Preferred Exalt Purchase Partner specifying free licensing for new purchases of EX-s 11, 18 or 23 GHz radios.
 Exalt Partner provides customer with the instructions and appropriate forms to complete OR Exalt Partner completes and submits forms on customer's behalf.
 Customer or Partner submits forms to Comsearch.
 Comsearch contacts Exalt Channel Sales to confirm obtain approval for service to be completed at Exalt's expense.
 Comsearch conducts licensing process.
 When complete, Comsearch provides status directly to customer.

Terms and Conditions:

Promotion applies to new orders of EX-s 11 GHz, 18 GHz, and 23 GHz radios only.
 Minimum purchase is 1 hop (2 radios).
 Customer assumes full responsibility for any and all additional charges due to mistakes or omissions on licensing forms.
 If for any reason, the customer does not purchase the Exalt hop (2 radios) after the coordination/licensing process has started, Exalt will invoice the customer (and the customer agrees to pay) actual costs plus a 10% processing fee.
 Promotion cannot be combined with any other Exalt Marketing Promotions or Programs.
 Purchase Order(s) must be received on or before March 26, 2009.
 Product(s) must ship no later than March 27, 2009.

Thank you for your business!

	\$ -
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -
	\$ -
Subtotal	\$ 22,480.00
Estimated Shipping	95.00
Total	\$ 22,575.00

Prairie Village Police Department
 7710 Mission Road
 Prairie Village, Kansas 66208

Feb. 9, 2009

Atten: Kyle J. Shipps
 RE: Install fiber from Tower to IT Room

LABOR DESCRIPTION	QTY OR FT	TOTALS
Bore & install 2- 1.5" HDPE Conduit	75	\$3,750.00
Install 2 1.5" EMT in Building to old IT room	50	\$1,250.00
Install 24 strand MM fiber from tower to new IT room using existing fiber as pull string	600	\$750.00
Core drill wall	1	\$350.00
Enter existion conduit to assist in pulling in new fiber est	3	\$150.00

If Solid rock is encountered an additional charge of \$185.00 per hour plus materials will be added. If concrete needs to be cored to locate existing utilities there will be a cost of \$250.00 per core plus materials

\$6,250.00

MATERIALS	QTY OR FT	TOTALS
1.5"HDPE Conduit	150	\$102.00
1.5" EMT	100	\$185.00
24 Strand MM Fiber	600	\$1,614.00

SUBTOTAL \$1,901.00

SINCERELY,

0 \$0.00

TOTAL \$8,151.00

RENALD EDEN, CONSTRUCTION MANAGER
 K & W UNDERGROUND INC.



ADMINISTRATION

Council Meeting Date: March 23, 2009
Committee Meeting Date: March 2, 2009

COU2009-33: Consider Approval of Selection of Springbrook Software, Inc. for City Software and On-line Services

SUGGESTED MOTION

Move to approve the selection of Springbrook Software, Inc. for City software and on-line services.

COUNCIL ACTION REQUESTED ON MARCH 23, 2009.

BACKGROUND

During the 2008 Budget process, the Council approved funding for budget software to improve the City's budgeting and reporting processes. When bringing the new City Administrator up to speed on this project, he suggested broadening the scope of the project to include replacing the accounting software. This was considered by staff when researching budget software alternatives; however the immediate need was to fix the budgeting process so that was the original focus.

Broadening the scope of the project was based on the poor reporting and budgeting capabilities and the difficulty of maintaining the City's current accounting software. The current system, Asyst, was secured over 15 years ago. The City's IT consultant has spent numerous hours loading software updates only to have to restore from back up because the updates "broke" the system. Because of the difficulty in maintaining the system, it is not available to departments outside of Finance. As a result, the other departments maintain their own systems to track expenditures (spreadsheets, Quicken) throughout the month and reconcile once a month to the report provided by Finance. In addition, preparation of the monthly reports and most other reports involves the use of Excel and is very labor intensive. The more accounting tasks that take place outside the system, the greater the chance for errors, weakening the City's internal controls. In addition, security in the current system is not as strong as newer systems on the market today. Under new, stricter auditing standards, the external auditors are placing an even greater focus on the City's internal controls, which include the accounting software.

While the budget software would have taken care of the reporting and budget needs, there are other process efficiencies to be gained by replacing the financial software. Besides budgeting and reporting modules, most financial software packages contain workflow options that automate manual processes such as purchase order preparation and approval. Many of these packages also feature options for attaching documentation to transactions improving the information available in the system. As more and more demands are placed on the City and its staff, making processes more efficient is increasingly important. Please see Attachments D - F for some examples of how Springbrook will change just a sampling of the processes at the City.

In looking at the bigger picture, drawing on the new City Administrator's experience and trying to position the City for the future, staff felt that a more comprehensive RFP covering budgeting, reporting and accounting would be a better use of the resources allocated in the 2008 Budget. As staff began planning the purchase of this software, it became clear that the project would be complex and have long-term effects on City operations. Because of these factors, limited staff time and the multitude of potential vendors, staff felt that to ensure the project's success they would need the assistance of someone with experience in these projects and knowledge of the market. In July, 2008, the Council approved a contract with Barry Strock Consulting Associates, Inc.

Mr. Strock came on site in August, 2008, to meet with departments and determine the City's needs to articulate in the RFP. From those meetings it was determined to include replacement of the building permits and licensing software as an optional part of the RFP since they are part of the current financial software. It was also determined to include code enforcement and work order software as optional parts of the RFP. The current code enforcement software is provided by a local firm with only two employees. Staff has concerns about the ongoing viability of this software. Staff uses this software to track code violations. Work order software was included in the RFP because the current software vendor has stopped supporting the system used by Public Works. Public Works uses this software extensively in their operations.

The RFP was issued on September 15, 2008. A letter of interest was sent to 600 vendor contacts and advertised in the Legal Record and on-line. Responses were received on November 5, 2008 from ten (10) firms as shown in the chart below. There was a wide range in cost among the vendors - \$200,000 all the way up to \$1.2 million. Mr. Strock reviewed the responses and provided a thorough analysis and recommendations for which vendors to invite to on-site demos. The City Administrator appointed a software evaluation committee comprised of staff from all of the departments. Demos were held during December at City Hall.

Firm	Modules Offered	Invited to Demo
Caselle, Inc.	Finance/Budget, Building Permits, Licensing, Code Enforcement	Yes
EmGovPower, Inc.	Finance/Budget, Building Permits, Licensing, Code Enforcement, Work Orders	Yes
SafeChoice, Inc.	Finance/Budget, Work Orders	Yes
Incode (Tyler Technologies)	Finance/Budget, Building Permits, Licensing, Code Enforcement, Work Orders	Yes
Springbrook Software, Inc.	Finance/Budget, Building Permits, Licensing, Code Enforcement, Work Orders	Yes
CRW Systems	Building Permits, Licensing, Code Enforcement	Yes
EnerGov Solutions	Building Permits, Licensing, Code Enforcement	Yes
Azteca CityWorks	Building Permits, Licensing, Code Enforcement, Work Orders	Yes
iWorQ	Building Permits, Licensing, Code Enforcement	No - low functionality
SunGard Public Sector	Finance/Budget, Building Permits, Licensing, Code Enforcement, Work Orders	No - high cost

After the demos, the evaluation committee narrowed the field to two vendors: EmGovPower, Inc. and Springbrook Software, Inc. The evaluation committee felt both companies had the best software and also happened to be the least cost. Staff spent additional time with these two

vendors following up on questions from the demos and talking with client references. Staff took a different approach to client references as recommended by Mr. Strock. Not only was the person listed for the entity contacted, members of the evaluation committee talked to their counterparts at the entity.

After the demos and the client reference checks were completed, staff visited two client sites as well as the corporate headquarters for each vendor to see the software in a live setting and to learn more about each company's operations. Staff visited EmGovPower's clients, the City of Williamsburg, VA and Town of Wingate, NC as well as the corporate headquarters in Charlotte, NC. Staff visited Springbrook Clients, the City of St. Helens, OR, the City of Newberg, OR and the City of Manitowac, WI (via webinar) as well as the corporate headquarters in Portland, OR. Staff believes the visits were a crucial part of the decision making process. The two companies had very different corporate approaches, especially in the development and customer support areas.

After considering all of the information - the RFP response, the demos, the customer references and the site visits, staff is recommending Springbrook Software, Inc. to replace the current financial, building permits and licensing software programs as well as the code enforcement software program.

The following is a list of some of the reasons for staff's recommendation.

- Springbrook's approaches to development and customer support met the City's current needs better than EmGovPower and they felt Springbrook was in a better position to meet the City's future needs.
- Springbrook's on-line services modules are set up to minimize staff time for administering on-line transactions and are compliant with payment card industry standards. Customers can elect to receive renewals via e-mail and change their contact information.
- Springbrook's software is written in .Net, producing very user friendly screens.
- Springbrook's software contains a workflow feature found in every module that has great potential for automating many processes to ensure accuracy, save time and use less paper.
- The software also has a feature for attaching documents to transactions in the system, allowing the City to move to paperless processes.
- The query and reporting features are very user friendly.
- The budget module allows for unlimited budget versions and functions like Excel.
- The software will have a dashboard feature allowing each user to customize their home page with their most frequently used items.
- The software integrates well with Outlook, Word and Excel.
- A majority of Springbrook's staff have been government staff members. The owners have both been city council members. Staff considered this an advantage because Springbrook staff has practical experience and would understand the situations City staff face day to day.
- Springbrook offers life cycle protection for the software. When Springbrook decides to move to a new platform, the City does not have to pay for the software again - only for training and conversion costs.

Springbrook is very interested in partnering with the City. Springbrook appreciates the City's forward thinking and initiatives to improve operations and service to its citizens. The City would be Springbrook's first client in Kansas and is receiving a 50% license fee discount. Springbrook will also defer maintenance fees until 2010.

The City Attorney is currently reviewing the contracts and working with Mr. Strock, staff and Springbrook to finalize the contracts for the March 23, 2009 Council Meeting.

The next step in the process is the Business Process Study (BPS). Springbrook staff will visit Prairie Village to meet with staff and document our business processes. The resulting BPS document will be the foundation for the implementation and will be incorporated into the contract. City staff is using the BPS process to review and improve the processes as well. Once the BPS is complete, the implementation schedule will be established.

Because Springbrook is still in the early development stages for a significant upgrade to their work order module, Springbrook has offered to freeze the price, including the 50% discount for one year from contract signing to allow Springbrook more time to firm up development plans and allow the City to see where the development is headed before committing to purchasing the module. Prairie Village Public Works staff will be involved in the development of the work order module. At this time, the project budget and Springbrook cost include the purchase of the work order module. However, if at a later date staff determines that Springbrook's work order module will not meet the City's needs, the savings from the Springbrook project will not be enough to purchase a stand alone work order system. If this occurs, staff would recommend utilizing funds from the jail tax technology funds.

FUNDING SOURCE

Please see Attachment A for information regarding the budget for this project. Please see Attachment B for the cost of the Springbrook software. In the end, Springbrook turned out to be the least expensive of all the vendors who responded to the RFP.

ATTACHMENTS:

- Attachment A Project Budget
- Attachment B Springbrook Software Cost
- Attachment C Purchasing Process Example
- Attachment D Animal Licensing Process Example
- Attachment E Right of Way Application Process Example
- Attachment F Springbrook Company Information

Prepared By:

Karen Kindle

Finance Director

Date: February 25, 2009

Attachment A

City Software Budget

Item	Amount	Funding Source
Core Financials		
Financial Modules (GL, A/P, etc)	118,000	Equipment Reserve Fund (trans from Gen Fund, Prog 34) *
2009 Financial System Maint	20,000	Prog 34 Contract Services
2009 Asyst Maint - Permits	400	Prog 35 Contract Services
2009 Permit Software Upgrd/Custom	500	Prog 35 Contract Services
2009 Codes Database Maint	2,000	Prog 35 Contract Services
2009 Asyst Maint - City Clerk	850	Prog 38 Contract Services
Total	<u>141,750</u>	
Work Order System		
Work Order Modules	60,000	2009 Tech List
2009 Work Order Maint	10,000	Prog 11 Contract Services
Total	<u>70,000</u>	
Grand Total Budget	211,750	

* This amount is the \$130,000 less \$12,000 for Barry Strock's services.

Attachment B

Springbrook Project Cost As of 2/25/2009

Application Products	Application Licenses Fees	Training & Consulting	Implementation Management	Total
Finance Suite (GL, AP, ACH, Bank Rec)	\$ 22,650	\$ 17,400	\$ 6,600	\$ 46,650
Purchase Orders/Requisitions	\$ 5,000	\$ 4,200	\$ 1,800	\$ 11,000
Project/Grant Accounting	\$ 7,000	\$ 4,800	\$ 1,800	\$ 13,600
Fixed Assets	\$ 7,000	\$ 1,800	\$ 600	\$ 9,400
Misc Accounts Receivable	\$ 7,500	\$ 2,400	\$ 3,000	\$ 12,900
Central Cash Management/Point of Sale	\$ 10,000	\$ 1,800	\$ 1,200	\$ 13,000
Standard ESRI Interface	\$ 3,500	\$ 600	\$ 600	\$ 4,700
Licenses & Misc Permits	\$ 9,500	\$ 6,600	\$ 4,800	\$ 20,900
Code Enforcement Contact Management	\$ 7,000	\$ 3,000	\$ 1,800	\$ 11,800
Building Permits & Inspections	\$ 9,500	\$ 6,600	\$ 4,800	\$ 20,900
Customizations	\$ 7,000	\$ 1,200	\$ 1,200	\$ 9,400
Document Attachment and Cataloging	Included	Included	Included	\$ -
Integrated Report Archival	Included	Included	Included	\$ -
Work Order Management	\$ 15,000	\$ 8,400	\$ 4,500	\$ 27,900
Inventory Control	\$ 8,000	\$ 3,600	\$ 1,200	\$ 12,800
Subtotals	\$ 118,650	\$ 62,400	\$ 33,900	\$ 214,950
Other Costs				
Springbrook Database User Licenses				7,750
Business Process Study - Fit Gap Analysis				7,500
Conversion Budget				8,000
1st in State of Kansas - 50% Software Module Discount				(49,450)
Central Cash Interface Discounts (Parks & Court)				(3,000)
Travel Budget for Training & Business Process Study				14,266
Grand Total - Springbrook Costs				\$ 200,016
Other City Costs				
Server - already included in 2009 IT budget				\$ -
SQL Licenses				6,490
Receipt Printers/Cash Drawers				1,825
Total - Other City Costs				\$ 8,315
Project Total Costs				\$ 208,331
Project Budget				\$ 211,750
Difference Under (Over) Budget - Project Contingency				\$ 3,419

Note 1: The total does not include data conversion costs for the work order system.

Note 2: Training and Implementation Management are estimates. These costs are only billed as incurred. Staff anticipates that the actual cost will be less.

Note 3: The website related components listed below are included in the total above.

