

City Council Meeting

November 17, 2008



Dinner will be provided by:

Dragon Inn

Peking Shrimp

Chicken & Seasonal Vegetables

Hunan Pork

Beef and Broccoli

COUNCIL COMMITTEE
November 17, 2008
6:00 p.m.
Council Chamber

AGENDA

DAVID VOYSEY, COUNCIL PRESIDENT

CONSENT AGENDA

***COU2007-27 Consider Project 190864: 2008 Street Resurfacing Program Engineering Change Order #1 - Construction Administration**

COU2008-21 Consider Interlocal Agreement with Johnson County for Project 190877: 83rd Street - Roe Avenue to Somerset Drive

COU2008-83 Consider Interlocal Agreement with Johnson County for Project 190865: Roe Avenue - 83rd Street to Somerset Drive

COU2008-87 Consider Interlocal Agreement with Johnson County Park & Recreation District for use of facilities for 50+ Program

AGENDA ITEMS FOR DISCUSSION

**COU2008-82 Consider Renewal of Special Use Permit for DayCare Program by Kansas City Autism Training Center at 7501 Belinder Avenue
Dennis Enslinger**

**COU2008-84 Consider Joint Legislative Platform with Johnson County & Johnson County Cities
Chris Engel**

**COU2008-85 Consider Building Security
Chief Wes Jordan**

**COU2008-86 Consider Upgrading the Police Department's CAD (Computer Aided Dispatching) and Records Management Systems (assigned 11/11/2008)
Chief Wes Jordan**

COU2007-51 Village Vision

***Council Action Requested the Same Evening**



PUBLIC WORKS DEPARTMENT

Council Committee Meeting Date: November 17, 2008
Council Meeting Date: November 17, 2008

COU2007-27 CONSIDER PROJECT 190864: 2008 STREET RESURFACING PROGRAM ENGINEERING CHANGE ORDER #1 - CONSTRUCTION ADMINISTRATION

RECOMMENDATION

Staff recommends the City Council approves Engineering Change Order #1 with BHC Rhodes for an increase of \$12,172.17 to project 190864: 2008 Street Resurfacing Program and a transfer of \$27,172.17 from Project 190868: Roe Avenue Resurfacing (CARS), 91st Street to Somerset Drive to Project 190864.

Council Action Requested November 17, 2008

BACKGROUND

There have been construction change orders, previously approved by council, which resulted in the need for additional construction administration services. BHC Rhodes has submitted final pay requests for Roe Avenue (91st Street to Somerset Drive) and the 2008 Storm Drainage Repair Program. Construction administration services for these three projects resulted in a net decrease of \$27,383.24. The total contract amounts with BHC Rhodes all projects will not be exceeded.

FUNDING SOURCE

Funds are available in the Capital Infrastructure Program with a transfer of \$27,172.17 from Project 190868: Roe Avenue Resurfacing (CARS), 91st Street to Somerset Drive.

RELATED TO VILLAGE VISION

- CC1a. Make streetscape improvements to enhance pedestrian safety and attractiveness of the public realm.*
- CFS3a. Ensure streets and sidewalks are in good condition by conducting maintenance and repairs as needed.*
- TR3a. Ensure the quality of the transportation network with regular maintenance as well as efficient responses to seasonal issues such as snow removal.*

ATTACHMENTS

1. Engineering Change Order #1 from BHC Rhodes.

PREPARED BY

Thomas Trienens, Manager of Engineering Services

November 7, 2008

**CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT**

CHANGE ORDER NO. 1

Consultant's Name BHC Rhodes

Project Title: 2008 Street Resurfacing Program

Owner's Project No. 190864

Date Requested: November 17, 2008 Consultant's Project No. 9221

Original Agreement Date: March 3, 2008

The scope of work in the above Service Agreement has been modified as follows:

Additional construction work was added to this project including concrete pavement on Mission Road and changing Hodges Drive and 80th Street to full reconstructs. This requires additional construction administration services.

Original Agreement Amount	<u>\$115,500.00</u>
Net Previous Change Orders	<u>\$0.00</u>
Subtotal	<u>\$115,500.00</u>
Net Increase this Change Order	<u>\$12,172.17</u>
New Agreement Amount	<u>\$127,672.17</u>

The Agreement Completion Date has not been changed.

CONSULTANT

CITY OF PRAIRIE VILLAGE, KANSAS

By Bill Brungardt
Bill Brungardt, Vice President

By _____
Ronald L. Shaffer, Mayor

CITY OF PRAIRIE VILLAGE, KANSAS

By Thomas Trienens
Thomas Trienens, Manager of Eng. Services



PUBLIC WORKS DEPARTMENT

Council Committee Meeting Date: November 17, 2008
Council Meeting Date: December 1, 2008

COU2008-21 CONSIDER INTERLOCAL AGREEMENT WITH JOHNSON COUNTY FOR PROJECT 190877: 83RD STREET - ROE AVENUE TO SOMERSET DRIVE

RECOMMENDATION

Move to approve the interlocal agreement with Johnson County for project 190877: 83rd Street - Roe Avenue to Somerset Drive limiting the County share to 50% or \$131,000 of the project cost of \$262,000.

BACKGROUND

Johnson County has approved Project 190877: 83rd Street - Roe Avenue to Somerset Drive resurfacing project. An Interlocal Agreement has been received from Johnson County for execution by the City.

FUNDING SOURCE

Funding is available under the Capital Infrastructure Program, Project 190877: 83rd Street, Roe Avenue to Somerset Drive. The Interlocal Agreement is for the County to provide financial assistance up to but not exceeding 50% or \$131,000 of the Project cost of \$262,000.

RELATION TO VILLAGE VISION

- CC1a. Make streetscape improvements to enhance pedestrian safety and attractiveness of the public realm.*
- CFS3a. Ensure streets and sidewalks are in good condition by conducting maintenance and repairs as needed.*
- TR1a. Provide sidewalks in new and existing areas to allow for continuous pedestrian movement around Prairie Village.*
- TR1b. Ensure that infrastructure improvements meet the needs of all transportation users.*

ATTACHMENTS

1. Interlocal Agreement with Johnson County.

PREPARED BY

Thomas Trienens, Manager of Engineering Services

November 7, 2008

**Interlocal Agreement between Johnson County, Kansas,
and the City of Prairie Village, Kansas,
for the Public Improvement of
83rd Street from
Roe Avenue to Somerset Drive**

THIS AGREEMENT made and entered into this ____ day of _____, by and between the Board of County Commissioners of Johnson County, Kansas ("Board") and the City of Prairie Village, Kansas, ("City").

WITNESSETH:

WHEREAS, the parties have determined that it is in the best interests of the general public in making certain public improvements to 83rd Street from Roe Avenue to Somerset Drive (the "Project"); and

WHEREAS, the laws of the State of Kansas authorize the parties to this Agreement to cooperate in undertaking the Project; and

WHEREAS, the governing bodies of each of the parties have determined to enter into this Agreement for the purpose of undertaking the Project, pursuant to K.S.A. 12-2908 and K.S.A. 68-169, and amendments thereto; and

WHEREAS, the Project has been approved, authorized, and budgeted by the Board as an eligible project under the County Assistance Road System ("CARS") Program; and

WHEREAS, the Board has, by County Resolution No. 106-90, authorized its Chairman to execute any and all Interlocal Agreements for County participation in any CARS Program project which has been approved and authorized pursuant to the Policies and Guidelines adopted by the Board and for which funding has been authorized and budgeted therefore; and

WHEREAS, the governing body of the City did approve and authorize its Mayor to execute this Agreement by official vote on the _____ day of _____,

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, and for other good and valuable consideration, the parties agree as follows:

1. **Purpose of Agreement.** The parties enter into this Agreement for the purpose of undertaking the Project to assure a more adequate, safe and integrated roadway network in the developing and incorporated areas of Johnson County, Kansas.

2. **Estimated Cost and Funding of Project**
 - A. The estimated cost of the Project ("Project Costs"), a portion of which is reimbursable under this Agreement, is Two Hundred Ninety One Thousand Dollars (\$291,000).
 - B. Project Costs include necessary costs and expenses of labor and material used in the construction of the Project and construction inspection and staking for the Project.
 - C. The Project Costs shall be allocated between the parties as follows:
 - (1) The Board shall provide financial assistance for the Project in an amount up to but not exceeding Fifty Percent (50%) of the Project Costs. However, the Board's financial obligation under this Agreement shall be limited to an amount not to exceed One Hundred Thirty One Thousand dollars (\$131,000). For purposes of this Agreement, Project Costs shall not include any portion of costs which are to be paid by or on behalf of any state or federal governmental entity or for which the City may be reimbursed through any source other than the general residents or taxpayers of the City. Further, it is understood and agreed by the parties hereto that the Board shall not participate in, nor pay any portion of, the Costs incurred for or related to the following:
 - (a) Land acquisition, right-of-way acquisition, or utility relocation;
 - (b) Legal fees and expenses, design engineering services, Project administration, or financing costs;

- (c) Taxes, licensing or permit fees, title reports, insurance premiums, exactions, recording fees, or similar charges;
- (d) Project overruns;
- (e) Project scope modifications or major change orders which are not separately and specifically approved and authorized by the Board; and
- (f) Minor change orders which are not separately and specifically approved and authorized by the Director of Public Works & Infrastructure of Johnson County, Kansas ("Infrastructure Director").
Minor change orders are those which do not significantly alter the scope of the Project and which are consistent with the CARS Program Policies and Guidelines and administrative procedures thereto adopted by the Board.