A/R Online Payments - Not to Exceed Amount	\$ 6,100
Lic and Misc Permits Online Payments - Not to Exceed Amount	6,100
Building Permits Online Payments - Not to Exceed Amount	6,100
Total Included in Project Cost	\$ 18,300

Prepared by: Karen Kindle, Finance Director, 2/25/2009

Attachment C

PURCHASING PROCESS EXAMPLE

Current Situation

- The department requests a 3-part carbonless purchase order form. The Accounting Clerk assigns the next available number and writes it on the form.
- The department receives the purchase order form and either types or handwrites the information on the form.
- The form is routed to the Department Head for signature, and depending on the dollar amount, is routed to the City Administrator for signature.
- Once all the signatures are received (sometimes it takes a while to route through the required signatures), the form is sent back to the Accounting Clerk who enters the purchase order into the accounting system.
- The Accounting Clerk removes the back copy and files it in the open purchase order file.
- The Accounting clerk sends the rest of the purchase order form back to the department.
- As payments are made against the purchase order, the accounting clerk writes the information on the copy kept in Finance since the system cannot generate a report that shows all payments made against a purchase order.
- When the department is done making payments on a purchase order, they write "closed" on the pink copy of the purchase order form and send it to the Finance Director.
- The Finance Director closes out the purchase order in the system and sends the pink copy to the Accounting Clerk. The Accounting Clerk pulls the copy from the open purchase order file and files both copies in the closed purchase order file.

Springbrook

- Department staff will be able to enter the purchase order information into the system, creating the purchase order. The department can attach quotes, bids, council minutes, etc., to the purchase order. These items remain with purchase order and can be accessed anytime staff looks up the purchase order in the system.
- The purchase order will route electronically to the Department Head and/or the City Administrator for approval based on rules set up in the system. Staff on the approval route receive an e-mail (in Outlook) notifying them that they have a purchase order waiting to be approved. They can click on the link in the e-mail and go directly to the purchase order and approve it. The system maintains an audit trail of the approvals for reference at any time.
- Once approved, the purchase order becomes official and a PDF of the purchase order can be attached to the transaction in the system. The department can print the purchase order and send to the vendor or they can e-mail the PDF file. No more paper purchase order files would be maintained in Finance.
- Payments are made against the purchase order and when complete, the department marks the purchase order as closed in the system.
- Departments or Finance can run a report at any time to see the activity on the purchase order or find out the balance left.

Attachment D

ANIMAL LICENSING PROCESS

Current Situation

- Animals are licensed for the calendar year. Approximately 6,400 animals are licensed each year.
- Animal information is entered into the current software, Asyst. This software keeps track of:
 - animal tag number
 - Animal type
 - License date
 - Amount Paid
 - Customer information
 - Animal Name
 - Animal Breed
 - Spay/Neuter
 - Animal Color
 - Rabies Vaccination Date and Number
 - Veterinarian
- Asyst does not print accurate reports. There are no custom reports. Oftentimes, animals are missing from the report. In order to keep accurate records, the City Clerk staff enters all the information into Asyst and Excel. This makes the process twice as long or longer.
- The City Clerk staff uses the Excel document to merge information onto the renewal forms. Renewals are sent out in December. This process involved setting up the license form, merging all pertinent information onto this form, printing, folding and mailing the form. All renewals are sent by mail.
- Asyst does not keep a license history. You cannot look up a customer and see all their licenses and history. The renewal form sent is not saved anywhere. We do not have any way to prove that we sent the renewal notice.

Springbrook

- Springbrook Software will bring efficiency to the animal licensing process.
- The system will keep track of all necessary information. It will come with pre-determined reports and allow ad-hoc reports to be run.
- All licenses will be tied to the customer so when you look up Joe Smith, you will see all of his licenses and payment history.
- The system will allow you to set-up automatic renewals where it merges directly onto a form that is saved within the system.
- It will record an audit trail of all actions, so you can see when you sent the renewal notice. A copy of the renewal form will be saved to the customer's record.
- The system will send out reminders by email, if opted by the resident, which will cut down on the number of renewals that are mailed.

Attachment E

RIGHT OF WAY PERMIT APPLICATION PROCESS

Current Situation

- Applicants submit right-of-way applications at Public Works
- A right-of-way permit application requires the following additional requirements:
 - A valid Certificate of Insurance
 - A Maintenance Bond
 - A Non-Domicile Business License
- When a contractor submits the right of way permit application at Public Works, staff has to verify that the additional requirements have been met before the permit can be processed. To verify this information Public Works staff must: 1) contact the City Hall receptionist so she can manually look up in a notebook if there is a valid Certificate of Insurance on file; 2) contact the City Hall receptionist so she can manually look up in a notebook if there is a valid Maintenance Bond on file; 3) contact the Codes office to verify the Contractor has a valid Non-Domicile Business License. Every time there is a question if the contractor has this information we have to go through this process to validate the information while the contractor waits to complete even a routine permit.
- After all of the information has been completed the permit can be processed. Then payment for the permit is made. Public Works can only accept cash and checks as payment. Those payments are then hand carried once a day to the City Clerk's office where they are entered into the cash receiving system.
- If someone needs to know if a permit has been obtained for work currently being done the system has limited query functions. Queries can be done by house number, where all the permits with that number (ie. 4332 Roe, 4332 Nall...) will be viewed one by one starting with the oldest record, or by street segment, where all the permits on that street segment (ie. Roe from 75th to 79th) will be viewed one by one starting with the oldest record.
- Only Public Works staff can view right-of-way permits so other departments can not utilize that information to determine potential issues that could effect other work being done in that area.
- Contractors with a large project like a house remodel do not always remember that there is a separate permit for driveway work. After Public Works staff sees that they have started the work without proper permits the contractor has to stop and obtain the proper permits to complete that work.

Springbrook

- Springbrook Software will bring efficiency to the right-of-way permitting process.
- Up-to-date information of insurance, bonds and Non-Domicile Business licenses will be tracked and reviewable by each department for each contractor as attachment files in the system.
- Springbrook cash receiving software will make payments easier for the contractors as well as Public Works staff in processing permit payments.
- The system will keep track of all necessary information. It will come with pre-determined reports and allow ad-hoc reports to be run.
- All the permits obtained by a contractor will be viewable by all permitting departments.
- Springbrook has work-flow that can be set up for processes for building permits that can include approval of a right-of-way permit if needed as part of the overall process.

Springbrook

Relationships beyond software



Springbrook understands that flexibility in software design is necessary to meet the frequently changing demands of the marketplace and the company never ceases in the effort to provide the best possible solutions for its clients. More than simply software, Springbrook's innovative applications are tools designed to aid clients in managing large flows of information with efficiency, speed and convenience. Creating lifetime relationships with each client is Springbrook's top priority. Springbrook is proud to have maintained a relationship with its very first client the City of Newberg, Oregon for the past 23 years

Founded in 1985 and headquartered in Portland, Oregon, Springbrook Software serves nearly 400 clients in 31 states. Privately held, Springbrook develops, markets, implements and supports financial accounting and customer information systems software solutions for local government, utilities and special districts. Springbrook employs over 100 staff members including numerous former local government employees who provide unique insight into the challenges facing clients. The staff, who has a combined total of over 200 years of local government experience, gives the company a distinct advantage.

Springbrook's Mission Statement

Our mission is to provide fund accounting and utility billing software uniquely suited to local governments. Springbrook is a responsive and principled company renowned for exemplary services and industry expertise. We build a family of employees and clients through personal communication and collaboration, allowing us to grow and succeed together.



Vendor Strengths

Springbrook's Commitment

As demonstrated by our attendance at the RFP meeting, Springbrook Software is committed to learning more about, and meeting the specific needs of the City Prairie Village. We are committed to the State of Kansas and have a representative based in the Midwest who covers both Kansas City and County Government. We conduct regular telemarketing campaigns within the state and we are an exhibitor at the National GFOA conference each year. In fact, we had an opportunity to visit with Karen this summer in Fort Lauderdale, Florida. In other words, we'll be here for you for many years.

Springbrook's Focus

Springbrook is a firm that offers a single line of financial management and customer information billing software applications designed and built for local government. We are a specialist that has become nationally recognized as a premier government partner by specifically working with cities the size and complexity of your community. Our product line has been developed 100% internally. Unlike firms that are holding companies, we do not dilute our resources by focusing on the special needs of education, public protection or for-profit business sectors. As a result, taxpayer funds that are invested in our solutions and services do not subsidize other lines of our business or other fund accounting software applications that are a result of acquisitions.

Single-Source-Accountability and Financial Stability

At Springbrook, our employees develop, market, implement and support every product within our proposal. We neither rely on third-party implementation teams nor have we acquired a licensing solution from "Vendor A" to integrate with "Vendor B's" Financial solution. Through regional and national user groups, our clients play the primary role in helping us help serve them better. As a privately held firm founded by City Council members over twenty years ago, we remain accountable to our clients, not shareholders. Our revenue growth rate continues to be in the double-digits, ensuring that our products, support and breadth of our offering provide ongoing value to our governmental partners.

Full Suite of Integrated Applications

Our systems are modular in design and if required, we can integrate our modules with third-party document imaging (Laserfiche e.g.) GIS tools (ESRI e.g.), Fuel Systems, Park & Rec Systems etc. We provide Fund Accounting, Budgeting, Accounts Payable, Purchasing, Project Management, Payroll, Human Resources, Building Permit & Inspections, Parking Tickets, Business License, Accounts Receivable, Central Cash, Inventory & Work Order Systems. Each module is integrated with all other modules meaning that information is entered once, and only once. Centrally controlled electronic workflow, configurable data-entry and inquiry screens by user coupled with security available down to the field level ensure that stakeholders of your organization have access to the information they need, when they need it.



Company History

Privately owned since its founding in 1985, Springbrook Software develops, markets, implements and supports software solutions for fund accounting and customer information service applications exclusively for local government. The company was incorporated in the state of Oregon as a "C" corporation on September 1, 1986. The corporate office is located in Portland, Oregon and satellite offices are located throughout the country. Springbrook Software is one of the few companies that has not acquired growth through acquisitions; all of Springbrook's growth has been through the enhancement and expansion of its product line. More than simply software products, the innovative applications are designed to empower Springbrook's clients in managing large flows of information with efficiency, speed and convenience. The Springbrook product line is illustrated below:

Financial applications	Customer Information Service applications
▪ General Ledger	▪ Utility Billing
▪ Accounts Payable	▪ Device Inventory Management
▪ Purchase Orders	▪ Special Assessments
▪ Requisitions	▪ Building Permits
▪ Budgeting	▪ Work Orders
▪ Budget Forecasting	▪ Land Parcel Management
▪ Payroll	▪ Maintenance Management
▪ Human Resources	▪ Vehicle Stickers/Licenses
▪ Project Management	▪ Pet Licenses
▪ Fixed Assets	▪ Business Licenses
▪ Central Cash Management	▪ Accounts Receivable
▪ Inventory	▪ Code & Contact Management

Springbrook understands the frequently changing demands facing its clients and designs each product with the flexibility necessary to meet those demands. The Springbrook applications get the job done quickly, reliably and cost-effectively; clients often tell Springbrook their software solutions work so reliably that they are able to focus on meeting organizational demands rather than focusing on the underlying technology.

Development History

Since its founding, Springbrook has focused on providing comprehensive, fully integrated systems with an emphasis on flexibility and functionality throughout the suite of applications. As the year 2000 approached, most software vendors patched their existing software, attempted to put in a front-end GUI/Windows patch, or are just now releasing a Windows product. Springbrook took a different approach; each application was rewritten in one of the top fourth-generation languages in the world. First released in July of 1997, these 100% Windows-based applications put Springbrook miles ahead of the competition. For 11 years, Springbrook has continued to enhance

its true 32-bit, fully integrated Windows solutions. This means clients can depend on Springbrook to provide mature, stable and fully integrated products, as well as leading-edge technology, at cost-effective prices.

Technology Dedication

Springbrook is dedicated to delivering what clients need, when they need it. By supplying local government organizations with applications designed to provide real, timely solutions, Springbrook allows its clients to build a strong, lasting technological platform. Springbrook stays alert to business and technology trends, examines how such trends will affect local government organizations, and delivers products that meet its clients' needs. Relying on Springbrook means your agency will always have software that is at the forefront of technology. With 30% of the company's operating budget devoted to product research and development, features are constantly being added which enhance the functionality of the applications and increase ease-of-use. Due to this technological dedication, Springbrook's software has earned a reputation of being powerful and exceptionally user-friendly.

One of the most important benefits of Springbrook's solution is the dedication to technological advancement via vendor neutral development. All Springbrook applications utilize a true client/server configuration that is platform independent, allowing the system to be distributed on both Windows and Linux/Unix operating

Mission

Our mission is to provide fund accounting and utility billing software uniquely suited to local governments. Springbrook is a responsive and principled company renowned for exemplary services and industry expertise. We build a family of employees and clients through personal communication and collaboration, allowing us to grow and succeed together.

systems. In addition, the database managers are vendor independent and are able to be deployed on multiple database engines including the popular Microsoft SQL. Springbrook only uses true enterprise database engines with virtually no size limitations. This separates Springbrook from other software packages that use Access or MSDE SQL, which have 2-gig limitations and a five concurrent user governor. This dedication to vendor neutrality and scalability insulates the Springbrook applications from industry trends by offering multiple types of configurations.

Springbrook at a Glance:

- Privately held corporation, established in 1985
- Portland, Oregon headquarters with satellite offices in Eugene, Oregon and Vancouver, Washington
- Local government clients exclusively
- 100% Windows-based applications
- 100% of business in the public sector
- Offers open systems (including Linux)
- Offers multiple databases (including MS SQL)
- Internet solutions
- Support hours:
 - o 5:00am – 6:00 pm Monday – Thursday PST
 - o 5:00am – 5:00pm Friday PST
- Strong regional user groups
- Annual client conference

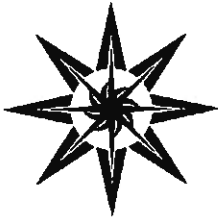
Client Service Dedication

Springbrook employs a staff of over 100, including a large number of former local government employees who provide unique insight into the issues and business decisions facing local government entities. Springbrook's staff, with a combined total of over 217 years of local government experience, gives the company a distinct advantage in achieving its client service goals.

Because Springbrook knows strong client satisfaction is born from excellent client service, the company continually strives to provide its clients with the best training and support possible. Springbrook believes by offering live, person-to-person support and training, clients are able to use each application as efficiently as possible, as quickly as possible.

In addition to providing the highest level of client service within the industry, Springbrook also prides itself on its business practices assessment process. Few vendors take the time to truly assess and evaluate how clients conduct their day-to-day operations; Springbrook Software does. Through the Business Process Study, BPS, Springbrook is able to determine the best ways for clients to utilize the software to accomplish current and future goals. Springbrook uses the BPS results to formulate the implementation outline that will be used to drive the project successfully through the implementation process.

Springbrook Software's current client base includes nearly 400 cities, counties, special districts and utility organizations in 31 states throughout the country. Springbrook is actively pursuing growth in all parts of the United States and is positioning itself to be the dominant local government software vendor in its market.



COUNCIL COMMITTEE

Council Meeting Date: March 23, 2009
Committee Meeting Date: March 2, 2009

COU2009-34: Consider Approval of Council Laptop Purchase.

SUGGESTED MOTION

Move that the Governing Body approve the purchase of twelve laptops using Option _____.