It is further understood and agreed that notwithstanding the designated amount of any expenditure authorization or fund appropriation, the Board shall only be obligated to pay for the authorized percentage of actual construction costs incurred or expended for the Project under appropriate, publicly bid, construction contracts. The Board will not be assessed for any improvement district created pursuant to K.S.A. 12-6a01 et seq., and amendments thereto, or any other improvement district created under the laws of the State of Kansas.

- (2) The City shall pay One Hundred Percent (100%) of all Project Costs not expressly the Board's obligation to pay as provided in this Agreement.

3. Financing

- A. The Board shall provide financial assistance, as provided in Paragraph 2.C. above, towards the cost of the Project with funds budgeted, authorized, and appropriated by the Board and which are unencumbered revenues that are on-hand in deposits of Johnson County, Kansas. This paragraph shall not be construed as limiting the ability of the Board to finance its portion of the costs and expenses of the Project through the issuance of bonds or any other legally authorized method.

- B. The City shall pay its portion of the Project Costs with funds budgeted, authorized, and appropriated by the governing body of the City.
4. **Administration of Project.** The Project shall be administered by the City, acting by and through its designated representative who shall be the City public official designated as Project Administrator. The Project Administrator shall assume and perform the following duties:
- A. Cause the making of all contracts, duly authorized and approved, for retaining consulting engineers to design and estimate the Project Costs.
- B. Submit a copy of the plans and specifications for the Project to the Johnson County Infrastructure Director for review, prior to any advertisement for construction bidding, together with a statement of estimated Project Costs which reflects the Board's financial obligation under the terms of this Agreement. The Infrastructure Director or his designee shall review the copy of the plans and specifications for the Project and may, but shall not be obligated to, suggest changes or revisions to the plans and specifications.
- C. If required by applicable state or federal statutes, solicit bids for the construction of the Project by publication in the official newspaper of the City. In the solicitation of bids, the appropriate combination of best bids shall be determined by the City.
- D. Cause the making of all contracts and appropriate change orders, duly authorized and approved, for the construction of the Project.
- E. Submit to the to the Infrastructure Director a statement of actual costs and expenses in the form of a payment request, with attached copies of all invoices and supporting materials, on or before the tenth day of each month following the month in which costs and expenses have been paid. The Infrastructure Director shall review the statement or payment request to determine whether the statement or payment request is properly submitted and documented and, upon concurrence with the Finance Director of Johnson County, Kansas, ("Finance Director") cause payment to be made to the City of the Board's portion of the Project Costs within thirty (30) days after receipt of such payment request. In the event federal or state agencies require, as a condition to state or federal participation in the Project, that the Board

make payment prior to construction or at times other than set forth in this subsection, the Infrastructure Director and the Finance Director may authorize such payment.

- F. Cause a sign to be erected in the immediate vicinity of the Project upon commencement of construction identifying the Project as part of the CARS Program. The form and location of the sign shall be subject to the review and approval of the Infrastructure Director.

Upon completion of the construction of the Project, the Project Administrator shall submit to each of the parties a final accounting of all Project Costs incurred in the Project for the purpose of apportioning the same among the parties as provided in this Agreement. It is expressly understood and agreed that in no event shall the final accounting obligate the parties for a greater proportion of financial participation than that set out in Paragraph 2.C. of this Agreement. The final accounting of Project Costs shall be submitted by the Project Administrator no later than sixty (60) days following the completion of the Project construction.

It is further understood and agreed by the City, as administrator of this Project, to indemnify and hold the Board harmless for and from any costs, expenses or liabilities which result from actions or omissions of the City or its employees relating to or in connection with the administration or construction of the Project.

In addition, the City shall, and hereby agrees to, insert as a special provision of its contract with the general contractor ("Contractor") chosen to undertake the Project construction as contemplated by this Agreement the following paragraphs:

The Contractor shall, as permitted by law, defend indemnify and save the Board of County Commissioners of Johnson County, Kansas and the City harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit, action or otherwise for injuries and/or damages sustained to persons or property by reason of the acts or omissions of the Contractor, his or

her sub-contractors, agents or employees in the performance of this contract.

The Board of County Commissioners of Johnson County, Kansas shall be named as an additional insured on all policies of insurance issued to the Contractor and required by the terms of his/her agreement with the City.

5. Acquisition of Real Property for the Project

- A. The Board shall not pay any costs for acquisition of real property in connection with the Project.
- B. The City shall be responsible for the acquisition of any real property, together with improvements thereon, located within the City's corporate boundaries, which is required in connection with the Project; such real property acquisition may occur by gift, purchase, or by condemnation as authorized and provided by the Eminent Domain Procedure Act, K.S.A. 26-201 et seq. and K.S.A. 26-501 et seq., and any such acquisition shall comply with all federal and state law requirements.

6. Duration and Termination of Agreement

- A. The parties agree that this Agreement shall remain in full force and effect until the completion of the Project, unless otherwise terminated as provided for in Paragraph 6.B. herein below. The Project shall be deemed completed and this Agreement shall be deemed terminated upon written certification to each of the parties by the Project Administrator that the Project has been accepted as constructed. The City shall provide a copy of the Project Administrator's certification to both the Infrastructure Director and the Finance Director within thirty (30) days of the Project Administrator's determination that the Project is complete.
- B. It is understood and agreed that the Infrastructure Director shall review the status of the Project annually on the first day of March following the execution of this Agreement to determine whether satisfactory progress is being made on the Project by the City. It is further understood and agreed that the Board shall have the option and right to revoke funding approval for the Project and terminate this Agreement should the Board find, based upon the determination of the Infrastructure Director

that satisfactory progress is not being made on the Project. Should the Board exercise its option as provided herein, it shall send written notice of the same to the City and the Board shall have no further liability or obligation under this Agreement.

7. **Placing Agreement in Force.** The attorney for the City shall cause sufficient copies of this Agreement to be executed to provide each party with a duly executed copy of this Agreement for its official records.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed by each of the parties hereto and made effective on the day and year first above written.

Board of County Commissioners of
Johnson County, Kansas

City of Prairie Village, Kansas

Annabeth Surbaugh, Chairman

Ronald Shaffer, Mayor

Attest:

Attest:

Casey Joe Carl
Clerk of the Board

City Clerk

Approved as to form:

Approved as to form:

Robert A. Ford
Assistant County Counselor

City Attorney



PUBLIC WORKS DEPARTMENT

Council Committee Meeting Date: November 17, 2008

Council Meeting Date: December 1, 2008

COU2008-83 CONSIDER INTERLOCAL AGREEMENT WITH JOHNSON COUNTY FOR PROJECT 190865: ROE AVENUE - 83RD STREET TO SOMERSET DRIVE

RECOMMENDATION

Move to approve the interlocal agreement with Johnson County for project 190865: Roe Avenue - 83rd Street to Somerset Drive limiting the County share to 50% or \$263,000 of the project cost of \$526,000.

BACKGROUND

Johnson County has approved Project 190865: Roe Avenue from 83rd Street to Somerset Drive resurfacing project. An Interlocal Agreement has been received from Johnson County for execution by the City.

FUNDING SOURCE

Funding is available under the Capital Infrastructure Program, Project 190865: Roe Avenue, 83rd Street to Somerset Drive. The Interlocal Agreement is for the County to provide financial assistance up to but not exceeding 50% or \$263,000 of the Project cost of \$526,000.

RELATION TO VILLAGE VISION

- CC1a. Make streetscape improvements to enhance pedestrian safety and attractiveness of the public realm.*
- CFS3a. Ensure streets and sidewalks are in good condition by conducting maintenance and repairs as needed.*
- TR1a. Provide sidewalks in new and existing areas to allow for continuous pedestrian movement around Prairie Village.*
- TR1b. Ensure that infrastructure improvements meet the needs of all transportation users.*

ATTACHMENTS

1. Interlocal Agreement with Johnson County.

PREPARED BY

Thomas Trienens, Manager of Engineering Services

November 7, 2008

**Interlocal Agreement between Johnson County, Kansas,
and the City of Prairie Village, Kansas,
for the Public Improvement of
Roe Avenue from
83rd Street to Somerset Avenue**

THIS AGREEMENT made and entered into this ____ day of _____, by and between the Board of County Commissioners of Johnson County, Kansas ("Board") and the City of Prairie Village, Kansas, ("City").