BACKGROUND

Currently, Council members are given the option of using a City purchased laptop in order to view meeting agendas and conduct City business. The current laptops utilized by Council members were purchased in 2005; these machines are up for replacement in 2009. During the 2009 budget process, this purchase was included in the Technology Fund (Jail Sales Tax).

There are two (2) laptops that would meet the standards set forth by the City's Information Technology Committee;

Laptop 1:

<i>Manufacturer</i>	HP
<i>Processor</i>	Celeron Dual Core T1600 / 1.66 GHz
<i>Hard Drive</i>	160 GB
<i>RAM</i>	2 GB
<i>CD/DVD</i>	DVD-RW
<i>Screen Size</i>	14.1" Widescreen
<i>Cost Per Laptop</i>	\$684.28

Laptop 2:

<i>Manufacturer</i>	HP
<i>Processor</i>	Core 2 Duo P8400 / 2.26 GHz - Centrino 2
<i>Hard Drive</i>	120 GB
<i>RAM</i>	2 GB
<i>CD/DVD</i>	DVD-RW
<i>Screen Size</i>	14.1" Widescreen
<i>Cost Per Laptop</i>	\$887.77

There are laptops that are available for purchase for a lesser amount through a local retailer however the difference lies in a few items, most importantly, the operating system and warranty. Retail versions of laptops will typically be a "Home" version of Windows/Vista to whereas the aforementioned laptops have a "Business" version. The "Home" version will not work with the some portions of the City's network,

specifically the restrictions and rules of the network (i.e. viewing items, logging on, and using the internet). Secondly is the warranty; normally the retailer does not provide any additional warranty for items purchased other than what is included by the manufacturer and once the transaction is completed any issues will require contacting the manufacturer. Finally, business laptops are designed for greater life span and may not require replacement as soon.

The second decision point is whether or not to add Microsoft Office Standard to each laptop; Microsoft Office Standard includes Word, Excel, PowerPoint, and Outlook and would cost an additional \$254.89 per laptop. There is the option of utilizing OpenOffice; OpenOffice is a free, open source program that includes a word processor, spreadsheet, presentation, and database programs that work with most Microsoft Office programs.

Financial Impact (based on the purchase of twelve (12) machines):

Option A: Laptop 1 with OpenOffice - \$684.28 each / \$8,211.36 total

Option B: Laptop 1 with Microsoft Office - \$939.17 each / \$11,270.04 total

Option C: Laptop 2 with OpenOffice - \$887.77 each / \$10,653.21 total

Option D: Laptop 2 with Microsoft Office - \$1,142.66 each / \$13,711.92 total

This item was discussed by the Finance Committee in February and it was decided to receive the full input of Council. If Option D is selected, the additional \$700 will be taken from the Technology Fund contingency.

There has been some discussion about the disposal of the old laptops. Staff is exploring options to enable open bids for the machines with Council members having an opportunity to bid. MS Windows and Office 2003 will stay with the old laptops (different than reported earlier).

ATTACHMENT

Not applicable.

FUNDING SOURCE

Funding for this purchase will be from the Technology Fund (Jail Sales Tax); the budgeted amount for this item is \$13,000.

PUBLIC NOTICE

Not applicable.

Prepared By:

Nicholas Sanders, PHR
Human Resources Specialist
Date: February 27, 2009



MEMO

To: Quinn Bennion, City Administrator
City of Prairie Village City, Kansas

From: Catherine P. Logan

Date: May 19, 2008

Subject: **Impact of Recent Amendments to Kansas Open Meetings Act (KOMA)
on Governing Body of Prairie Village**

For several years, the Kansas Press Association and other public media special interest groups have promoted amendments to the KOMA intended to require that "serial meetings" of public bodies be open to the public. Most of those efforts have involved egregious amendments which were not supported by the Legislature. During the veto session of the 2008 Kansas Legislature, interested parties, including the Kansas League of Municipalities, agreed on compromise language for amendments to the KOMA. Senate Substitute for House Bill No. 2947 ("Bill") is the product of that compromise.

The amendment will allow more latitude for members of the governing body to gather for the purpose of discussing the business or affairs of the City.

Section 1 of the Bill amends the definition of "meeting" as that term is used throughout the KOMA. As amended (new language shown in italics, deleted language shown as strike through), the word "meeting" is defined to mean "any gathering *or assembly in person or through the use of a telephone call or any other means of medium* for interactive communication by a majority ~~of a quorum~~ of the membership of a body or agency subject to this act for the purpose of discussing the business or affairs of the body or agency." Prior to the amendment, a "meeting" occurred only if attended by a majority of a quorum of the membership of a body or agency subject to the KOMA.

In attorney General Opinion No. 86-110, the Kansas Attorney General concluded that the "membership of the body" in a mayor-council form of government does not include the mayor for purposes of determining the minimum number of persons that can constitute a meeting under KOMA. Accordingly, under the existing version of KOMA five council members constitutes a majority of a quorum (eight by charter ordinance). So until July 1, 2008, the presence of or an interactive discussion among four council members and the Mayor does not constitute a "meeting" under KOMA. Under the Bill, seven council members constitutes a majority of the "membership of the governing body" (twelve) subject to KOMA. Accordingly, effective July 1, 2008, the presence of or an interactive discussion among six council members and the Mayor does not constitute a "meeting" under KOMA.

The other changes to the definition of "meeting" are not substantive. Interactive discussions may still, depending on the facts and circumstances, constitute "meetings" if

the other requirements are met, i.e. now a majority of the body participates, and the discussion relates to the business or affairs of the body. The Kansas Attorney General has opined that emails among members of a governing body can be extensive enough to constitute a “meeting.”

The second amendment made in the Bill is intended to limit the opportunity for non-public “serial meetings.” Section 2(f) of the Bill adds the following new provision:

“[M]eetings in a series shall be open if they collectively involve a majority of the membership of the body or agency, share a common topic of discussion concerning the business or affairs of the body or agency, and are intended by any or all of the participants to reach agreement on a matter that would require binding action to be taken by the body or agency.”

Put another way, “serial meetings” of the City Council are not required to be open to the public if (1) they do not collectively involve a majority of the members of the City Council, or (2) do not share a common topic of discussion concerning the business or affairs of the City, or (3) are not intended by any or all of the participants to reach agreement on a matter that would require binding action to be taken by the City Council. In other words, all of the elements must be present if “serial meetings” are required to be open to the public.

New Section 2(f) of the Bill in part merely codifies a 1998 Kansas Attorney General Opinion, which concluded: “In summary, a series of meetings each of which involves less than a majority of a quorum of a public body, but collectively totaling a majority of a quorum, at which there is a common topic of discussion of the business or affairs of that body constitutes a meeting for purposes of the KOMA.” Attorney General Opinion No. 98-26.

New Section 2(f) of the Bill differs from prior law in two respects:

First, now the series of meetings collectively must involve a majority of the public body i.e. seven members of the Council (before was a majority of a quorum, i.e. five members of the Council); and

Second, it adds a third element, i.e. the series of meetings must be “intended by any or all of the participants to reach agreement on a matter that would require binding action to be taken by the body or agency.”

Enclosed please find copies of the Bill and the Supplemental Notes for your review. The Bill has been signed by the Governor and will become effective on July 1, 2008.

Please share copies of this letter and the enclosures with the Mayor and members of the Council. If you, the Mayor or members of the Council have further questions regarding this matter, please do not hesitate to contact me.

cc: Joyce Hagen Mundy

SENATE Substitute for HOUSE BILL No. 2947

By Committee on Federal and State Affairs

5-1

10 AN ACT concerning open meetings; relating to serial meetings; amend-
11 ing K.S.A. 75-4317a and K.S.A. 2007 Supp. 75-4318 and 75-4320 and
12 repealing the existing sections.
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 75-4317a is hereby amended to read as follows: 75-
16 4317a. ~~(a)~~ As used in ~~this~~ *the open meetings act*, "meeting" means any
17 gathering; or assembly; *in person or through the use of a telephone call*
18 or any other ~~means of medium~~ for interactive communication by a ma-
19 jority ~~of a quorum~~ of the membership of a body or agency subject to this
20 act for the purpose of discussing the business or affairs of the body or
21 agency.

22 Sec. 2. K.S.A. 2007 Supp. 75-4318 is hereby amended to read as
23 follows: 75-4318. (a) Subject to the provisions of subsection ~~(f)~~ (g), all
24 meetings for the conduct of the affairs of, and the transaction of business
25 by, all legislative and administrative bodies and agencies of the state and
26 political and taxing subdivisions thereof, including boards, commissions,
27 authorities, councils, committees, subcommittees and other subordinate
28 groups thereof, receiving or expending and supported in whole or in part
29 by public funds shall be open to the public and no binding action by such
30 bodies shall be by secret ballot. Meetings of task forces, advisory com-
31 mittees or subcommittees of advisory committees created pursuant to a
32 governor's executive order shall be open to the public in accordance with
33 this act.

34 (b) Notice of the date, time and place of any regular or special meet-
35 ing of a public body designated hereinabove shall be furnished to any
36 person requesting such notice, except that:

37 (1) If notice is requested by petition, the petition shall designate one
38 person to receive notice on behalf of all persons named in the petition,
39 and notice to such person shall constitute notice to all persons named in
40 the petition;

41 (2) if notice is furnished to an executive officer of an employees' or-
42 ganization or trade association, such notice shall be deemed to have been
43 furnished to the entire membership of such organization or association;

1 and

2 (3) the public body may require that a request to receive notice must
3 be submitted again to the body prior to the commencement of any sub-
4 sequent fiscal year of the body during which the person wishes to continue
5 receiving notice, but, prior to discontinuing notice to any person, the
6 public body must notify the person that notice will be discontinued unless
7 the person resubmits a request to receive notice.

8 (c) It shall be the duty of the presiding officer or other person calling
9 the meeting, if the meeting is not called by the presiding officer, to furnish
10 the notice required by subsection (b).

11 (d) Prior to any meeting hereinabove mentioned, any agenda relating
12 to the business to be transacted at such meeting shall be made available
13 to any person requesting ~~said~~ the agenda.

14 (e) The use of cameras, photographic lights and recording devices
15 shall not be prohibited at any meeting mentioned by subsection (a), but
16 such use shall be subject to reasonable rules designed to insure the or-
17 derly conduct of the proceedings at such meeting.

18 (f) *Except as provided by section 22 of article 2 of the constitution of*
19 *the state of Kansas, meetings in a series shall be open if they collectively*
20 *involve a majority of the membership of the body or agency, share a*
21 *common topic of discussion concerning the business or affairs of the body*
22 *or agency, and are intended by any or all of the participants to reach*
23 *agreement on a matter that would require binding action to be taken by*
24 *the body or agency.*

25 (f) (g) The provisions of the open meetings law shall not apply:

26 (1) To any administrative body that is authorized by law to exercise
27 quasi-judicial functions when such body is deliberating matters relating
28 to a decision involving such quasi-judicial functions;

29 (2) to the parole board when conducting parole hearings or parole
30 violation hearings held at a correctional institution;

31 (3) to any impeachment inquiry or other impeachment matter re-
32 ferred to any committee of the house of representatives prior to the report
33 of such committee to the full house of representatives; and

34 (4) if otherwise provided by state or federal law or by rules of the
35 Kansas senate or house of representatives.

36 Sec. 3. K.S.A. 2007 Supp. 75-4320 is hereby amended to read as
37 follows: 75-4320. (a) Any member of a body or agency subject to this act
38 who knowingly violates any of the provisions of this act or who intention-
39 ally fails to furnish information as required by subsection (b) of K.S.A.
40 75-4318, and amendments thereto, shall be liable for the payment of a
41 civil penalty in an action brought by the attorney general or county or
42 district attorney, in a sum set by the court of not to exceed \$500 for each
43 violation. In addition, any binding action which is taken at a meeting not

1 in substantial compliance with the provisions of this act shall be voidable
2 in any action brought by the attorney general or county or district attorney
3 in the district court of the county in which the meeting was held within
4 21 days of the meeting, and the court shall have jurisdiction to issue
5 injunctions or writs of mandamus to enforce the provisions of this act.

6 (b) Civil penalties sued for and recovered hereunder by the attorney
7 general shall be paid into the state general fund. Civil penalties sued for
8 and recovered hereunder by a county or district attorney shall be paid
9 into the general fund of the county where the proceedings were
10 instigated.

11 ~~(c) No fine pursuant to subsection (a) shall be imposed for violations~~
12 ~~of subsection (f) of K.S.A. 75-4320, and amendments thereto, until July 1,~~
13 ~~2009.~~

14 ***[(c) No fine shall be imposed pursuant to subsection (a) for vi-***
15 ***olations of subsection (f) of K.S.A. 75-4320, and amendments***
16 ***thereto, which occur prior to July 1, 2009.]***

17 Sec. 4. K.S.A. 75-4317a and K.S.A. 2007 Supp. 75-4318 and 75-4320
18 are hereby repealed.

19 Sec. 5. This act shall take effect and be in force from and after its
20 publication in the statute book.

SESSION OF 2008

**SUPPLEMENTAL NOTE ON
SENATE SUBSTITUTE FOR HOUSE BILL NO. 2947**

As Amended by Senate Committee of the Whole

Brief*

Senate Sub. for HB 2947 deals with the Kansas Open Meetings Act (KORA).

The bill would define "meeting" under the KORA as any gathering or assembly in person or through the use of a telephone or any other medium or any other interactive communication by a majority of the membership of a body or agency subject to the Act for the purpose of discussing the business or affairs of the body or agency.

The bill would require all meetings in a series to be open if they collectively involve a majority of the membership of the body or agency, share a common topic of discussion concerning the business or affairs of the body or agency, and are intended by any or all of the participants to reach agreement on a matter that would require binding action to be taken by the body or agency. Exempted from this provision would be legislative meetings as provided by Article 2, Section 22 of the *Kansas Constitution*.

The penalty imposed under KSA 75-4320 for violation of KORA as defined by this Act would not be imposed prior to July 1, 2009 (penalty not to exceed \$500).

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

Proponents of the bill included: Don Moler, League of Kansas Municipalities; Judy Moler, Kansas Association of Counties; and Doug Anstaett, Kansas Press Association.

No opponents testified in opposition to the bill.

The Senate Committee of the Whole clarified when the penalty would be imposed.

The provisions of HB 2947 were deleted and the provisions dealing with KORA were inserted.

No fiscal note was available at the time of passage of the bill.

2-2947

SESSION OF 2008

**SUPPLEMENTAL NOTE ON
SENATE SUBSTITUTE FOR HOUSE BILL NO. 2947**

As Recommended by Senate Committee on
Federal and State Affairs

Brief*

Senate Sub. for HB 2947 deals with the Kansas Open Meetings Act (KORA).

The bill would define "meeting" under the KORA as any gathering or assembly in person or through the use of a telephone or any other medium or any other interactive communication by a majority of the membership of a body or agency subject to the Act for the purpose of discussing the business or affairs of the body or agency.

The bill would require all meetings in a series to be open if they collectively involve a majority of the membership of the body or agency, share a common topic of discussion concerning the business or affairs of the body or agency, and are intended by any or all of the participants to reach agreement on a matter that would require binding action to be taken by the body or agency. Exempted from this provision would be legislative meetings as provided by Article 2, Section 22 of the *Kansas Constitution*.

The penalty imposed under KSA 75-4320 for violation of KORA as defined by this Act would be enforced on July 1, 2009 (penalty not to exceed \$500).

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the internet at <http://www.kslegislature.org>

Background

Proponents of the bill included: Don Moler, League of Kansas Municipalities; Judy Moler, Kansas Association of Counties; and Doug Anstaett, Kansas Press Association.

No opponents testified in opposition to the bill.

The provisions of HB 2947 were deleted and the provisions dealing with KORA were inserted.

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2-2947

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
March 2, 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 – February 17, 2009
2. Approve the agreement with Phil Jay for music and emcee services at the Mayor's Holiday Gala on December 4, 2009 for \$625.00.

By Committee:

3. Approve the adoption of the proposed personnel policy revisions to PP1095 entitled "Recreation Memberships" relating to recreation memberships for employees in regards to taxation and eligibility. (Council Committee of the Whole Minutes – February 17, 2009)
4. Approve the adoption of Ordinance 2188 amending Chapter 19.34 of the Prairie Village Municipal Code entitled "Accessory Uses" by amending Section 19.34.040(f) entitled "Permanent Standby Emergency Generators." (Council Committee of the Whole Minutes – February 17, 2009)
5. Approve the adoption of Ordinance 2187 amending Chapter 19.02 of the Prairie Village Municipal Code entitled "Definitions" by amending the following sections 19.02.100 entitled "Building Height"; Section 19.02.254 entitled "Grade"; Section 19.02.435 entitled "Story" and Section 19.02.436 entitled "Story Above Grade Plane." (Council Committee of the Whole Minutes – February 17, 2009)
6. Approve the Construction Agreement with WCI, Inc for Project 190721: 2009 Storm Drainage Repair Program in the amount of \$337,423.20. (Council Committee of the Whole Minutes – February 17, 2009)
7. Approve the Design Engineering Agreement with Affinis Corporation for Project 190722: 2010 Storm Drainage Repair Program in the amount of \$26,300.00 (Council Committee of the Whole Minutes – February 17, 2009)
8. Approve the Construction Contract with Bryan-Ohlmeier Construction Company for Project 190871: Mission Lane Bridge Replacement in the amount of \$536,727.90. (Council Committee of the Whole Minutes – February 17, 2009)
9. Approve the Interlocal Agreement with the City of Mission and the City of Fairway for Project 190874: Roe Avenue, north city limit to 63rd Street. (Council Committee of the Whole Minutes – February 17, 2009)
10. Approve the Interlocal Agreement for Project 190874: Roe Avenue – north city limit to 63rd Street with the Johnson County Board of County Commissioners, the City of Mission and the City of Fairway for a maximum of \$426,000 from the County. (Council Committee of the Whole Minutes – February 17, 2009)

VI. MAYOR'S REPORT

VII. STAFF REPORTS

VIII. COMMITTEE REPORTS

COU2009-32 Consider Approval for Purchase of Microwave Wireless Communication System for Public Safety Purposes – Wes Lovett and Kyle Shipps

Finance Committee – 2010 Budget preparation calendar

VillageFest Committee – Diana Ewy Sharp

IX. OLD BUSINESS

X. NEW BUSINESS

XI. EXECUTIVE SESSION

XII. ANNOUNCEMENTS

XIII. ADJOURNMENT

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

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

CONSENT AGENDA

CITY OF PRAIRIE VILLAGE, KS

March 2, 2009

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
FEBRUARY 17, 2009**

The City Council of Prairie Village, Kansas, met in regular session on Tuesday, February 17, 2009, at 7:30 p.m. in the Council Chambers of the Municipal Building.

ROLL CALL

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

Also present were: Quinn Bennion, City Administrator; Captain Wes Lovett; Susan Lownes representing the Director of Public Works; Dennis Enslinger, Assistant City Administrator; Karen Kindle, Finance Director; Tom Trienens, Manager of Engineering Services; Chris Engle, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

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

PUBLIC PARTICIPATION

No one was present to address the Council.

Three scouts from Troop 199 were in attendance to earn their "Citizenship in the Community" badges as well as a scout from Troop 299 working on his "Communications" badge.

Austin Abitz, addressed the Council in support of the proclamation issued in recognition of the students participating in FIRST (For Inspiration and Recognition of Science and Technology) Robotics Competition. The competition requires teams to

build a robot within six weeks that can accomplish a specific task. Students from high schools throughout the area participate in the competition. The Regional Competition will be held in Hale Arena on February 27 - 28, 2009. Mr. Abitz described how their robot was constructed. Mayor Shaffer wished him well in the competition.

CONSENT AGENDA

Mayor Shaffer noted changes have been received on the two agreements listed on the Consent Agenda and stated that items #7 & #8 would be removed from the Consent agenda for discussion.

Andrew Wang moved the approval of the Consent Agenda for Tuesday, February 17, 2009 as amended.

1. Approve Regular Council Meeting Minutes - February 2, 2009
2. Approve Claims Ordinance 2856
3. Authorize the Mayor to execute a proclamation declaring February 27-28, 2009 to be "FIRST Robotic Appreciation Days"
4. Ratify the Mayor's appointment of Vera Glywa to the Sister City Committee
5. Approve a Letter of Understanding with Johnson County Human Services and Aging for participation in the 2009 Minor Home Rehabilitation Program
6. Approve the Construction Contract with O'Donnell & Sons Construction for Project 190869: 2009 Street Resurfacing Program for \$1,364,161.50 and Project 190865: Roe Avenue-Somerset Drive to 83rd Street for \$391,362.80 and Project 190877: 83rd Street-Roe Avenue to Somerset for a total contract of \$1,949,872.40
7. Removed
8. Removed

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

Mayor Shaffer asked Mr. Bennion to discuss the items removed. Quinn Bennion stated the interlocal agreements with neighboring northeast Johnson County cities regarding shared use of pool facilities are currently being reviewed by the neighboring cities and their City attorneys. It is being well received, but some modifications are being made to address specific situations. For example, the City of Mission has added

to the swim meet agreement a reference to the “MOKAN” league, as that is the swim league their city participates in and the City of Mission requested insurance information. Staff anticipates this will continue to happen due to the multiple cities involved and recommends the City Council, instead of approving the agreements, authorize the Mayor to negotiate and execute these agreements. If there is a significant change, the agreement will be returned to the City Council; if not, the Mayor will execute on behalf of the City.

Bill Griffith confirmed this is a one year agreement.

Andrew Wang moved the City Council authorize the Mayor to negotiate and execute a pool usage agreement between Prairie Village, Johnson County Park & Recreation District, Roeland Park, Fairway, Mission and Merriam and the Interlocal Agreement by and among the City of Prairie Village, Kansas; the City of Merriam, Kansas; the City of Mission, Kansas; the City of Fairway, Kansas; the City of Roeland Park, Kansas; and Johnson County Kansas Parks and Recreation District for reciprocal use of swimming pool facilities. The motion was seconded by Laura Wassmer and passed unanimously.

MAYOR’S REPORT

Presentation of Annual Report by Consolidated Fire District No. 2

Gary Lammons, Division Fire Chief with the Johnson County Fire District #2, presented their annual fire incident report for Prairie Village. The report provided a comparison with service calls/incidents between 2008 and 2007 with the following information highlighted by Division Chief Lammons:

	<u>2007</u>	<u>2008</u>
Total Service Calls	1455	1459
Fire Alarm Calls	27	20
Estimated Property \$ Loss	\$448,640	\$158,800

Gary Lammons reported the Fire District will be replacing a 10-year old truck at a cost of approximately \$1 million; however, he noted the anticipated trade-in value of the existing truck is \$250,000.

Bill Griffith asked for an update on the possible consolidation between the District and the City of Merriam's Fire Department. Gary Lammons reported the Fire Board has placed the issue on hold until next fall when they will reconsider the consolidation. At this point in time, consolidating would not be advantageous to both agencies and that is what they are seeking. Mr. Griffith asked how the Fire Board is selected. Mr. Lammons responded the five member board is appointed by County Commissioners..

Charles Clark asked about the financial condition of the Department. Mr. Lammons responded their funding is based 100% on property taxes and these have remained relatively level. Last year they were over budget on fuel, but under budget on workers' compensation. They will begin discussion on their 2010 budget next month.

Diana Ewy Sharp publicly acknowledged and thanked the Fire District for their active support and participation in the City's Villagefest celebrations.

- Mayor Shaffer briefly noted the state budget update memo contained in the packet and the related letter to the Johnson and Wyandotte County delegations from the Council of Mayors. He stated this will be the first of many such communications and reports given throughout this year's legislative session. The information was prepared by Erik Sartorius who will lobby on behalf of the City of Overland Park.
- Mayor Shaffer announced that Ruth Hopkins has been selected to receive the Second Annual "Making Democracy Work" award by the Board of the League of Women Voters in Johnson County. The award will be presented on May 9th. Mayor Shaffer congratulated Mrs. Hopkins on this award and noted the only two recipients of this award have both been Prairie Village residents - Ruth Hopkins and Carol Sader.
- Mayor Shaffer announced that Diana Ewy Sharp has been selected to serve on the National League of Cities panel on public finance and also reappointed to the First Tier Suburbs Council Steering Committee.
- Mayor Shaffer reported February 22nd through February 24th; he will be at the National Area Regional Council (NARC) biennial meeting in Washington, D.C.
- February 18th he will be participating in the Mayors' Prayer Breakfast

STAFF REPORTS

Public Works

- Suzanne Lownes announced that Mike Helms has completed the first "Debris Management Control Plan" for use in the area.
- Building G is currently being reviewed by a contractor with minor repairs being made. Staff is beginning to discuss how to best utilize this space. There has been discussion of storing some of the city's inactive records in this building.
- Skate Park II - Public Works crews discovered a skate boarding area was created under the Prairie Village shops under the Mission Lane Bridge. The concrete ramps created have been destroyed by the Public Works crews in preparing the site for scheduled improvements.
- Bob Pryzby will be returning to work on March 2, 2009.

Public Safety

- Captain Wes Lovett reported the mitigation plan for the demonstration by Fred Phelps' church at Shawnee Mission East High School went very well. Both picketing groups were allowed to express their thoughts. Police kept order by keeping the two groups apart with no injuries or altercations occurring.

Ruth Hopkins reported the students of Shawnee Mission East were very proud that a peaceful demonstration occurred and thanked the police for the preparation that made it possible. Charles Clark and Mayor Shaffer echoed the city's thanks.

- Nine area cities will be participating in the program "Badges on Buses" that will allow police officers to ride on school buses and now ticket drivers who fail to stop for students getting on and off buses.

Administration

- Karen Kindle presented a brief update on the implications of state budgetary actions. Currently, the City will receive equipment "slider" payment in two payments. The gas tax assessments will be reduced by 6.5%. The Alcohol Tax appears to be in place for the first half of 2009. The bottom line is that at this point in time, there does not appear to be any change to the impact reported in January; however, as the state gets nearer to the end of their fiscal year (June 30) staff anticipate that additional cuts will be made.
- Dennis Enslinger reported Deffenbaugh will be accepting additional recycle items.
- Mr. Enslinger stated CVS has submitted a revised site plan for review by the Planning Commission on March 3rd.
- Mr. Enslinger stated he and Ron Williamson will be meeting with T-Mobile on Friday regarding a new cell tower application.

Bill Griffith noted in other cities, Deffenbaugh is accepting only two large bins and asked if that would be happening in Prairie Village. Mr. Enslinger responded the city is unique in that it operates without any bag limit. If the City chooses to renegotiate with Deffenbaugh when the existing contract expires at the end of the year, that will be one of the items discussed.

- Quinn Bennion stated City has received its request for the distribution of the alcohol tax funds from the Drug & Alcohol Council. He has responded in writing that the City will not be releasing any funds at this time, and when released, funds will probably be reduced.

Charles Clark confirmed the Alcohol Funds are divided into thirds with the distribution established by the state, and that there is no flexibility in the distribution of those funds. Dale Beckerman confirmed several cities participate in funding through the Drug & Alcohol Council. Quinn Bennion reviewed the distribution of funds and the use of the Drug & Alcohol Council to determine the distribution to alcohol prevention/treatment programs.

- Mr. Bennion reviewed some of the building improvements that have been made recently and are being considered, including painting.
- To address the court traffic flow problems experienced during court sessions, the staff is looking into the construction of a Prosecutor's Office with access from the Council Chamber. The funding will come from court funds that are designated for use on courtroom improvements.

COMMITTEE REPORTS

Council Committee of the Whole

On behalf of the Council Committee of the Whole, Andrew Wang moved the City Council adopt Resolution 2009-01 declaring a change of the regularly scheduled March 16, 2009, Prairie Village City Council meeting to Monday, March 23, 2009. The motion was seconded by Dale Beckerman and passed unanimously.

Sister City Committee

Michael Kelly reminded the Council of the City's participation last October in the "International Visitor Leadership Program" organized by the International Visitors Council with grant funding from the Open World Program through the Library of Congress. Prairie Village has been selected to host another visit with the theme being "Young Leaders". Five young leaders from the City of Dolyna will spend eight days in Prairie Village covering the end of May and first week of June. Mr. Kelly noted Prairie Village is the first city that has been selected to host two different delegations. Mayor Shaffer thanked Cleo Simmonds for his work coordinating this visit.

OLD BUSINESS

There was no Old Business to come before the City Council.

NEW BUSINESS

There was no New Business to come before the City Council.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Prairie Village Arts Council	02/18/2009	7:00 pm.
Environmental/Recycle	02/25/2009	7:00 p.m.
VillageFest	02/26/2009	7:00 p.m.
Council Committee	03/02/2009	6:00 p.m.
Council	03/02/2009	7:30 p.m.

The Prairie Village Arts Council is pleased to announce a mixed media exhibit of City of Prairie Village owned art for the month of February.

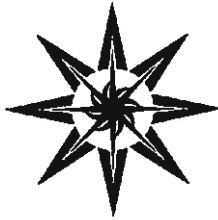
The annual large item pick-up has been scheduled for April 25th.

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

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:20 p.m.

Joyce Hagen Mundy
City Clerk



ADMINISTRATION DEPARTMENT

Council Meeting Date: March 2, 2009

CONSENT AGENDA: Consider Agreement with Phil Jay for Music and Emcee Services at the Mayor's Holiday Party on December 4, 2009 for \$625.00

RECOMMENDATION

Recommend the Council approve the agreement with Phil Jay for music and emcee services at the Mayor's Holiday Gala on December 4, 2009 for \$625.00.

BACKGROUND

Phil Jay has been the DJ for the past five years at the Mayor's Holiday Gala. He has agreed to provide music and emcee services at the party again this year for the same price as last year.