WITNESSETH:

WHEREAS, the parties have determined that it is in the best interests of the general public in making certain public improvements to Roe Avenue from 83rd Street to Somerset Avenue (the "Project"); and

WHEREAS, the laws of the State of Kansas authorize the parties to this Agreement to cooperate in undertaking the Project; and

WHEREAS, the governing bodies of each of the parties have determined to enter into this Agreement for the purpose of undertaking the Project, pursuant to K.S.A. 12-2908 and K.S.A. 68-169, and amendments thereto; and

WHEREAS, the Project has been approved, authorized, and budgeted by the Board as an eligible project under the County Assistance Road System ("CARS") Program; and

WHEREAS, the Board has, by County Resolution No. 106-90, authorized its Chairman to execute any and all Interlocal Agreements for County participation in any CARS Program project which has been approved and authorized pursuant to the Policies and Guidelines adopted by the Board and for which funding has been authorized and budgeted therefore; and

WHEREAS, the governing body of the City did approve and authorize its Mayor to execute this Agreement by official vote on the _____ day of _____,

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, and for other good and valuable consideration, the parties agree as follows:

1. **Purpose of Agreement.** The parties enter into this Agreement for the purpose of undertaking the Project to assure a more adequate, safe and integrated roadway network in the developing and incorporated areas of Johnson County, Kansas.

2. **Estimated Cost and Funding of Project**
 - A. The estimated cost of the Project (“Project Costs”), a portion of which is reimbursable under this Agreement, is Five Hundred Eighty Three Thousand Dollars (\$583,000).
 - B. Project Costs include necessary costs and expenses of labor and material used in the construction of the Project and construction inspection and staking for the Project.
 - C. The Project Costs shall be allocated between the parties as follows:
 - (1) The Board shall provide financial assistance for the Project in an amount up to but not exceeding Fifty Percent (50%) of the Project Costs. However, the Board's financial obligation under this Agreement shall be limited to an amount not to exceed Two Hundred Sixty Three Thousand dollars (\$263,000). For purposes of this Agreement, Project Costs shall not include any portion of costs which are to be paid by or on behalf of any state or federal governmental entity or for which the City may be reimbursed through any source other than the general residents or taxpayers of the City. Further, it is understood and agreed by the parties hereto that the Board shall not participate in, nor pay any portion of, the Costs incurred for or related to the following:
 - (a) Land acquisition, right-of-way acquisition, or utility relocation;
 - (b) Legal fees and expenses, design engineering services, Project administration, or financing costs;

- (c) Taxes, licensing or permit fees, title reports, insurance premiums, exactions, recording fees, or similar charges;
- (d) Project overruns;
- (e) Project scope modifications or major change orders which are not separately and specifically approved and authorized by the Board; and
- (f) Minor change orders which are not separately and specifically approved and authorized by the Director of Public Works & Infrastructure of Johnson County, Kansas ("Infrastructure Director").
Minor change orders are those which do not significantly alter the scope of the Project and which are consistent with the CARS Program Policies and Guidelines and administrative procedures thereto adopted by the Board.

It is further understood and agreed that notwithstanding the designated amount of any expenditure authorization or fund appropriation, the Board shall only be obligated to pay for the authorized percentage of actual construction costs incurred or expended for the Project under appropriate, publicly bid, construction contracts. The Board will not be assessed for any improvement district created pursuant to K.S.A. 12-6a01 et seq., and amendments thereto, or any other improvement district created under the laws of the State of Kansas.

- (2) The City shall pay One Hundred Percent (100%) of all Project Costs not expressly the Board's obligation to pay as provided in this Agreement.

3. **Financing**

- A. The Board shall provide financial assistance, as provided in Paragraph 2.C. above, towards the cost of the Project with funds budgeted, authorized, and appropriated by the Board and which are unencumbered revenues that are on-hand in deposits of Johnson County, Kansas. This paragraph shall not be construed as limiting the ability of the Board to finance its portion of the costs and expenses of the Project through the issuance of bonds or any other legally authorized method.

- B. The City shall pay its portion of the Project Costs with funds budgeted, authorized, and appropriated by the governing body of the City.
4. **Administration of Project.** The Project shall be administered by the City, acting by and through its designated representative who shall be the City public official designated as Project Administrator. The Project Administrator shall assume and perform the following duties:
- A. Cause the making of all contracts, duly authorized and approved, for retaining consulting engineers to design and estimate the Project Costs.
 - B. Submit a copy of the plans and specifications for the Project to the Johnson County Infrastructure Director for review, prior to any advertisement for construction bidding, together with a statement of estimated Project Costs which reflects the Board's financial obligation under the terms of this Agreement. The Infrastructure Director or his designee shall review the copy of the plans and specifications for the Project and may, but shall not be obligated to, suggest changes or revisions to the plans and specifications.
 - C. If required by applicable state or federal statutes, solicit bids for the construction of the Project by publication in the official newspaper of the City. In the solicitation of bids, the appropriate combination of best bids shall be determined by the City.
 - D. Cause the making of all contracts and appropriate change orders, duly authorized and approved, for the construction of the Project.
 - E. Submit to the to the Infrastructure Director a statement of actual costs and expenses in the form of a payment request, with attached copies of all invoices and supporting materials, on or before the tenth day of each month following the month in which costs and expenses have been paid. The Infrastructure Director shall review the statement or payment request to determine whether the statement or payment request is properly submitted and documented and, upon concurrence with the Finance Director of Johnson County, Kansas, ("Finance Director") cause payment to be made to the City of the Board's portion of the Project Costs within thirty (30) days after receipt of such payment request. In the event federal or state agencies require, as a condition to state or federal participation in the Project, that the Board

make payment prior to construction or at times other than set forth in this subsection, the Infrastructure Director and the Finance Director may authorize such payment.

- F. Cause a sign to be erected in the immediate vicinity of the Project upon commencement of construction identifying the Project as part of the CARS Program. The form and location of the sign shall be subject to the review and approval of the Infrastructure Director.

Upon completion of the construction of the Project, the Project Administrator shall submit to each of the parties a final accounting of all Project Costs incurred in the Project for the purpose of apportioning the same among the parties as provided in this Agreement. It is expressly understood and agreed that in no event shall the final accounting obligate the parties for a greater proportion of financial participation than that set out in Paragraph 2.C. of this Agreement. The final accounting of Project Costs shall be submitted by the Project Administrator no later than sixty (60) days following the completion of the Project construction.

It is further understood and agreed by the City, as administrator of this Project, to indemnify and hold the Board harmless for and from any costs, expenses or liabilities which result from actions or omissions of the City or its employees relating to or in connection with the administration or construction of the Project.

In addition, the City shall, and hereby agrees to, insert as a special provision of its contract with the general contractor ("Contractor") chosen to undertake the Project construction as contemplated by this Agreement the following paragraphs:

The Contractor shall, as permitted by law, defend indemnify and save the Board of County Commissioners of Johnson County, Kansas and the City harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit, action or otherwise for injuries and/or damages sustained to persons or property by reason of the acts or omissions of the Contractor, his or

her sub-contractors, agents or employees in the performance of this contract.

The Board of County Commissioners of Johnson County, Kansas shall be named as an additional insured on all policies of insurance issued to the Contractor and required by the terms of his/her agreement with the City.

5. Acquisition of Real Property for the Project

- A. The Board shall not pay any costs for acquisition of real property in connection with the Project.
- B. The City shall be responsible for the acquisition of any real property, together with improvements thereon, located within the City's corporate boundaries, which is required in connection with the Project; such real property acquisition may occur by gift, purchase, or by condemnation as authorized and provided by the Eminent Domain Procedure Act, K.S.A. 26-201 et seq. and K.S.A. 26-501 et seq., and any such acquisition shall comply with all federal and state law requirements.

6. Duration and Termination of Agreement

- A. The parties agree that this Agreement shall remain in full force and effect until the completion of the Project, unless otherwise terminated as provided for in Paragraph 6.B. herein below. The Project shall be deemed completed and this Agreement shall be deemed terminated upon written certification to each of the parties by the Project Administrator that the Project has been accepted as constructed. The City shall provide a copy of the Project Administrator's certification to both the Infrastructure Director and the Finance Director within thirty (30) days of the Project Administrator's determination that the Project is complete.
- B. It is understood and agreed that the Infrastructure Director shall review the status of the Project annually on the first day of March following the execution of this Agreement to determine whether satisfactory progress is being made on the Project by the City. It is further understood and agreed that the Board shall have the option and right to revoke funding approval for the Project and terminate this Agreement should the Board find, based upon the determination of the Infrastructure Director

that satisfactory progress is not being made on the Project. Should the Board exercise its option as provided herein, it shall send written notice of the same to the City and the Board shall have no further liability or obligation under this Agreement.

- 7. Placing Agreement in Force.** The attorney for the City shall cause sufficient copies of this Agreement to be executed to provide each party with a duly executed copy of this Agreement for its official records.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed by each of the parties hereto and made effective on the day and year first above written.

Board of County Commissioners of
Johnson County, Kansas

City of Prairie Village, Kansas

Annabeth Surbaugh, Chairman

Ronald Shaffer, Mayor

Attest:

Attest:

Casey Joe Carl
Clerk of the Board

City Clerk

Approved as to form:

Approved as to form:

Robert A. Ford
Assistant County Counselor

City Attorney



CITY CLERK DEPARTMENT

Council Committee Meeting Date: November 17, 2008
Council Meeting Date: December 1, 2008

COU2008-87 Consider Interlocal Agreement with Johnson County Park & Recreation District for use of City facilities for 50+ Programming

RECOMMENDATION

Recommend the City Council approve the Interlocal Agreement between the City of Prairie Village and the Johnson Country Park & Recreation District for the use of City facilities for 2009 50+ programming.

BACKGROUND

For the past several years the Johnson County Park & Recreation District and the City of Prairie Village have entered into an Interlocal Agreement which makes it possible for the District to provide programming in City facilities. As this is a cooperative approach to provide recreational and cultural, educational and social programming for senior citizens, the City allows the use of its facilities at no cost. The terms of the agreement have not changed from previous agreements approved by the City Attorney.

RELATED TO VILLAGE VISION

CC2a Coordinate recreation, community activities and cultural events.

CC2b Encourage neighborhood and homes associations, schools, and other major institutions to sponsor festivals, block parties, and other cultural events that are open to the public.

ATTACHMENTS

Proposed Agreement

PREPARED BY

Joyce Hagen Mundy
City Clerk

Date: November 12, 2008

2009 CITY OF PRAIRIE VILLAGE 50 PLUS FACILITY USE AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of _____, 2009, by and between the City of Prairie Village, Kansas, hereinafter referred to as the "City", and the Johnson County Park and Recreation District, hereinafter referred to as the "District", each party having been organized and now existing under the laws of the State of Kansas.

WHEREAS, K.S.A. 19-2862 authorizes the District to enter into contracts; and the City is authorized to enter into contracts by virtue of Article 12, Section 5, of the Kansas Constitution and K.S.A. 12-101; and

WHEREAS, the District has established and conducts a program to provide for the recreational, cultural, educational, and social needs of senior citizens; and

WHEREAS, the City has facilities available for such programs; and

WHEREAS, a coordinated approach to the provision of recreational and cultural services to the population is most effective and efficient; and

WHEREAS, the Governing Body of the City did approve and authorize its Mayor to execute this agreement by official vote of said body on the ____ day of _____, 2008; and

WHEREAS, the Governing Body of the District did authorize its chairperson to execute this agreement by official vote of said body on the ____ day of _____, 2008.

NOW, THEREFORE, in consideration of the above recitals, the mutual covenants and agreements herein contained, and for other good and valuable consideration, the parties agree as follows:

1. The District shall have access to and the use of city facilities for the term, times and use as hereinafter mutually agreed upon.
2. Duration of Agreement and Termination - This agreement shall be in effect from **January 1, 2009** through the period ending **January 1, 2010** provided that this agreement may be terminated by either party, giving at least 30 days' prior written notice to the other party of its intention to terminate this agreement; further provided that if the City or District shall fail or refuse to comply with any of the obligations or provisions herein agreed, the affected party shall have the right to notify the other party in writing of such default; and if the party so notified shall remain in default for 30 days thereafter, the affected party may elect to cancel this agreement immediately thereafter.

3. No Legal Entity Created - There will be no separate legal entity created under this agreement.
4. Purpose of the Agreement - The purpose of this agreement is to facilitate cooperation in the establishment and operation of recreational and cultural programs and to define responsibilities for the operation, finances, publicity, facility maintenance, and other matters pertaining to the programs.
5. Financing - Except as may be otherwise provided herein, the District shall provide all funding and personnel necessary to manage the 50 Plus programming.
6. Acquisition Holding, and Disposal of Property - The city facilities shall remain the property of the City. The District may not install any fixtures or make any physical changes to the premises and facilities of the City. Any equipment used in the city facilities will either be owned by the City or the District as listed in Appendix A. No equipment is to be jointly owned. In the event that this agreement is terminated, all property shall be returned to the owner agency. The maintenance, repair, replacement, and general upkeep of equipment shall be the responsibility of the owner except as otherwise provided in this agreement. The District will be responsible for the set up of the facility.
7. Administration of Agreement - The 50 Plus program at the Prairie Village City facilities shall be administered by the District.
8. Responsibilities

The District

- a. Shall provide all support supplies needed to maintain the programs to include office supplies, printing, etc., the cost to be the responsibility of the District.
- b. Shall provide all necessary personnel to establish and maintain quality programs.
- c. Shall permit only persons qualified to conduct programs, to instruct, lead or supervise the classes. It is the responsibility of the District to ensure that the instructors are qualified.
- d. Shall provide an annual report to the City Administrator which will include the number of programs, the number of people served, residency of persons served, an inventory of equipment, the class fee structure.
- e. Shall be responsible for moving tables and chairs to accommodate the programs conducted by the Parks and Recreation District. The District shall also be responsible for replacing the tables and chairs in the positions

required, if such placement does not occur a \$25 maintenance fee will be charged.

The City:

- a. Shall provide access to the Community Center and Municipal Building facilities during days and times agreed upon by the City and the District for programs. The City may choose to provide access at other dates and times provided that such approval is in writing and agreeable to both parties.
 - b. Shall furnish tables and chairs.
 - c. May provide access to kitchen facilities as required for special events, said access to be during non-lunch hours.
9. Indemnification - In case any action in court is brought against the City or City's representative, or any officer or agent, for the failure, omission, or neglect of the District or its officers, agents or employees to perform any of the covenants, acts, matters, or things by this Agreement undertaken, or for injury or damage caused, in whole or in part, by the alleged negligence or other actionable fault of the District, its officers, agents and employees, the District shall indemnify and save harmless the City and City's representative and its officers and agents, from all losses, damages, costs, expenses, judgments, or decrees, or portions thereof, arising out of such action and which arise from and are proximately caused by the negligent or other actionable fault of the District, its officers, agents or employees, provided, however, that the District shall have no liability greater than that provided under the Kansas Tort Claims Act, K.S.A. 75-6101, et seq. and amendments thereto.
10. Disclaimer of Liability - The City shall not be liable or obligated to the District or any participants in the program for any injuries or damages sustained while participating in any of the programs or for any damage incurred to the District or participants in its programs upon the premises by fire, theft, casualty, acts of God, civil disaster, and other occurrences and events beyond the control of the City.
11. Insurance - The District shall secure and maintain, or have maintained throughout the duration of this contract, insurance of such types and in such amounts as may be necessary to protect the District and the City against all hazards or risks generated by the District and the City against all hazards or risks generated by the District or any of its agents. The District shall offer to the City other evidence of such insurance coverage, and any and all renewals thereof, in the form of a Certificate of Insurance. This certificate of insurance shall list the City of Prairie Village as an additional insured. The Certificate shall list the following insurances:

General Aggregate	\$2,000,000
Products and Completed Operations	\$2,000,000
Personal/Advertisement Injury	\$ 500,000
Fire Damage	\$ 300,000
Each Occurrence	\$ 500,000

Workers Compensation and Employers Liability as determined by Kansas Statutes.

12. Miscellaneous Provisions By the terms of this agreement, the 50 Plus program is a program of the District; provided, however, since the City is providing the facilities for the programs, every effort shall be made by both agencies to inform the participants and the public that the programs are made possible through the joint efforts of the District and the City.
13. Verbal Statements Not Binding - It is understood and agreed that the written terms and provisions of this agreement shall supersede all prior verbal statements of any and every official and/or other representative of the City and District, and such statements shall not be effective or be construed as entering into, forming a part of, or altering in any way whatsoever the written agreement.
14. Inspection of Premises by City - The City shall have the right to inspect the premises and facilities occupied by the District at all reasonable times.
15. Provisions Separable - It is the intent of the parties hereto in the preparation and execution of the agreement to avoid a conflict with the applicable laws or regulations of the State of Kansas; and if any provision herein is found to be in conflict with the regulation, it is the intent of the parties hereto that such provision shall have no force and effect, and the remainder of the agreement shall be valid as though such conflicting provision had not been written or made a part hereof.
16. Nonassignability of Agreement - This agreement shall not be assigned, transferred, or sold, nor the premises and facilities corporation, in whole or part, except with the express written consent of the City.
17. Placing Agreement in Force - The City shall cause three copies of this agreement to be executed and each party hereto shall receive a duly executed copy of this agreement for its official records.

IN WITNESS WHEREOF, four copies of the above and foregoing agreement have been executed by each of the parties on the day and year first above written.

DATE: _____

CITY OF PRAIRIE VILLAGE, KANSAS

Ronald L. Shaffer, Mayor

ATTEST:

Joyce Hagen Mundy, City Clerk

Catherine P. Logan, City Attorney

DATE: _____

JOHNSON COUNTY PARK AND
RECREATION DISTRICT

Nancy Wallerstein, Chair
BOARD OF COMMISSIONERS

ATTEST:

Dr. Marvin E. Wollen, Secretary

APPROVED AS TO FORM:

District Legal Counsel

APPENDIX

This appendix lists the equipment referenced on page 2 paragraph 6 of the Facility Use Agreement between the City of Prairie Village and Johnson County, Kansas for the use of the Prairie Village Community Center:

The following equipment is solely the property of the City of Prairie Village

Description

Garbage Disposal - in-sink Erator (Pro-Series)
Refrigerator/Freezer
 Whirlpool-ET20DKXS
Tile Wall Mural
Television/VCR Unit – installed on ceiling
 RCAVG4240 (donated to the City)
Piano (donated to City by Unitarian-Universalist Fellowship)
Dover Grey Folding Tables
 5 - 30 x 96
Blue Padded Chairs - 45



CITY CLERK DEPARTMENT

Council Committee Meeting Date: November 17, 2008

Council Meeting Date: December 1, 2008

COU2008-82 Consider Renewal of a Special Use Permit for the operation of a Day Care Program at 7501 Belinder Avenue

RECOMMENDATION

City Council adopt an ordinance approving the renewal of a Special Use Permit for the operation of a daycare program by the Kansas City Autism Training Center at the Congregation Kol Ami property described as 7501 Belinder Avenue, Prairie Village, Kansas.