FUNDING SOURCE

01-01-00-6350

ATTACHMENTS

1. Agreement

PREPARED BY

Jeanne Koontz, Deputy City Clerk
February 24, 2009

PHIL JAY

P.O. BOX 4000
SUITE 140
OLATHE, KANSAS 66063-4000

Telephone 913-782-9667

CONTRACT AGREEMENT

Date 2-5-09

Phil Jay agrees to provide music & emcee services for the following event, and further agrees to abide by the terms agreed upon below:

CLIENT CITY OF PRAIRIE VILLAGE, KS. (JEANNIE KOONTZ)
ADDRESS 7700 MISSION ROAD --- PRAIRIE VILLAGE, KS. 66208
HOME PHONE _____ WORK PHONE 913 385 4662
TYPE OF EVENT _____ DATE OF EVENT DEC. 4, 2009
HOURS (start and end times) _____ LOCATION/ADDRESS _____

TOTAL FEE FOR UP TO A MAXIMUM OF 4 HOURS OF MUSIC \$ 625.00

LESS NON-REFUNDABLE DEPOSIT \$ NONE

BALANCE DUE **UPON ARRIVAL OF DEEJAY** \$ **625.00**

Client must supply two banquet tables (6 or 8 feet in length) for our set up. If event is outdoors, overhead shelter must be provided. The rate for extra hours of music over & above the agreed upon hours in this contract is \$150 per hour. The client agrees that the deposit is non-refundable. The client further agrees that if the event is canceled for any reason, less than 30 calendar days prior to the contracted date, the client will owe Phil Jay 50% of the agreed upon total fee less the deposit. If any event is canceled for any reason less than 2 weeks prior to the contracted date, 80% of the agreed upon fee is due to Phil Jay less the deposit. All cancellations must be put in writing, dated, and mailed to Phil Jay with the signature of the client on said letter. Liability of Phil Jay shall not exceed total agreed upon cost of DJ services. No refunds will be given for any event that ends earlier than the agreed upon end time. Any verbal or physical abuse inflicted upon Phil Jay during event, may result in immediate termination of services with client liable for full agreed upon fee. If for any reason Phil Jay cannot appear due to health problems or other emergencies, a comparable deejay will be supplied.

YOUR NAME (Printed) _____ SIGNATURE _____

REPRESENTING _____ DATE _____

PHIL JAY PROD. REPRESENTATIVE PHIL JAY SIGNATURE 

VERY IMPORTANT

DO NOT make checks payable to Phil Jay Productions.....

All checks **MUST** be made payable to Phil Jay (not Phil Jay Productions)

Mail to: Phil Jay
P.O. Box 4000
Suite 140
Olathe, Ks. 66063-4000

**COUNCIL COMMITTEE OF THE WHOLE
February 17, 2009**

The Council Committee of the Whole met on Tuesday, February 17, 2009 at 6:00 p.m. The meeting was called to order by Acting Council President Andrew Wang with the following members present: Mayor Shaffer, Al Herrera, Bill Griffith, Ruth Hopkins, Michael Kelly, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz. Staff members present: Quinn Bennion, City Administrator; Captain Wes Lovett; Tom Trienens, Manager of Engineering Services; Nic Sanders, Human Resources Specialist; Dennis Enslinger, Assistant City Administrator; Karen Kindle, Finance Director; Chris Engel, Assistant to the City Administrator; Suzanne Lownes and Joyce Hagen Mundy, City Clerk.

COU2008-98 Consider Approval of Personnel Policy 1095 - Recreation Memberships

Nic Sanders reported that currently employees can apply for a Prairie Village pool pass (family or individual) at no cost as a benefit of employment. Part-time and seasonal employees are only eligible for an individual pass. Due to IRS guidance, the employee is charged the taxes on the value of the benefit. Non-resident employees are charged taxes on the non-resident pool pass rate due to the eligibility guidelines outlined in the Personnel Policy. This adds additional taxes paid by the employee as well as staff time to coordinate the different tax rates.

Staff recommends that the value of pool memberships be defined as the resident rate for eligible employees. It also recommends the policy be changed to restrict seasonal employee's eligibility to their period of active employment. Complications have arisen when the City is unable to tax the value of pool memberships when the seasonal employee is not receiving pay from the City.

Diane Ewy Sharp made the following motion, which was seconded by Ruth Hopkins and passed unanimously:

MOVE THE CITY COUNCIL ADOPT THE PROPOSED PERSONNEL POLICY REVISIONS TO PP1095 ENTITLED "RECREATION MEMBERSHIPS" RELATING TO RECREATION MEMBERSHIPS FOR EMPLOYEES IN REGARDS TO TAXATION AND ELIGIBILITY.

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

***COU2009-31 Consider changing the date of the March 16 City Council Meeting**

Quinn Bennion noted the March 16th meeting of the City Council falls during the National League of Cities meeting which will be attended by several Council members and also coincides with the area school's "Spring Break". An informal poll revealed that at least four members of Council will not be present if the meeting were held March 16th. In order to allow full Council participation, staff is recommending the meeting date be changed from March 16th to March 23rd. Mr. Bennion noted the poll showed that all Council

members would be available if the meetings were held on March 23rd. Notice of this change would be sent to the press and published on the City's website.

Staff is asking for Council action this evening so the notice can be given well in advance.

Ruth Hopkins noted that a few years ago the City changed its requirements for a quorum increasing the number needed for a quorum in response to legislation and suggested that this issue maybe should be revisited. Quinn Bennion noted during the last legislative session the definition of "quorum" was changed and in view of that change, he will ask the City Attorney to look into the issue of quorum.

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

**MOVE THE CITY COUNCIL ADOPT RESOLUTION 2009-01 DECLARING
A CHANGE OF THE REGULARLY SCHEDULED MARCH 16, 2009
PRAIRIE VILLAGE CITY COUNCIL MEETING TO MONDAY, MARCH 23
COUNCIL ACTION TAKEN
02/17/2009**

COU2009-24 Consider Amendment to Zoning Ordinance Chapter 19.34

Dennis Enslinger stated over the past few months, the Board of Zoning Appeals has granted two variances to allow the placement of permanent standby emergency generators to be placed in a side yard. The current regulations only allow placement in the rear yard; however, there are instances where a side yard location is more appropriate. The Planning Commission considered revisions to the regulations at their January 6th meeting and held a public hearing on February 3rd, 2009 on the proposed regulations.

He noted the proposed language does not create an automatic approval for side yard locations. The request must come before the Planning Commission and they must consider five criteria in approving the application and may impose conditions of approval.

Al Herrera asked if consideration would be given to the location of bedroom windows on the adjacent property. Mr. Enslinger responded this would be considered and noted the two variances approved had large side yards separating the adjacent buildings. The Planning Commission will consider the following criteria in review of a request:

1. That there are special circumstances or conditions affecting the property.
2. That adequate distance exists between the location and adjacent property.
3. That the proposed location will be adequately screened from the street.
4. That the location will not cause significant adverse impact on adjacent properties.
5. That the Planning Commission may impose any conditions it deems necessary to mitigate any negative impacts of the proposed location.

Ruth Hopkins asked if the City had received any complaints regarding these generators. Mr. Enslinger responded that no complaints have been received. Mrs. Hopkins stated she was surprised as these units are usually quite noisy. Mr. Enslinger mentioned that the emergency generators are noisy, but only run during emergencies.

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

MOVE THE CITY COUNCIL ADOPT ORDINANCE 2188 AMENDING CHAPTER 19.34 OF THE PRAIRIE VILLAGE MUNICIPAL CODE ENTITLED "ACCESSORY USES" BY AMENDING SECTION 19.34.040(f) ENTITLED "PERMANENT STANDBY EMERGENCY GENERATORS"
COUNCIL ACTION REQUIRED
CONSENT AGENDA

COU2009-25 Consider Amendment to Zoning Ordinance Chapter 19.02

Dennis Enslinger stated the definitions and methods of measurement for building height are inconsistent between the Zoning Ordinance and the Building Code. The City's current method for determining building height is not specific and leads to subjective or "gray area" as it uses the average height of all roof peaks. He noted current homes will often be constructed with multiple roof lines, unlike the cape cod homes of the past. This method does not coincide with the method of determining building height as specified in the International Building Code (IBC) as adopted by the City. The IBC method of measurement of height is clearer to explain and determine and is more widely understood and used by builders.

The proposed changes were discussed by the Planning Commission in December. Wanting to make sure the changes would be understood by residents as well as contractors, the Commission asked staff to prepare drawings to assist residents and contractors in understanding the new regulations. These were presented in January to the Commission and a Public Hearing was held on February 3, 2009. Staff and the Planning Commission felt it is important for the two codes to be consistent.

Bill Griffith felt the proposed measurement was complex and asked for further clarification and confirmed under the new guidelines a home could be constructed higher than 35 feet. Mr. Enslinger stated the proposed measurement is less complex than the current regulations as it requires measurement at only one point rather than the potential of several points and advised that under the current guidelines it was also possible for a house to exceed 35 feet in height.

Michael Kelly made the following motion, which was seconded by Dale Beckerman and passed unanimously:

MOVE THE CITY COUNCIL ADOPT ORDINANCE 2187 AMENDING CHAPTER 19.02 OF THE PRAIRIE VILLAGE MUNICIPAL CODE ENTITLED "DEFINITIONS" BY AMENDING THE FOLLOWING SECTIONS 19.02.100 ENTITLED "BUILDING HEIGHT"; SECTION 19.02.254 ENTITLED "GRADE" ; SECTION 19.02.435 ENTITLED "STORY" AND SECTION 19.02.436 ENTITLED "STORY ABOVE GRADE PLANE"
COUNCIL ACTION REQUIRED
CONSENT AGENDA

COU2009-15 Consider Project 190721: 2009 Storm Drainage Repair Program Construction Agreement

Tom Trienens reported on January 23, 2009, the City Clerk opened bids for Project 190721: 2009 Storm Drainage Repair Program. The 2009 Storm Drainage Repair Program consists of miscellaneous drainage improvements throughout the City. Eleven bids were received:

WCI Inc.	\$377,423.20
Dennis Johnson Construction, Inc.	\$398,300.00
Haines & Associates Construction Co., Inc.	\$450,000.00
Akins Excavating, LLC	\$459,637.00
Trinity Excavating	\$475,177.25
Freeman Concrete Construction LLC.	\$476,309.00
Pyramid Excavating and Construction	\$521,291.00
Wiedenmann & Godfrey	\$546,500.00
Meadows Construction Co., Inc	\$547,367.50
Mega Industries	\$560,530.00
Miller Paving and Construction	\$598,817.45
Engineer's Estimate	\$468,723.00

The Engineer has reviewed all bids and no errors were found. One contractor attempted to submit a bid after the 3:00 pm deadline while the other bids were already being opened. That bid was not accepted. Funds are available in the Capital Infrastructure Program under Project 190721: 2009 Storm Drainage Repair Program.

Diana Ewy Sharp asked if the City had ever used this firm. Mr. Trienens responded they are a relatively small firm that has not done work in Prairie Village in the past; however, they have done work in the cities of Overland Park, Olathe and Shawnee. He spoke with representatives of those cities and received very positive references on their work.

Michael Kelly asked if the City was required to accept the low bid and could this bid be increased through change orders. Quinn Bennion stated the City was not required to accept the low bid. Mr. Trienens stated that change orders are approved for unforeseen work or changes in the scope of the work. He spoke with WCI and they stated they are comfortable with their bid as submitted.

Dale Beckerman made the following motion, which was seconded by David Belz and passed unanimously:

MOVE TO APPROVE THE CONSTRUCTION AGREEMENT WITH WCI, INC FOR PROJECT 190721: 2009 STORM DRAINAGE REPAIR PROGRAM IN THE AMOUNT OF \$337,423.20

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2009-26 Consider Project 190722: 2010 Storm Drainage Repair Program Design Agreement

Tom Trienens reported eight consultants submitted proposals for the design of the 2010 storm drainage repair program. The six were narrowed down to two and on December 1,

2008, the Consultant Selection Committee of Tom Trienens, Quinn Bennion, David Belz and Andrew Wang conducted oral interviews of GBA and Affinis. The committee selected Affinis. This design fee is for the concept phase only. An engineering change order will be executed for the remaining phases (Preliminary Design, Final Design and Bidding Services) after the scope of this project is clearly defined. Funds are available in the Capital Infrastructure Program under project 190722: 2010 Storm Drainage Repair Program.

David Belz made the following motion, which was seconded by Michael Kelly and passed unanimously:

**MOVE TO APPROVE THE DESIGN ENGINEERING AGREEMENT WITH
AFFINIS CORPORATION FOR PROJECT 190722: 2010 STORM DRAINAGE
REPAIR PROGRAM IN THE AMOUNT OF \$26,300.
COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2009-27 Consider Construction Contract for Project 190871: Mission Lane Bridge Replacement

Tom Trienens reported on January 9, 2009, the City Clerk opened bids for Project 190871: Mission Lane Bridge Replacement. Seven bids were received:

Bryan-Ohlmeier Construction Co.	\$536,727.90
Pyramid Contractors Inc.	\$636,034.00
R.A. Knapp Construction, Inc.	\$637,930.00
Clarkson Construction	\$674,763.90
L.G. Barcus & Sons	\$699,343.15
John Belger Construction	\$763,600.22
APAC-Kansas-Bridges	\$910,241.90
Engineer's Estimate	\$600,792.50

The Consultant Engineer has reviewed the bids for accuracy and found no errors. They have recommended Bryan-Ohlmeier for this project. Funding is available under the Capital Infrastructure Program in the amount of \$536,727.90 under Project 190871: Mission Lane Bridge Replacement.

Mr. Trienens stated he has worked with Bryan-Ohlmeier Construction in the past and their references checked out. Charles Clark stated he knew the firm and that they were very well qualified.

David Belz asked if the work would be completed prior to the Prairie Village Art Fair. Mr. Trienens responded that it would not, but noted the contract contains a provision prohibiting them from working during that time. He also added this project is one of the projects submitted for federal stimulus funds and has a projected start date of mid-March.

Bill Griffith expressed concern with the coordination of this work with Highwoods and with the businesses in the shopping center. Tom Trienens stated the City started having conversations about this work several years ago in an attempt to coordinate City work with work on the adjacent private property. Although, Highwoods does not have funding

for their work, the City feels it needs to go forward and has invited Highwoods representatives to meetings regarding the proposed City work.

Quinn Bennion noted there will need to be a modification to the traffic circulation within the Center. The Public Works and Public Safety Department have committed to notifying the adjacent businesses. The utility companies are currently working on the relocation of utilities so it may actually appear that work has begun. Both Highwoods and the City will be sending out information.

Bill Griffith suggested the City may want to meet with the Prairie Village Businesses as it did in the past to keep channels of communication open. Mayor Shaffer noted that Das Hardin, as the Chamber representative, keeps the businesses advised. Quinn Bennion added the city staff has frequent contact with Donna Potts of the Prairie Village Merchants Association.