BACKGROUND

The Kansas City Autism Training Center has requested renewal of their Special Use Permit for the operation of a child care program at Congregation Kol Ami located at 7501 Belinder Avenue. KCATC provides professional, research-based interventions and training for children with a pervasive developmental disorder and their families. This care center is different in that this facility will provide education to parents, educators, therapists and other direct service providers in the Kansas City area. The hours of operation will be from 8 a.m. to 5 p.m. The center is seeking to expand its program from 10 to 15 students with the addition of a transitioning classroom for students prior to their return to the normal school setting. The care center uses three classrooms, the Fellowship Hall, the kitchen and cafeteria and the fenced outside play area.

In accordance with the Commission's Citizen Participation Policy, a neighborhood meeting was held with no one attending and no one was present to address the Commission during the public hearing held November 4, 2008.

The Planning Commission found the findings of fact to be favorable for the reasons set forth in the minutes of their November 4, 2005 meeting (attached) and recommends that the City Council approve a Special Use Permit for the operation of a child care program at the Congregation Kol Ami located at 7501 Belinder Avenue by the Kansas City Autism Training Center subject to the following conditions:

1. That the child care center be approved for a maximum of 15 children
2. That the child care center be permitted to operate year round from 8 a.m. to 5 p.m. subject to the licensing requirements of the Kansas Department of Health and Environment.
3. That the Special Use Permit be issued for the child care center for a period of five years from the date of City Council approval and that if the applicant desires to continue the use after that time period expires, they shall file a new application for reconsideration by the Planning Commission and City Council.
4. If this permit is found not to be in compliance with the terms of approval of the Special Use Permit it will become null and void within 90 days of notification of noncompliance unless noncompliance is corrected.

ATTACHMENTS

Planning Commission Minutes - November 4, 2008
Proposed Ordinance

PREPARED BY
Joyce Hagen Mundy, City Clerk

DATE:
November 10, 2008

ORDINANCE ____

AN ORDINANCE APPROVING THE RENEWAL OF A SPECIAL USE PERMIT FOR THE OPERATION OF A CHILD CARE PROGRAM BY THE KANSAS CITY AUTISM TRAINING CENTER ON PROPERTY KNOWN AS THE CONGREGATION KOL AMI OTHERWISE DESCRIBED AS 7501 BELINDER AVENUE, PRAIRIE VILLAGE, KANSAS

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

Section I. Planning Commission Recommendation. At its regular meeting on November 4, 2008, the Prairie Village Planning Commission held a public hearing, found the findings of fact to be favorable and recommended that the City Council approve a Special Use Permit for the operation of a child care program by The Kansas Autism Training Center (KATC) at the Congregation Kol Ami at 7501 Belinder Avenue subject to the following conditions:

7501 Belinder Avenue subject to the following conditions:

1. That the child care center be approved for a maximum of 15 children
2. That the child care center be permitted to operate year round from 8 a.m. to 5 p.m. subject to the licensing requirements of the Kansas Department of Health and Environment.
3. That the Special Use Permit be issued for the child care center for a period of five years from the date of City Council approval and that if the applicant desires to continue the use after that time period expires, they shall file a new application for reconsideration by the Planning Commission and City Council.
4. If this permit is found not to be in compliance with the terms of approval of the Special Use Permit it will become null and void within 90 days of notification of noncompliance unless noncompliance is corrected.

Section II. Findings of the Governing Body. At its meeting on December 1, 2008, the Governing Body adopted by specific reference the findings as contained in the minutes of the Planning Commission meeting of November 4, 2008, and the recommendations of the Planning Commission and approved the Special Use Permit as docketed PC2008-11.

Section III. Granting of the Special Use Permit. Be it therefore ordained that the City of Prairie Village grant a Special Use Permit to the Congregation Kol Ami for the Kansas City Autism Training Center to operate a child care program at 7501 Belinder Avenue, Prairie Village, Kansas subject to the four specific conditions listed above.

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

PASSED AND ADOPTED THIS 1st DAY OF DECEMBER, 2008.

CITY OF PRAIRIE VILLAGE, KANSAS

By: _____
Ronald L. Shaffer, Mayor

ATTEST:

APPROVED AS TO FORM:

Joyce Hagen Mundy, City Clerk

Catherine P. Logan, City Attorney

**PLANNING COMMISSION MINUTES
MEETING OF NOVEMBER 4, 2008**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, November 4, 2008 in the Council Chamber, 7700 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Randy Kronblad, Bob Lindeblad, Dale Warman, Marlene Nagel, Nancy Vennard and Dirk Schafer.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, Planning Consultant; Dennis Enslinger, Assistant City Administrator; Bob Pryzby, Director of Public Works; Jim Brown, City Building Official; Andrew Wang, Council Liaison and Joyce Hagen Mundy, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Nancy Vennard moved approval of the minutes of October 7, 2008 with clarification of Bob Jones' comments on page 7. The motion was seconded by Randy Kronblad and passed unanimously.

PUBLIC HEARINGS

**PC2008-11 Request for Renewal of a Special Use Permit for a DayCare Center at
7501 Belinder**

Chairman Ken Vaughn reviewed the rules and procedures for the public hearing.

Ron Johnson, President and Executive Director of the Kansas City Autism Center, addressed the Commission with their request for renewal of their existing Special Use Permit for the operation of a daycare center for children with autism. The program currently has seven children as three have recently graduated from their two year program and are now attending school. Mr. Johnson noted others will be transitioning soon.

The Kansas City Autism Training Center (KCATC) operates a child care center for 5-10 children between infancy and age 7. KCATC provides professional, research-based interventions and training for children with a pervasive developmental disorder and their families. Their care center also provides education to parents, educators, therapists and other direct service providers in the Kansas City area. The hours of operation for the care center are from 8:00 a.m. to 5:00 p.m. year round except for Holidays. Mr. Johnson

stated they want to expand their program from 10 to 15 students as they would like to add a transistioning classroom where their students could intermingle with regular students. Mr. Johnson noted they now occupy three classrooms in addition to the Fellowship Hall, the kitchen and the cafeteria inside the facility and the outside playground area which is fenced.

Ron Johnson stated they held a neighborhood meeting on October 26, 2008, in accordance with the Planning Commission Citizen Participation Policy and no residents attended the meeting.

Nancy Vennard asked the ages of their students. Mr. Johnson responded they are age 2½ to 7 with the majority of the students being younger. They have been successful in addressing autism when identified early. Their state license allows them to have children age 2½ to 12. Although they are licensed and classified by the state as a daycare program, they are essentially an individualized education program for these special need students.

Bob Lindeblad asked staff to address the references to maintenance of the parking lot and area in their report .and the history of the problems. Mr. Williamson stated these were added as conditions to the Special Use Permit to ensure that they were addressed by the property owner. Mr. Lindeblad confirmed the applicant is not the property owner and questioned why the conditions were included in the Special Use Permit for the applicant as the applicant has no control over what happens on the property.

Randy Kronblad asked if the property owner had been notified of this meeting and recommendation. Staff responded they had not.

Marlene Nagel asked if their state license would allow for the additional students. Mr. Johnson responded their license allows for up to 30 students.

Dirk Schafer asked if there were any time constraints on the approval of this application. Ron Williamson noted the applicant's permit has expired but they would be allowed to continue to operate if the application was continued to another meeting date.

With no one else wishing to address the Commission on this application, Chairman Ken Vaughn closed the public hearing at 7:45 p.m.

Bob Lindeblad asked for more history on the maintenance problems on this property. Dennis Enslinger stated the Code Enforcement Officer received a complaint approximately a month ago regarding the compost pile and has been working with the property owner to find a solution. The codes do not specifically address compost piles on non-residential property and staff would recommend the issue be handled administratively with staff approval of the site plan for the compost pile and the repair of the parking lot.

Ken Vaughn asked if this needed to be tied to this application. Mr. Enslinger felt doing so would give more strength to the city in seeking compliance from the property owner.

Mr. Williamson noted the west parking lot is ok; however, the east parking lot that is being used by the center is in need of repair.

Nancy Vennard noted the compost pile used to be a public garden under the previous ownership.

Ken Vaughn and Randy Kronblad felt these issues should not be tied to the renewal of the Special Use Permit and that the application should be approved. Mr. Williamson noted the east parking lot provides access to the school and feels it is therefore related to the permit. Bob Lindeblad stated it is not the place of the Planning Commission to get into the repair of parking lots and property maintenance issues. Mr. Vaughn stated it would be different if the structure were not safe for use by the center for their students. Mr. Kronblad stated he does not want to penalize the Center on issues and property that it does not own nor can control.

Chairman Ken Vaughn let the Commission in consideration of the findings of fact relative to the request.

1. **The proposed special use complies with all applicable provisions of these regulations including intensity of use regulations, yard regulations and use limitations.**
The child care program is contained within an existing building and fenced playground which is in compliance with the zoning regulations.
2. **The proposed special use at the specified location will not adversely effect the welfare or convenience of the public.**
The child care program will be an asset to the community because it will provide a much needed service for taking care of the children with pervasive development disorders. This is a small but unique type of care center that meets a need that others do not.
3. **The proposed special use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.**
The child care center, is located within an existing structure, and has not created any problems for the adjacent property in the neighborhood. The City has not received any complaints about this use. The applicant has requested approval for five year period so it can be reevaluated at that time.
4. **The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it, are such that this special use will not dominate the immediate neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use permit will so dominate the immediate neighborhood, consideration shall be given to: a) the location size and nature of the height of the building, structures, walls and fences on the site; and b) the nature and extent of landscaping and screening on the site.**

The child care center currently accommodates a small group of children, less than 10, and will use the synagogue facility during normal working hours. This use will not have a dominating effect in the neighborhood because it is for a small number of children and it will be located within an existing building. The applicant is proposing to increase the number of children to 15, which is still a very small use.

5. **Off street parking and loading areas will be provided with standards set forth in these regulations, and areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.**
The child care center uses the existing off street parking and loading areas that are currently being provided by the synagogue. The operation of the child care center will not be operating at the same time as other events at the synagogue. The west parking lot is in good condition, but the asphalt in the east parking lot is in poor condition. While visiting the site, the east lot appeared to be the lot that is used the most for picking up and dropping off people.
6. **Adequate utility, drainage and other necessary utilities have been or will be provided.**
Since this use will be occupying an existing facility, utility services are already provided.
7. **Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent hazards and to minimize traffic congestion in public streets and alleys.**
Adequate entrance and exit drives currently exist at the facility and this proposed special use will utilize the existing infrastructure that is already in place.
8. **Adjoining properties will be adequately protected from any hazardous or toxic materials, hazardous manufacturing processes, obnoxious odors, or unnecessary intrusive noises.**
This particular use does not have any hazardous materials, processes, odors or intrusive noises that accompany it. However, there is a compost pile on the east end of the parking lot that is unsightly and not well maintained. It is not a part of the child care operation, but it needs to be cleaned up and screened so that it is not a nuisance to the neighborhood. This is an issue the property owner needs to address. There have been complaints by surrounding neighbors.
9. **Architectural style and exterior materials are compatible with such style and materials used in the neighborhood in which the proposed structure is to be built or located.**
The special use has not required any changes in the exterior architecture or style of the existing building.

Marlene Nagel moved the Planning Commission find favorably on the findings of fact and approve PC2008-11 recommending the City Council renew the Special Use Permit

for the operation of a child care program by the Kansas City Autism Training Center at 7501 Belinder Avenue subject to the following conditions:

1. That the child care center be approved for a maximum of 15 children
2. That the child care center be permitted to operate year round from 8 a.m. to 5 p.m. subject to the licensing requirements of the Kansas Department of Health and Environment.
3. That the Special Use Permit be issued for the child care center for a period of five years from the date of City Council approval and that if the applicant desires to continue the use after that time period expires, they shall file a new application for reconsideration by the Planning Commission and City Council.
4. If this permit is found not to be in compliance with the terms of approval of the Special Use Permit it will become null and void within 90 days of notification of noncompliance unless noncompliance is corrected.

The motion was seconded by Randy Kronblad and passed unanimously.

**PC2008-10 Request for Conditional Use Permit for Drive-thru
8200 Mission Road**

Ken Vaughn stated the applicant has requested this application be continued. Bob Lindeblad moved the Commission continue consideration of PC2008-10 to the December meeting of the Planning Commission. The motion was seconded by Dale Warman and passed by a vote of 6 to 0 with Dirk Schafer abstaining.

NON-PUBLIC HEARINGS

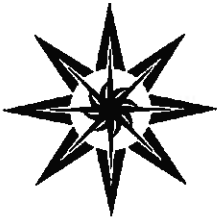
**PC2008-115 Site Plan Approval for Retail Building on the SW corner of
Somerset and Mission Road**

Ken Vaughn stated the applicant has requested this application be continued to the December meeting of the Planning Commission. Bob Lindeblad moved the Commission continue consideration of PC2008-115 to the December meeting of the Planning Commission. The motion was seconded by Randy Kronblad and passed by a vote of 6 to 0 with Dirk Schafer abstaining.

**PC2008-113 Site Plan Approval
3500 West 75th Street**

Steve Shelter, addressed the Commission representing the owners of the buildings, with their request to construct a ten bay carport in the parking lot of their office building complex. They had originally proposed to locate the carport adjacent to Windsor Street and applied for a variance but was denied by the Board of Zoning Appeals. The new location meets all the setback requirements of the zoning ordinance and is situated where it will not be very visible from adjacent streets or residences and will be more accessible to both buildings.

The design of the carport is the same as the previous proposal which is unique and appears that it will complement the two existing buildings. The carport roof is a flat



ADMINISTRATION DEPARTMENT

Council Meeting Date: November 17, 2008

COU2008-84: Consider Joint City/County Legislative Platform

RECOMMENDATION

Staff recommends City Council adopt the 2009 Joint Legislative Platform as written.

BACKGROUND

Every year the Council develops and adopts a Legislative Program that establishes the City's legislative priorities for the upcoming session. The concept of a joint platform came out of the 2007 Leadership Summit and was later agreed upon at a special meeting of the Council of Mayors. This year's platform is the result of a series of meetings hosted by the County and attended by area managers and mayors.

The continual goal of the joint platform is to assert the common positions among the cities and the county and then relay those positions to our representatives. For the 2009 platform four of the six issues are being held over from last year with the two new additions being the maintenance of the existing E911 funding and the legal notice publications.

ATTACHMENTS

Draft copy of Joint 2009 County/City Legislative Platform and copy of Prairie Village 2008 Legislative Platform.

PREPARED BY

Chris Engel
Assistant to the City Administrator
Date: 11/11/08

JOINT 2009 COUNTY/CITY LEGISLATIVE PLATFORM (DRAFT 11-3-08)

Johnson County is a community of communities. Representatives of County and Municipal government within Johnson County have met and agreed that the following issues are mutually important to their respective interests.

COMPREHENSIVE TRANSPORTATION PLAN

Recognizing that transportation infrastructure is critical to public safety and quality of life, Johnson County government and the Cities within Johnson County support maintaining funding for the comprehensive transportation plan and encourages KDOT to give economic development greater consideration in the awarding of grants to local governments to build and reconstruct critical highway infrastructure, new infrastructure and other transportation mobility options. Further, Johnson County government and the Cities within Johnson County vigorously oppose any action of the state to reallocate federal transportation monies earmarked for and shared with counties and cities to finance any state revenue shortfalls in a comprehensive transportation program.

KANSAS OPEN RECORDS AND OPEN MEETINGS ACT

Johnson County government and the Cities within Johnson County believe that an open government is essential to building public confidence. However, we recognize that in some circumstances the public interest is better served by preventing the disclosure of sensitive information. Johnson County government and the Cities within Johnson County support the retention of the exceptions in the Kansas Open Records Act and the permitted subject matters for executive sessions contained in the Open Meetings Act currently found in the law.

LOCAL OPTION FOR PUBLIC EMPLOYER-EMPLOYEE RELATIONS ACT

Because local governments should remain empowered to decide collective bargaining issues based upon local conditions, circumstances, needs, values, and the desires of local taxpayers, Johnson County government and the Cities within Johnson County oppose the removal or preemption of the local option provision from the Public Employer-Employee Relations Act (PEERA).

DEMAND TRANSFERS

Johnson County government and the Cities within Johnson County support the reinstatement and full funding of the State's three revenue sharing programs with local governments, known as "demand transfers," at the statutorily required levels and oppose legislation that would further reduce or eliminate this aid, particularly if reductions are not replaced with fair and adequate alternate sources of revenue. We recognize that the Kansas Expanded Lottery Gaming Act passed during the 2007 legislative session which contains provisions that the State's portion of expanded gaming revenue will be used in part to restore the LAVTRF. We applaud this action and encourage the Legislature to retain this funding.

MAINTAIN EXISTING 911 FUNDING AUTHORIZATIONS TO 2020

Johnson County seeks to preserve the current E9-1-1 funding mechanisms for the next ten years. Ongoing changes in commercial communications technologies require ongoing technology and equipment enhancements to E9-1-1 and public safety communications systems to ensure the provision of effective E9-1-1 service. Continuation of existing E9-1-1 funding mechanisms is essential to meet that service goal.