Ruth Hopkins made the following motion, which was seconded by Charles Clark and passed unanimously:

MOVE THE CITY COUNCIL APPROVE THE CONSTRUCTION CONTRACT WITH BRYAN-OHLMEIER CONSTRUCTION COMPANY FOR PROJECT 190871:MISSION LANE BRIDGE REPLACEMENT IN THE AMOUNT OF \$536,727.90

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2009-28 Consider Interlocal Agreement with City of Mission and City of Fairway for Project 190874: Roe Avenue - North City Limit to 63rd Street

Tom Trienens reported Johnson County has approved a CARS project for improvements to Roe Avenue from Shawnee Mission Parkway to 63rd Street. This project is located in the cities of Mission, Fairway and Prairie Village. The section in Prairie Village is the east side of Roe Avenue for a distance of 200 feet north of 63rd Street. The City of Mission is the administrator for this project and the City of Prairie Village will directly reimburse them for the work performed in Prairie Village. This interlocal agreement is for design, construction and construction administration services. The work may include reducing the number of north bound lanes from two to one so on street parking may be constructed north of Prairie Village's City limits. An Interlocal Agreement has been received from Johnson County for execution by the cities. The County's maximum share is \$426,000 and the total construction cost is estimated at \$1,200,000. Design is scheduled to start in March of 2009 with most of the Construction occurring in 2010.

The Interlocal Agreement is for a Prairie Village Share of 2% or an estimated \$16,000 for construction, \$3500 for design and \$3000 for inspection for a total of \$22,500. Funding is available under the Capital Infrastructure Program, 190874: Roe Avenue, North City Limit to 63rd Street.

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

MOVE THE CITY COUNCIL APPROVE THE INTERLOCAL AGREEMENT

**WITH THE CITY OF MISSION AND THE CITY OF FAIRWAY FOR
PROJECT 190874: ROE AVENUE, NORTH CITY LIMIT TO 63RD STREET
COUNCIL ACTION REQUIRED
CONSENT AGENDA**

**COU2009-29 Consider Interlocal Agreement with Johnson County for CARS Project
190874: Roe Avenue - North City Limit to 63rd Street**

Tom Trienens reported Johnson County has approved a CARS project for improvements to Roe Avenue from Shawnee Mission Parkway to 63rd Street. This project is located in the cities of Mission, Fairway and Prairie Village. The section in Prairie Village is the east side of Roe Avenue for a distance of 200 feet north of 63rd Street. The City of Mission is the administrator for this project and the City of Prairie Village will directly reimburse them for the work performed in Prairie Village. This interlocal agreement is for construction and construction administration services. The work may include reducing the number of north bound lanes from two to one so on street parking may be constructed north of Prairie Village's City limits. Design is scheduled to start in March of 2009 with most of the Construction occurring in 2010. The estimated construction and construction administration cost is \$1,366,000 of which the County will reimburse a maximum of \$426,000 leaving a total of \$940,000 to be shared amongst the three cities with the Prairie Village share being an estimated 2% (\$19,000). The County does not reimburse for design and therefore it is not included in this agreement.

The estimated project construction and construction administration cost is \$1,366,000. The County share is not to exceed \$426,000. The City Prairie Village share shall be 2% or \$19,000 .Construction funds are included in the 2009 Capital Infrastructure Program.

David Belz made the following motion, which was seconded by Ruth Hopkins and passed unanimously:

**MOVED THE CITY COUNCIL APPROVE THE INTERLOCAL AGREEMENT
FOR PROJECT 190874: ROE AVENUE - NORTH CITY LIMIT TO 63RD STREET
WITH THE JOHNSON COUNTY BOARD OF COUNTY COMMISSIONERS, THE
CITY OF MISSION AND THE CITY OF FAIRWAY FOR A MAXIMUM OF
\$426,000 FROM THE COUNTY**

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2007-51 Village Vision

Presentation regarding Planned Unit Development (PUD) and form based codes

Dennis Enslinger information on Planned Unit Development and Form Based Codes. The presentation gave definitions and examples of conventional zoning and traditional zoning forms and guidelines followed. It also explained planned unit development, its use, implementation and advantages. Forms based codes were explained and compared/contrast to conventional zoning. All three zoning classifications were compared based on there emphasis on the following criteria: 1) Use; 2) Operations and 3) Form.

Mr. Enslinger reviewed the components of a form-based code and its implementation. The components of a Form-Based Code are as follows:

- Regulating Plan
- “Urban”/Building Form Standards
- Public Space/Street Standards
- Administration
- Definitions

He reviewed the establishment of building form standards as well as the establishment of public space/street standards. In some cases, cities will also establish architectural standards depending on the communities’ desire for regulatory controls.

Diana Ewy Sharp asked what role covenants have. Mr. Enslinger responded many of the city’s residential properties have restrictive covenants; however, most commercial areas do not as they are under one ownership. Michael Kelly noted from his discussions with the Prairie Hills Homes Association, he feels the best way to encourage improvements is through design standards. Mr. Enslinger explained design standards are generally guidelines that are applied to a specific area and they do not impact the use allowed.

Mr. Enslinger noted that although Planned Unit Development provides a much greater degree of flexibility than traditional zoning. It requires a significant amount of time a negotiation to come to agreement between the developer and the City.

Ruth Hopkins asked who sets up the zoning. Dennis Enslinger responded there are many ways to establish either a PUD or Form-Based Codes. The City usually initiates the action. It can be done by City Staff, Planning Director/Consultant, Planning Commission or an outside agency. He noted the City of Overland Park has hired an outside firm to develop form-based codes for the Metcalf Corridor. He stated it could be done in conjunction with the City’s Comprehensive Plan or could be done in conjunction with a proposed development.

Mr. Enslinger noted form-based codes set the community expectation up front. The only way to deviate from them is to go through the entire process to change them.

Michael Kelly asked what it would take to change the zoning of Corinth Square and if it could be done by the City. Mr. Enslinger responded the City could change the zoning. Quinn Bennion added; however, changing zoning without the backing of the property owner could result in legal issues.

In summary, Mr. Enslinger made the following comments:

- Form-based codes do not care about the specific use of the property - only the form
- Planned Unit Development must be constructed exactly as presented on the approved plan.
- Form-based codes allow greater flexibility for change to evolve over time. The most successful ones have the greatest degree of flexibility. The buildings do not need a lot of modification to adapt.

Mayor Shaffer asked if form-based codes could be so restrictive no one chooses to develop the property. Mr. Enslinger stressed the importance of having flexibility in the codes and they must be realistic.

Michael Kelly expressed his support for the City to move toward form-based codes. He feels this sets clear expectations for both the residents and the developers. He feels with these tools the City can achieve the goals of Village Vision.

Presentation of mixed-use developments

Laura Wassmer presented photographs taken at the last National League of Cities Conference on a visit by representatives to two mixed-use development districts that used form-based codes - Baldwin Park Development and Celebration, Florida. The photographs showed the successful integration of residential and commercial development and the concepts of urbanism and walkable communities expressed in the City's Village Vision. Ms Wassmer provided examples of form based zoning, housing styles along arterials and effective landscaping.

ADJOURNMENT

With no further business to come before the Council Committee of the Whole, Acting President Andrew Wang adjourned the meeting at 7:25 p.m.

Andrew Wang
Acting Council President

Ordinance No. 2187

AN ORDINANCE AMENDING CHAPTER 19.02 OF THE PRAIRIE VILLAGE MUNICIPAL CODE, ENTITLED "DEFINITIONS" BY AMENDING SECTIONS 19.02.100 ENTITLED "BUILDING HEIGHT"; 19.02.254 ENTITLED "GRADE" AND 19.02.435 ENTITLED "STORY"

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

Section I. Planning Commission Recommendation.

After having received a recommendation from the Planning Commission and proper notice having been published and hearing held on February 3, 2009, as provided by law and under the authority of and subject to the provisions of the Zoning Regulations of the City of Prairie Village, Kansas, the Zoning Ordinance is amended as set forth in Section II.

Section II. Amendment to Chapter 19.02

Chapter 19.02 of the Prairie Village Municipal Code, entitled "Definitions" is hereby amended by amending Section 19.02.100, Section 19.02.254, Section 19.02.435 and Section 19.02.436 to read as follows:

19.02.100 Building Height

Building Height: "The vertical distance from grade plane to the average height of the highest roof surface."

19.02.254 Grade

Grade Plane: "A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building."

19.02.435 Story

Story: "That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters."

19.02.436 Story Above Grade Plane:

Story Above Grade Plane: "Any story having its finish floor surface entirely above grade plane, except that a basement shall be considered a story where the finished surface of the floor above the basement is:"

1. More than six feet above grade plane; or
2. More than 12 feet above the finished ground level at any point.

Section III. Effective Date

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 March, 2009

Ronald L. Shaffer, Mayor

ATTEST:

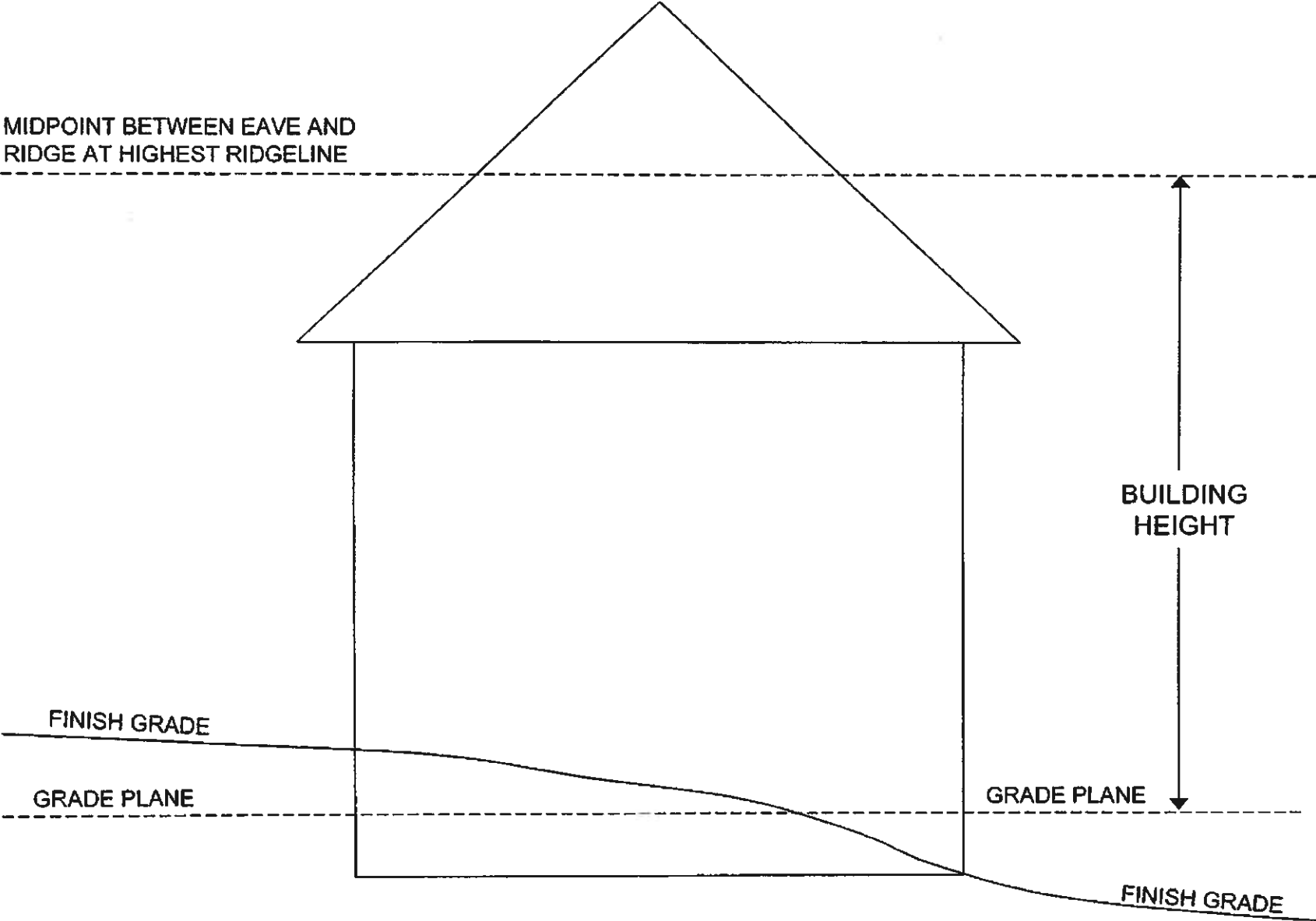
APPROVED AS TO FORM:

Joyce Hagen Mundy
City Clerk

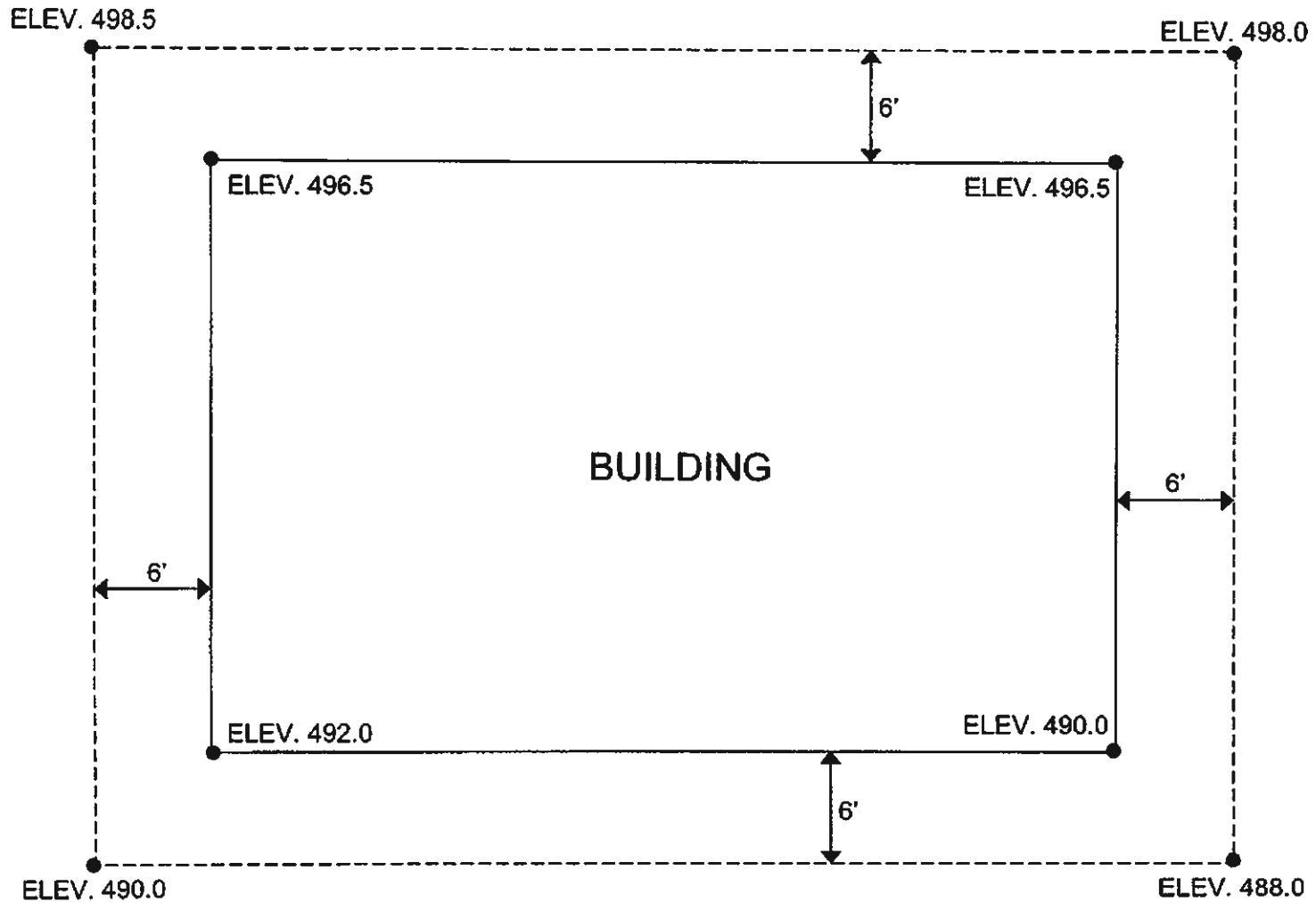
Catherine P. Logan
City Attorney

How to determine "Building Height"