LEGAL NOTICE PUBLICATION

Johnson County supports legislation to allow for electronic posting of legal notices. State law requires local governments to publish legal notices in each jurisdiction's publication of record. As a result, there are considerable costs to taxpayers. Allowing for posting of legal notices on the County's website not only allows for more residents to have easy access to the information but results in considerable tax dollar savings. As a final consideration, information on the website is free, while residents must purchase newspapers.

City of Prairie Village Johnson County



2008 Legislative Priorities

Open Records – The City of Prairie Village believes that an open government is essential to building public confidence. The City recognizes that in some circumstances the public interest is better served by preventing the disclosure of sensitive information. The City supports the retention of the exemptions in the Kansas Open Records Act and the permitted subject matters for executive sessions contained in the Open Meetings Act currently found in law.

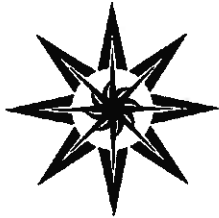
Right of Way Management – The City of Prairie Village desires to maintain management of the right-of-way. The City opposes any legislation aimed at limiting the authority of local governments to manage their right-of-way or to recover public costs when such property is necessarily used by regulated and non-regulated utilities or service providers, including reasonable franchise fees.

Local Option for Public Employer-Employee Relations Act (PEERA) – The City of Prairie Village opposes any legislation that would remove the local option provision for the Public Employer-Employee Relations Act. The City would oppose any federal or state mandate that would require collective bargaining at the local level.

Comprehensive Transportation Plan – The City of Prairie Village supports maintaining the funding for the comprehensive transportation program that will address transportation needs at both the state and local levels. Further, the City would oppose any action of the State to reallocate federal transportation monies earmarked for and shared with counties and cities to finance any State revenue shortfalls in the Comprehensive Transportation Program (CTP).

Demand Transfers – The City of Prairie Village supports the reinstatement and full funding of the State's three revenue sharing programs with local governments. The City would also oppose any legislation that would further reduce or eliminate this aid, particularly if reductions are not replaced with fair and adequate alternative sources of revenue.

State Funding of Public Education – The City of Prairie Village supports legislation that would remove or raise school districts' local option budget cap – the limit on money a district can raise through taxes above its basic state aid. The City does not oppose a state tax increase to fund public education.



POLICE DEPARTMENT

Council Meeting Date: November 17, 2008

COU2008-85: Consider Installing Security Measures for Council/Court

RECOMMENDATION

Staff recommends the City Council approve the funding for installation of door locks, security cameras and bullet-resistant glass to increase the safety and security of employees and citizens in the Municipal Complex.

Cost Breakdown:	Security door locks	\$14,899
	Security cameras	5,730
	Bullet-resistant glass	<u>7,047</u>
	TOTAL FUNDS	<u>\$27,676</u>

COUNCIL ACTION REQUESTED ON: December 1, 2008

SUGGESTED MOTION

I move that Contingency funds, in the amount of \$27,676, be allocated to purchase and install door locks, security cameras, recording devices, and bullet resistant glass as recommended by staff.

BACKGROUND

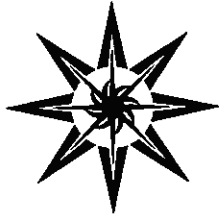
Recent events involving threats and violence at public meetings and judicial proceedings prompted the Police Department to review the safety of public officials, employees, and the general public conducting business at the Municipal Complex. City Council was presented with the results of the survey and the need to add security measures. Specific recommendations were made to add security locks to eight doors throughout City Hall, install security cameras to record and monitor activity around the Court Clerks Office, entrance to Finance/City Clerk/Council Chambers, and the Council/Court Chambers.

FUNDING SOURCE

Staff recommends the allocation of funds through Contingency.

PREPARED BY

Wes Jordan
Chief of Police
Date: November 17, 2008



POLICE DEPARTMENT

Council Meeting Date: November 17, 2008

COU2008-86: Consider Upgrading the Police Department's CAD (Computer Aided Dispatching) and Records Management Systems.

RECOMMENDATION

Staff recommends the City Council approve the funding to upgrade Police Department communications by partnering with the Johnson County Intergraph Network. The Police Department will make considerable technology upgrades to police dispatching and records management. In addition, the Department will add mobile data capability in order to improve efficiencies and reduce duplicate work. By joining the Intergraph Network, the Department will be able to take advantage of an interagency cooperative at a substantially lower price than a "stand alone" system.

COUNCIL ACTION REQUESTED ON: December 1, 2008

SUGGESTED MOTION

I move that funds be allocated from the Equipment Reserve Fund to finance the proposed Intergraph System and related equipment expenses as recommended by Staff.

BACKGROUND

The Department has sought to take advantage of new technologies to enhance dispatching, records management, and the use of laptop computers in patrol units and reduce multiple user redundancies. The current system is approximately 10 years old and operates on an AS400 platform. Currently, every agency in Johnson County except Lenexa and Prairie Village are part of the cooperative Intergraph Network. The Department would have access to real-time information, while improving interoperability through an integrated system.

FUNDING SOURCE

The Records Management/CAD System upgrade is budgeted as part of the 2009 Technology Needs List. The list is being funded by the 2009 proceeds from the new Jail Sales Tax. The sales tax proceeds will be deposited in the Equipment Reserve Fund and the purchase of this system will be made from that fund. Staff is recommending the purchase at this time for the following reasons and/or financial incentives:

FUNDING SOURCE (continued)

- The Overland Park IT Team is available to assist for the next six months. (They are installing the proposed system and providing training at no cost to our agency.)
- Intergraph has offered payment incentives due to fourth quarter sales goals.
- We will save approximately \$40,000 in maintenance fees.

ATTACHMENTS

Intergraph Cost Summary

PREPARED BY

Wes Jordan

Chief of Police

Date: November 17, 2008

software	QTY	cost	total cost	maint
MS windows Server client	10	41	\$ 410.00	N/A
I/Dispatcher	3	17490	\$ 52,470.00	\$ 8,424.00
I/Mobile	8	1060	\$ 8,480.00	\$ 1,440.00
I/Leads Client	15	1590	\$ 23,850.00	\$ 3,960.00
shipping			\$ 60.00	
TOTAL			\$ 85,270.00	\$ 13,824.00

As the proposal reads now.

Here is the 2 shipment and payment option breakdown.

First shipment on Dec 29th. Invoice would be sent with 30 day terms-payment would be due Jan 29th

MS windows Server client	5	41	\$ 205.00	N/A
I/Dispatcher	1	17490	\$ 17,490.00	\$ 2,808.00
I/Mobile	4	1060	\$ 4,240.00	\$ 720.00
I/Leads Client	7	1590	\$ 11,130.00	\$ 1,848.00
shipping			\$ 30.00	
Amount due on Jan 29th			\$ 33,095.00	\$ 5,376.00

Second shipment on Jan 31st. Invoice would be sent with 30 day terms-payment with due March 3rd

MS windows Server client	5	41	\$ 205.00	N/A
I/Dispatcher	2	17490	\$ 34,980.00	\$ 5,616.00
I/Mobile	4	1060	\$ 4,240.00	\$ 720.00
I/Leads Client	8	1590	\$ 12,720.00	\$ 2,112.00
shipping			\$ 30.00	
Amount due on March 3rd			\$ 52,175.00	\$ 8,448.00
First half			\$ 33,095.00	\$ 5,376.00
second half			\$ 52,175.00	\$ 8,448.00
total			\$ 85,270.00	\$ 13,824.00

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
November 17, 2008
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 – November 3, 2008
- 2. Claims Ordinance #2853
- 3. Approve Engineering Change Order #1 (FINAL) with BHC Rhodes for a decrease of \$16.50 to Project 190719: 2008 Storm Drainage Repair Program.
- 4. Approve Engineering Change Order #1 (FINAL) with BHC Rhodes for a decrease of \$27,366.74 to Project 190868: Roe Avenue (CARS) resurfacing (91st Street to Somerset Drive).
- 5. Authorize the continuation of ongoing or multi-year agreements for 2009.
- 6. Authorize the continuation of ongoing or auto renew agreements for 2009.

By Committee:

- 7. Approve Construction Change Order #1 (final) with O'Donnell & Sons Construction for an increase of \$13,129.60 to Project 190863: Shawnee Mission East High School Parking Expansion bringing the final contract amount to \$296,162.95. (Council Committee of the Whole Minutes – November 3, 2008)
- 8. Approve the agreement with Lowenthal, Singleton, Webb & Wilson to audit the City's 2008 Financial Statements. (Council Committee of the Whole Minutes – November 3, 2008)
- 9. Adopt the proposed revisions to the City's Record Retention Schedule and amendment to Council Policy CP036 entitled "Records Management Program." (Council Committee of the Whole Minutes – November 3, 2008)

VI. STAFF REPORTS

VII. COMMITTEE REPORTS

Council Committee of the Whole

COU2007-27 Consider Project 190864: 2008 Street Resurfacing Program Engineering Change Order #1 – Construction Administration – David Voysey

VIII. OLD BUSINESS

IX. NEW BUSINESS

X. ANNOUNCEMENTS

XI. ADJOURNMENT

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

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

CONSENT AGENDA

CITY OF PRAIRIE VILLAGE, KS

November 17, 2008

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
NOVEMBER 3, 2008**

The City Council of Prairie Village, Kansas, met in regular session on Monday, November 3, 2008, at 7:30 p.m. in the Council Chambers of the Municipal Building.