Per 2006 IBC



How to determine "Grade Plane"



AVERAGE GRADE ELEVATION AT EACH EXTERIOR WALL:

NORTH: $(496.5 + 496.5) / 2 = 496.5$

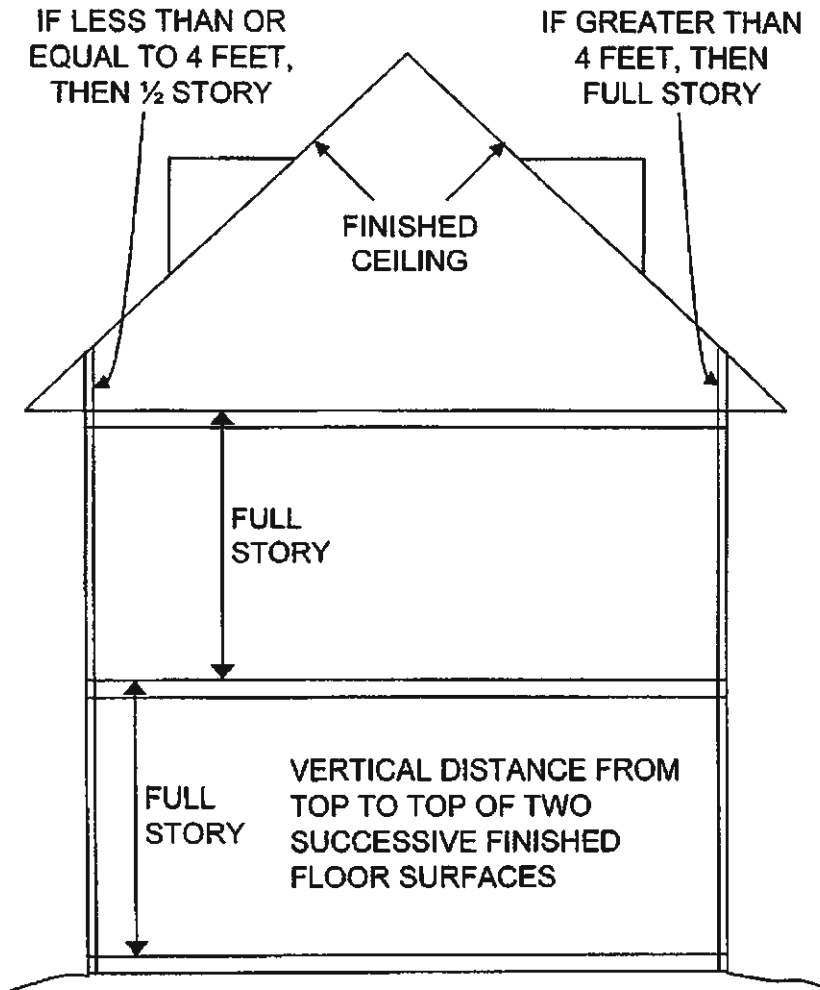
WEST: $(496.5 + 490.0) / 2 = 493.25$

SOUTH: $(490.0 + 488.0) / 2 = 489.0$

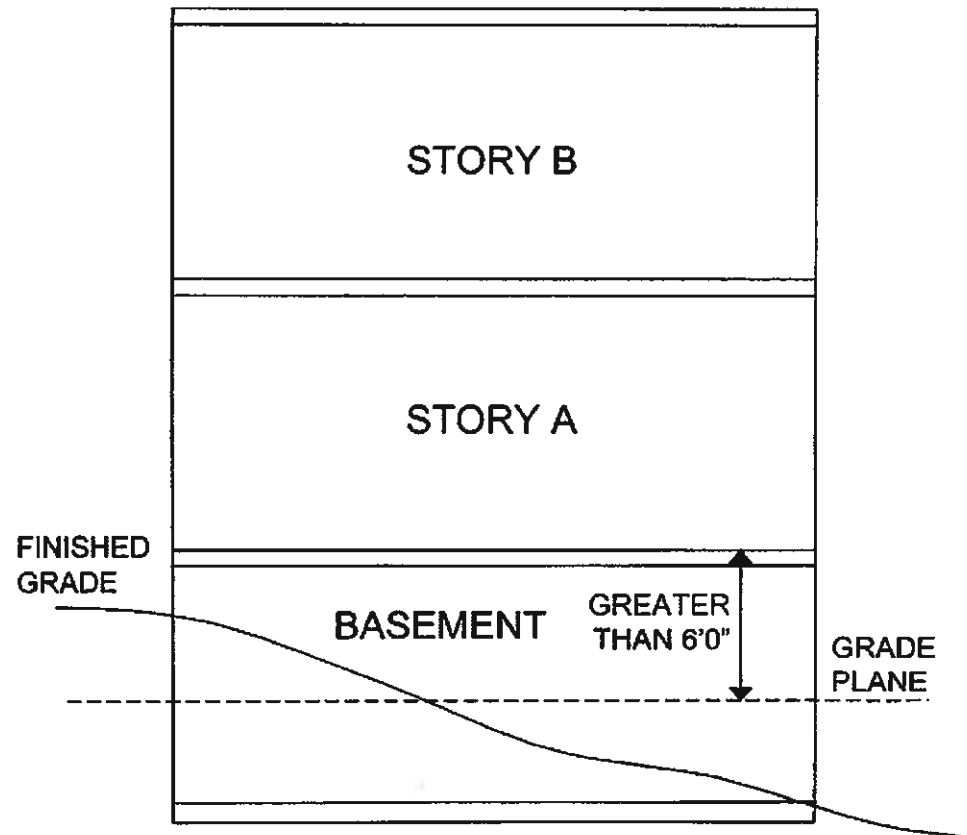
WEST: $(496.5 + 488.0) / 2 = 492.25$

$\frac{1,971.00}{4} = 492.75 = \text{"GRADE PLANE"}$

How to determine "Story"



In this example the basement is a "story above grade plane" because the floor of "Story A" is more than 6' above grade plane.



Ordinance No. 2188

AN ORDINANCE AMENDING CHAPTER 19.34 OF THE PRAIRIE VILLAGE MUNICIPAL CODE, ENTITLED "ACCESSORY USES" BY AMENDING SECTION 19.34.040(F) ENTITLED "PERMANENT STANDBY GENERATORS"

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

Section I. Planning Commission Recommendation.

After having received a recommendation from the Planning Commission and proper notice having been published and hearing held on February 3, 2009, as provided by law and under the authority of and subject to the provisions of the Zoning Regulations of the City of Prairie Village, Kansas, the Zoning Ordinance is amended as set forth in Section II.

Section II. Amendment to Chapter 19.34

Chapter 19.34 of the Prairie Village Municipal Code, entitled "Accessory Uses" is hereby amended by adding Section 19.34.040(F)(i) to read as follows:

19.34.040F.

- i. Proposed locations of permanent standby emergency generators that do not meet Subsection d above but are not located in a front yard may be submitted to the Planning Commission for review and approval.

The Planning Commission shall give consideration to the following criteria in approving or disapproving a location:

1. That there are special circumstances or conditions affecting the property.
2. That adequate distance exists between the location and adjacent property.
3. That the proposed location will be adequately screened from the street.
4. That the location will not cause significant adverse impact on adjacent properties.
5. That the Planning Commission may impose any conditions it deems necessary to mitigate any negative impacts of the proposed location.

Section III. Effective Date

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 March, 2009

Ronald L. Shaffer, Mayor

ATTEST:

APPROVED AS TO FORM:

Joyce Hagen Mundy
City Clerk

Catherine P. Logan
City Attorney

City of Prairie Village 2010 Budget Calendar

Month	Date	Action Item
Feb	2/1-2/28	Department head discussions regarding 2010 budget
	2/23	Finance Committee Meeting
March	3/1-3/14	Finalize 2008 Actuals
	3/1 - 3/23	Individual Council Member meetings with Quinn/Karen re: 2010 Budget
April	4/6	Council Committee Meeting - budget overview, including trends, forecast and general direction
	4/17	Department budget requests due
	4/?	Finance Committee meeting, if needed - direction on items
May	5/5	Proposed Budget to Council for 1st time - Overview only - big ticket items/big projects, the big budget questions
	5/1-5/31	Departments finalize budget requests
June	6/8	Council Committee Meeting - Present the recommended budget - Operating (All but CIP, Eco Devo Fund and Village Vision)
	6/15	Council Committee Meeting - Present the recommended budget - CIP/Eco Devo Fund/Village Vision
July	7/20	Council Meeting - Permission to Publish 2010 Budget
	7/21	Budget Published in the Legal Record
August	8/3	Council Meeting - Budget Hearing/Adopt Budget
	8/4	Submit budget forms to County Clerk
September	9/1-9/30	Prepare budget book/Submit to GFOA award program
Holidays		
	2/16	Mon Presidents Day
	5/25	Mon Memorial Day
	7/3	Fri Independence Day
	9/7	Mon Labor Day

Prepared by: Karen Kindle - Feb 9, 2009

MAYOR'S ANNOUNCEMENTS
Monday, March 2, 2009

Committee meetings scheduled for the next two weeks include:

Planning Commission	03/03/2009	7:00 p.m.
Sister City Committee	03/09/2009	7:00 p.m.
Park & Recreation Committee	03/11/2009	7:00 p.m.
Council Committee of the Whole	03/23/2009	6:00 p.m.
City Council	03/23/2009	7:30 p.m.

=====

The Prairie Village Arts Council is pleased to announce a mixed media exhibit by Deana Winter for the month of March. The reception will be held on March 13th from 6:30 - 7:30 p.m.

The March 16th Council Meeting has been moved to March 23rd.

The annual large item pick-up has been scheduled for April 25th.

Shawnee Mission Education Foundation's Celebrate Success Breakfast is April 29, 2009 at 11:30 am at the Overland Park Convention Center. The City has reserved a table for 10. Please RSVP to Jeanne at 385-4662 or jkoontz@pvkansas.com by April 16, 2009.

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

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

INFORMATIONAL ITEMS
March 2, 2009

1. Planning Commission Agenda - March 3, 2009
2. Forfeiture Trust Fund 2008 Annual Report
3. Park and Recreation Committee Minutes - January 14, 2009
4. Sister City Committee Minutes - February 9, 2009
5. Park and Recreation Committee Minutes - February 11, 2009
6. Mark Your Calendars
7. Committee Agenda

**PLANNING COMMISSION AGENDA
CITY OF PRAIRIE VILLAGE
MUNICIPAL BUILDING - 7700 MISSION ROAD
TUESDAY, MARCH 3, 2009
Council Chambers
7:00 P. M.**

- I. ROLL CALL
- II. APPROVAL OF PC MINUTES - February 3, 2009
- III. PUBLIC HEARINGS
 - PC2008-10 Request for Conditional Use Permit for Drive-thru
8200 Mission Road
Zoning: C-2
Applicant : Landplan Engineering for CVS
(Continuance Requested by Applicant)
- IV. NON-PUBLIC HEARINGS
 - PC2008-115 Site Plan Approval - Retail Building
Southwest Corner Somerset & Mission
Zoning: C-2
Applicant: Landplan Engineering for CVS
(Continuance Requested by Applicant)
 - PC2009-102 Preliminary & Final Plat Approval
Northwest Corner of 95th & Mission Road
Zoning: C-2
Applicant: Mission River, LLC for Walgreens
- V. OTHER BUSINESS
 - PC2009-03 Proposed Ordinance Revisions to Wireless Communications
Regulations - 19.33
Applicant: City of Prairie Village
- VI. ADJOURNMENT

Plans available at City Hall if applicable

If you can not be present, comments can be made by e-mail to
Cityclerk@Pvkansas.com

***Any Commission members having a conflict of interest, shall acknowledge that conflict prior to the hearing of an application, shall not participate in the hearing or discussion, shall not vote on the issue and shall vacate their position at the table until the conclusion of the hearing.**



THE CITY OF PRAIRIE VILLAGE *Star of Kansas*

DATE: February 24, 2009
TO: Mayor Shaffer and City Council Members
FROM: Chief Wes Jordan
SUBJECT: FORFEITURE TRUST FUND 2008 ANNUAL REPORT

As per Council Policy No. 450, Section IV, I am submitting the following annual report for the time period of January 1 through December 31, 2008.

SIU - 01-00-00-2096

Fund Total - January 1, 2008: \$26,837.15

Expenditures

Buy Fund (06/05/08) (3,900.00)

Revenue

Interest - January 99.12
Restitution - State vs. T.C. Hulett (12/14/07) 200.00
Restitution - State vs. John Scott (01/03/08) 100.00
Restitution - State vs. T.C. Hulett (01/03/08) 100.00
Restitution - State vs. Gary Imber (01/03/08) 400.00
Drug Tax Distribution (01/25/08) 1,405.49
T.C. Hulett \$241.49
Karen Kaplan 37.50
Jeremy Bonar 61.50
Mark Moore 960.00
Charles Sample 105.00
Restitution - State vs. John Scott (01/30/08) 100.00
Interest - February 91.78
Restitution - State vs. T.C. Hulett (02/07/08) 200.00
Restitution - State vs. Andreu Wiltse (02/21/08) 360.00
Interest - March 90.24
Restitution - State vs. John Scott (03/03/08) 100.00
Restitution - State vs. T.C. Hulett (03/04/08) 100.00

(continued)

FORFEITURE TRUST FUND 2008 ANNUAL REPORT

February 24, 2009

Page No. 2

Interest – April	84.22
Restitution – State vs. T.C. Hulett (04/09/08)	100.00
Restitution – State vs. John Caldwell (04/09/08)	75.00
Drug Tax Distribution (04/25/08)	431.25
T.C. Hulett	\$412.50
Karen Kaplan	18.75
Restitution – State vs. John Scott (04/30/08)	24.00
Interest – May	85.78
Restitution – State vs. T.C. Hulett (05/09/08)	357.00
Restitution – State vs. John Scott (05/28/08)	100.00
Interest – June	57.16
Restitution – State vs. Sara Fletes (06/25/08)	150.00
Interest – July	51.27
Drug Tax Distribution (07/29/08)	1,413.00
Robert Calia	\$1,600.00
Karen Kaplan	18.75
David Driver	194.25
Interest – August	57.44
Restitution – State vs. Matthew Swing (08/15/08)	87.00
Restitution – State vs. Matthew Swing (08/22/08)	100.00
Restitution – State vs. John Scott (08/22/08)	100.00
Interest – September	51.98
Interest – October	49.38
Restitution – State vs. Casey Cordell (10/03/08)	21.00
Restitution – State vs. Casey Cordell ((10/21/08)	25.00
Drug Tax Distribution (10/28/08)	84.00
Restitution – State vs. John Scott (10/30/08)	20.00
Restitution – State vs. Matthew Swing (10/31/08)	150.00
Interest – November	36.01
Restitution – State vs. David Goldsmith (11/25/08)	237.00
Restitution – State vs. Matthew Swing (11/03/08)	50.00
Interest – December	42.02
Restitution – State vs. Matthew Swing (12/02/08)	200.00
Restitution – State vs. Casey Cordell (12/02/08)	50.00
Restitution – State vs. David Goldsmith (12/23/08)	63.00

FUND BALANCE - December 31, 2008:

\$30,636.29

FORFEITURE TRUST FUND 2008 ANNUAL REPORT

February 24, 2009

Page No. 3

Department - 01-00-00-2097

Fund Total - January 1, 2008: \$41,903.62

Expenditures

16 Cold Fire Extinguishers (08/19/08) (3,670.00)

Revenue

Interest – January	143.14
Restitution – State vs. Robert Werner (01/22/08)	38.94
Interest – February	129.61
Interest – March	126.59
Interest – April	118.13
Interest – May	116.53
Interest – June	87.89
Interest – July	78.83
Interest – August	76.08
Interest – September	68.85
Interest – October	65.30
Interest – November	47.13
Interest – December	54.02

FUND BALANCE - December 31, 2008: \$39,384.66

Federal Equitable Sharing Reserve - 01-00-00-2098

Fund Total - January 1, 2008: \$13,006.28

Revenue

Interest – January	44.39
Interest – February	40.19
Interest – March	39.25
Interest – April	36.64
Interest – May	36.14
Interest – June	27.25
Interest – July	24.45
Interest – August	25.81
Interest – September	23.36
Interest – October	22.15
Interest – November	15.99
Interest – December	18.33

FUND BALANCE - December 31, 2008: \$13,360.23

FORFEITURE TRUST FUND BALANCE: \$83,381.18

WLJ:jlw

cc: Accounting

PARK AND RECREATION COMMITTEE
January 14, 2009

The Park and Recreation Committee met January 14, 2009 at 7:00 pm. Present and presiding, Chairperson Diana Ewy Sharp. Members present: Vice Chair, Al Herrera, Sally Holmes, Peggy Couch, Diane Mares, Ann Bontrager, Clarence Munsch, Jim Bernard and Kathy Peterson. Staff: Wes Jordan, Mike Helms, Greg Hudson and Chris Engel. Also in attendance: Doug Pickert, President, Indigo Design

CONSENT AGENDA

Al moved approval of the consent agenda. Jim seconded and it passed unanimously.

Presentation by Indigo Design

Doug Pickert from Indigo Design updated the Committee on the progress of the Parks Master Plan. There was a meeting earlier in the evening of the subcommittee where recommendations were prioritized. Diana pointed out the lack of park and recreation opportunities in the northwest part of the City were also discussed at this meeting and will be addressed in the master plan. There was a brief update on conversations with SMSD, JCPRD, and a potential private donor concerning a partnering opportunity in the future for a community center/natorium. These talks have only been preliminary in nature and relate primarily to the results of the resident survey recommending research into a community center and the need for collaboration.

REPORTS

Public Works Report

Mike reported electricity is still off in Harmon Park but he was working on locating a recessed outlet that could be locked and power restored. The lighting in Harmon has also been changed and goes off at 11.00pm. Mike mentioned he would be trying to plant sunflowers this spring at the request of Kansas Federated Garden Clubs.

Police Department Report

Sgt. Hudson presented a report on incidents in the parks last year. There was discussion concerning the skate park attracting some of these problems and pulling officers off the streets to address them. Diana said the master plan will be addressing ways to increase people in the parks and this should deter some of the vandalism.

Recreation Program Report

Chris presented the End of Season Report. He commented that things had run very smoothly and he currently had over 20 guards returning. It was also reported that the 2009 Recreation Guide would be sent to the printers in mid-February for a March 1 delivery.

Jim moved for recommendation to the City Council to approve the 2009 Recreation Fee Schedule. Kathy seconded and it passed unanimously.

Clarence moved for recommendation to City Council to approve the Johnson County Day Camp, Pool Usage Agreement, Learn to Swim, British Soccer, Omega

Soccer and Challenger Sports contracts as written. Jim seconded and it passed unanimously.

Chris reported on discussions between a few NE Johnson County cities concerning a Super Pass that could be purchased to allow entrance into all of the city pools in the agreement. Memberships have been analyzed and most of the Prairie Village non-resident memberships sold come from cities not in these discussions. The recommended fee would be \$30 for a family and \$15 for an individual.

Also coming out of these discussions was the proposal to allow all pass holders in the agreeing cities access to each others pools on days their home city pool was closed for a swim or dive meet.

There was agreement that these enhancements could potentially benefit residents but also lead to crowding problems. It was decided to move forward but revisit these agreements on an annual basis.

Chairperson's Report

Diana reported Shelly Trewolla had resigned to join the Arts Committee. Parks and Recreation Committee is still looking for a Ward 2 Representative as well as an at-large.

INFORMATIONAL ITEMS

The next meeting will be February 11, 2009 at 7.00pm.

Diana Ewy Sharp
Chairperson

SISTER CITY COMMITTEE
9 February 2009
MINUTES

Call to Order

Chairperson Jim Hohensee called the meeting to order at 7.00pm. Members present: Cleo Simmonds, Carole Mosher, Dick Bills, Michael Kelly, Rod Atteberry, Bob McGowan and Cindy Dwigans. Also present: Vera Glywa, Hildegard Knopp and Dan Andersen. Staff: Chris Engel.

Minutes

Michael moved for the approval of the January minutes with corrections. Carole seconded and it passed unanimously.

Dick requested the November 10th minutes be resent to everyone.

OLD BUSINESS

Proposed Ukrainian Art Exhibit

Jim commented that the show is a great idea but it should be postponed until 2010. Cleo will give Rod a contact list of local people who could help with the art. Rod mentioned the art grant could be used anytime during the awarded fiscal year running July 2009 to June 2010. A subcommittee was formed with Michael, Jim, and Rod as chair to investigate the information needed to complete the grant request as soon as possible. Michael moved and Dick seconded the motion to postpone the show until April 2010. Additionally, the art case in City Hall becomes available for Sister City use in March.

Bank Account

Cindy informed the Committee the bank account is now open and procedures for its proper use would need to be completed. Cleo expressed deep appreciation to Cindy for all of her hard work.

Website

Jim has revised the webpage documents; he will polish them and forward to Chris.

Ukrainian Visit in May

Michael discussed the recent visit with Barbara Dolci concerning desired roles and expectations. They have narrowed down the desired visitors to emerging leaders and city employees. There was also a desire to better involve the host families. Dick requested to have the fiscal responsibilities of all parties written down.

Cleo added Dolyna had contacted him and would like to send over public works employees in April. Several requests were discussed: only two, bilingual, expenses paid. This will be looked into.

Villagefest

Vera will be making cookies and the Committee will sell things. They requested a table, shade and power. Chris will investigate the need of a permit to sell things.

Student Reception

Carole said there was some difficulty with the dates at City Hall and there were only six students this year. The idea of a lunch was discussed and it was resolved to tie it to an event already planned like the May Open World visit.

NEW BUSINESS

Language Lessons

Michael explained during the visit with Barbara Dolci it was revealed she has only spent \$80 of the \$1,000 donated by Peter Jarosewycz during the last visit. She recommended using the remainder as seed money to promote the cultural exchange between the two cities. One suggestion was for Vera to be paid to teach conversational Ukraine to anyone that wanted to try and learn.

Other Items

Jim informed the Committee JoAnn Memming had submitted her resignation due to scheduling conflicts but asked to remain informed of the Committee's happenings. Everyone expressed their desire to try and keep her involved in any way possible.

The annual Sister Cities International (SCI) Conference will be in Ireland this year. The Committee discussed sending Bob McGowan because of the ongoing relationship with Newry-Mourne he has worked at maintaining. **Michael moved to allocate up to \$1,200 to facilitate Bob's attendance at the annual SCI Conference. Carole seconded the motion and it passed unanimously.**

Adjournment

The next meeting will be Monday, March 9 at 7.00 pm. The meeting was adjourned at 9:20 p.m.

Jim Hohensee
Chair

PARK AND RECREATION COMMITTEE

February 11, 2009

The Park and Recreation Committee met February 11, 2009 pm. Present and presiding, Chairperson Diana Ewy Sharp. Members present: Sally Holmes, Diane Mares, Clarence Munsch, A.J. LoScalzo, Joe Nolke and Kathy Peterson. Staff: Mike Helms and Chris Engel.

Diana introduced Luci Mitchell, Chair of the Tree Board, and stated she would be attending some of our meetings in the future.

CONSENT AGENDA

Clarence moved for approval of the consent agenda. Sally seconded and it passed unanimously.

REPORTS

Gazebo Update

A.J. reported she was looking into hosting a Garden Tour for 2010. She already has a couple of volunteers to help her and would be looking for ideas and suggestions. In the past, the show has featured both small and large yards maintained by professionals and homeowners. Due to a shortage of shows in the metro area she believes this would be very successful with all raised funds going directly to the Gazebo Fund.

Park Master Plan

The process is winding down and Indigo Design is starting to craft all of the information gathered over the last year into a coherent form. Chris has received a few of the chapters already but has yet to review them. Diana explained the next steps would be approval by the respective committees and the City Council before going back to the public.

Chairperson's Report

Diana will be meeting with the Prairie Village Homes Association to discuss the repairs to El Monte Fountain. The City has budgeted \$30,000 for its repair, \$9,075 of which has already been spent on the design. The total cost of the project will be \$66,000. Diana will be asking the homes association for \$20,000 of the \$36,000 difference. There was discussion concerning the need for the homes association to pick up all of the difference because this is not a Park and Recreation priority. There was also questioning over why the Committee was being tasked with this and not the Councilmembers from that Ward.

Clarence asked about the 2010 budget and how the economy would be affecting city budgets. Diana informed the Committee the legislature in Topeka wants to take away the Alcohol Tax to balance its budget. One-third of this tax (~\$80,000) is used specifically for park and recreation items. If this happens the 2010 budget will be starting with a large hole and would need to find a way to make due with less. The Committee asked to be kept more informed at the monthly meetings about what was happening in Topeka.

NEW BUSINESS

Harmon Park Discussion

Members of the Committee and the Police Department met recently to discuss options to decrease some of the negative activity in the park. Kathy stated she has been hanging out

at the Skate Park a few nights a week and the majority of the kids are not aware of most of the problems that have occurred. She will be helping the Police in the future to reach out to the kids and push them into taking ownership of the park. In addition, she mentioned bikes without pegs may be allowed in the skate park in the near future. Diana mentioned the Master Plan should address ways to increase park usage and hopefully deter trouble.

Recreation Guide

Chris informed the committee EarthFair has been cancelled this year so the inside cover of the Recreation Guide is available. The Committee decided the SuperPass should be advertized in that spot.

OLD BUSINESS

Farmer's Market

Due to the lack of funds in the budget, advertising requirements and the direct competition with Hen House this item will be dropped from future agendas.

Movies in the Park

Due to the lack of funds in the budget and the direct competition with Highwoods it was decided to drop this item from future agendas. However, it was discussed that assisting Highwoods in their events and selling concessions might be a worthwhile venture this summer.

Concerts in the Park

Diana requested everyone think about a way to have an event hosted by all of the City committees. If everyone were to share their resources the event could have greater reach and less of an impact on any one committee's budget.

INFORMATIONAL ITEMS

The next meeting will be March 11, 2009 at 7.00pm.

Diana Ewy Sharp
Chairperson

**Council Members
Mark Your Calendars
March 2, 2009**

March 2009	Deana Winter mixed media exhibit in the R. G. Endres Gallery
March 13	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
March 23	City Council Meeting
April 2009	Christi Roberts-Bony oils exhibit in the R. G. Endres Gallery
April 6	City Council Meeting
April 10	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
April 20	City Council Meeting
May 2009	Kay Trieb photography exhibit in the R. G. Endres Gallery
May 4	City Council Meeting
May 8	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
May 18	City Council Meeting
May 25	City offices closed in observance of Memorial Day
June 2009	L. Daniel Compton photography exhibit in the R. G. Endres Gallery
June 1	City Council Meeting
June 12	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
June 15	City Council Meeting
July 2009	Mark Raynes photography exhibit in the R. G. Endres Gallery
July 3	City offices closed in observance of Independence Day
July 4	VillageFest
July 6	City Council Meeting
July 10	Artist reception in the R. G. Endres Gallery 6:30 - 7:30 p.m.
July 20	City Council Meeting
August 2009	Senior Arts Council mixed media exhibit in the R. G. Endres Gallery
August 3	City Council Meeting
August 14	Artist reception in the R. G. Endres Gallery 6:30 - 7:30
August 17	City Council Meeting
September 2009	
September 7	City offices closed in observance of Labor Day
September 8 (Tues.)	City Council Meeting
September 21	City Council Meeting
October 2009	State of the Arts exhibit in the R. G. Endres Gallery
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 4 Mayor's 2009 Holiday Party
December 7 City Council Meeting
December 11 Artist reception in the R. G. Endres Gallery 6:70 - 7:30
December 21 City Council Meeting
December 25 City offices closed in observance of Christmas

COMMITTEE AGENDA

March 2, 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

- COU2006-38 Consider Park & Recreation Committee Master Plan (assigned 09/27/2006)
- 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)
- COU2008-25 Consider Project 190871: Mission Lane Bridge Replacement (assigned 2/27/2008)
- 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)
- COU2008-98 Consider Policy amendment regarding pool passes for employees (assigned 12/10/2008)
- 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)
- COU2009-24 Consider amendment to Zoning Ordinance Chapter 19.34 (assigned 2/3/2009)
- COU2009-25 Consider amendments to Zoning Ordinance Chapter 19.02 (assigned 2/3/2009)
- COU2009-26 Consider Project 190722: 2010 Storm Drainage Repair Program Design Agreement (assigned 2/6/2009)
- COU2009-27 Consider Construction Contract for Project 190871: Mission Lane Bridge Replacement (assigned 2/6/2009)
- COU2009-28 Consider Interlocal Agreement with City of Mission and City of Fairway for Project 190874: Roe Avenue - North City Limit to 63rd Street (assigned 2/6/2009)
- COU2009-29 Consider Interlocal Agreement with Johnson County for CARS Project 190874: Roe Avenue - North City Limit to 63rd Street (assigned 2/6/2009)
- COU2009-30 Consider Approval of Personnel Policy 1095 - Recreation Memberships (assigned 2/11/2009)
- COU2009-31 Consider changing the date of the March 16 City Council meeting (assigned 2/10/2009)
- COU2009-32 Consider approval for purchase of microwave wireless communication system for Public Safety purposes (assigned 2/25/2009)
- COU2009-33 Consider Approval of the selection of Springbrook Software Inc. for city software package and online services (assigned 2/25/2009)
- COU2009-34 Consider approval of council laptop purchase (assigned 2/25/2009)

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)
- PC2008-01 Consider Cell Tower Policy (assigned 3/19/2008)
- 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)