ROLL CALL

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

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

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

PRESENTATION

Mayor Ron Shaffer welcomed Prairie Village residents and Shawnee Mission School District Superintendent Dr. Gene Johnson and School Board President Donna Bysfield. Dr. Johnson provided an update on construction activities noting the improvements to Shawnee Mission East will be substantially completed by August, 2009 and the new Highland Elementary School will open in August, 2010. The school district continues to add signature programs to its high school curriculum and noted SME is offering a pre-law program this year. Dr. Johnson acknowledged the financial difficulties being faced by the district which will operate with a \$4,000,000 deficit this year. Patrons

will see a tightening of the belt in the years to come with the district continuing to strive to maintain its low student/teacher ratio. He noted because of the age of many of the school facilities, there will continue to be bond issues.

Donna Bysfield acknowledged the positive relationship that exists between the City and the School District and thanked the City for all it does to support the district. She specifically acknowledged the city's support in the construction of additional parking at Shawnee Mission East.

Diana Ewy Sharp thanked the school district for their support in addressing concerns of the residents and the city. She asked if there were any plans for the use of Somerset Elementary School when Highland moves into their new school. Mrs. Bysfield responded the District is in the final year of its 5-year plan for that site and will seek community input as it looks to the future use of that site. Dr. Johnson noted that in the past fifteen years, the District has replaced 40% of its elementary schools and he expects this to continue as facilities age. There have not been any discussions at this time on the future use of the Somerset Elementary property.

Michael Kelly thanked the school district for its participation in the recent visit by representatives of Sister City, Dolyna, Ukraine.

PUBLIC PARTICIPATION

No one was present to address the Council.

CONSENT AGENDA

David Voysey moved the approval of the Consent Agenda for November 3, 2008:

1. Approve Regular Council Meeting Minutes - October 20, 2008
2. Approve Construction Change Order #2 (final) with Musselman & Hall Contractors for a decrease in the final contract amount of \$528.43 bringing the final contract amount to \$125,021.57
3. Approve City Council Policy CP258 to include the Manual of Best Management Practices for Stormwater Quality adopted by the Kansas City Metro Chapter of American Public Works and the Mid-American Regional Council as part of the City's Infrastructure Manual.

4. Adopt Ordinance 2180 establishing erosion and sediment requirements and controls on any new development or redevelopment projects that disturb the land.
5. Adopt Ordinance 2181 establishing post construction minimum stormwater management requirements and controls on any new development or redevelopment projects that disturb the land.
6. Adopt Ordinance 2182 establishing stream setback requirements and controls.

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

STAFF REPORTS

Public Safety

- Chief Jordan distributed pictures of vandalism that occurred last Friday evening at Harmon Park. The graffiti reflects gang insignia. They have made one arrest of a 19 year-old and their investigation is continuing. He does not believe gangs to be a problem in Prairie Village but noted their presence in neighboring northeast Johnson County cities.
- The 2008 public safety budget for fuel has been spent as of September 30. The department will have an anticipated shortfall of \$12,000 to \$15,000.
- Chief Jordan was pleased to report, with the support of Johnson County Sheriff Frank Denning, the cities assessment for participation in JIAC has been dropped.
- Traffic problems are anticipated near Briarwood and Belinder schools during voting hours tomorrow. The department is reallocating its traffic officers to assist with traffic at polling sites.
- Chief Jordan stated he is working on an ordinance to address vagrancy; noting currently the City can not take any action if an individual chooses to live in their car.
- The vendor for the new records management program for public safety has come in at a cost significantly lower than what was anticipated and budgeted. Chief Jordan acknowledged the assistance of the City of Overland Park in their negotiations.
- Eleven officers were recently invited to dine with Claridge Court residents. The department will reciprocate with a special tour of their department for the residents.
- Officer Adam Taylor is coordinating a dodge ball tournament for the benefit of special Olympics and noted the tournament was open to all.
- Chief Jordan noted he will be attending the International Association of Police Chiefs Conference later this week.

Public Works

- Bob Pryzby stated he recently attended the ADA conference and noted changes are forth coming to the ADA Standards. He anticipates they will be out in June, 2009. There have not been many changes at the state level; but there will be changes relative to pool operations according to the new "recreation" regulations that will be adopted.

- The Federal regulations will require every pool drain to meet the standards of the consumer products safety council. He has contacted Water Technologies, our pool contractor, to look into the new regulations on behalf of the City and provide recommendations. However, he feels our current system will meet the new code.

Finance

- Karen Kindle reported the proposals for the financial software are due on Wednesday with the City already receiving its first proposal. Based on the calls and questions she has received, she expects the City to receive several quality proposals.
- In 2007, the City selected Springsted to serve as the City's Financial Advisor based on the expertise of their account representatives. However, our representative has left Springstead and subsequently, the City has not been getting the supported desired. Staff has decided to put out an RFP as soon as possible for a new Financial Advisor with the Finance Committee assisting in the selection process.

Codes Administration

- Dennis Enslinger reported the City's recent E-Recycle event was very successful with four and a half semi-trailers worth of material collected representing 72,000 pounds. It is estimated that more than 500 cars dropped off material. Mr. Enslinger thanked Shawnee Mission East, public works crews, the Environment/Recycle Committee and co-participating cities.

Administration

- Quinn Bennion advised the Council that City staff will continue to work the process for implementation of the drainage ordinances adopted earlier to make it as easy as possible for residents.
- City employees recently attended meetings on the new health insurance program options with representatives of Blue Cross/Blue Shield.
- The City received quotes for renewal of the vision and dental plans that were within budget and were approved by staff.
- SureWest representatives have informed the City they will not be providing service in the City in 2008 as anticipated, but do expect to begin service in 2009. It will take longer to get city approval of their equipment boxes. City staff continues to work with them.
- United Community Services has requested a Prairie Village representative for the Drug and Alcohol Committee. The committee is responsible for making recommendations on the distribution of alcohol funds received by cities.
- A graduate intern from the University of Kansas will begin working 8 hours a week to assist the City for the next eight weeks while Jeanne Koontz is out on leave.
- Quinn noted that Wednesday is his one-year anniversary with the City and shared reflections with the Council on the past year as well as the future.

COMMITTEE REPORTS

Sister City Committee - Michael Kelly

Michael Kelly thanked all who participated in the recent visit by representatives from Dolyna. The delegation was very appreciative of the time spent with department heads, their host families and the special events planned for their visit. The Sister City Committee is looking into continuing this relationship through the following possible activities: 1) Arts Cultural Exchange; 2) Business Exchange; 3) Student Exchange and 4) City Staff Exchange. Mayor Shaffer asked Mr. Kelly to thank the committee for their work making this a very successful visit for all involved.

OLD BUSINESS

Charles Clark noted he has confirmed the date of Tuesday, January 20th with Joyce DiDanto for a special event to be held at Homestead Country Club acknowledging Ms. DiDanto's accomplishments. He encouraged Council members to mark this date on their calendar.

NEW BUSINESS

There was no New Business to come before the Council.

Executive Session.

David Voysey moved pursuant to KSA 74-4319(b)(2) that the Governing Body, recess into Executive Session for a period not to exceed 30 minutes for the purpose of consulting with the City Attorney on matters which are privileged in the attorney-client relationship.

Present will be the Mayor, City Council, City Administrator, Assistant City Administrator and Assistant City Attorney. The motion was seconded by Andrew Wang and passed unanimously.

Mayor Shaffer reconvened the meeting at 8:55 p.m.

David Voysey moved pursuant to KSA 74-4319(b)(2) that the Governing Body, recess into Executive Session for a period not to exceed 15 minutes for the purpose of consulting with the City Attorney on matters which are privileged in the attorney-client relationship.

Present will be the Mayor, City Council, City Administrator, Assistant City Administrator and City Attorney. The motion was seconded by Andrew Wang and passed unanimously.

Mayor Shaffer reconvened the Council meeting at 9:15 p.m.

David Voysey moved pursuant to KSA 74-4319(b)(2) that the Governing Body, recess into Executive Session for a period not to exceed 15 minutes for the purpose of consulting with the City Attorney on matters which are privileged in the attorney-client relationship.

Present will be the Mayor, City Council, City Administrator, Assistant City Administrator and Assistant City Attorney. The motion was seconded by Andrew Wang and passed unanimously.

Shaffer reconvened the meeting at 9:25 p.m.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Planning Commission	11/04/2008	7:00 p.m.
Sister City Committee	11/10/2008	7:00 p.m.
Park & Recreation Committee	11/12/2008	7:00 p.m.
Council Committee	11/17/2008	6:00 p.m.
Council	11/17/2008	7:30 p.m.

The Prairie Village Arts Council is pleased to an exhibit by the Mid-America Pastels Society during the month of November. The reception will be held on November 7th from 6:00 to 7:30 p.m.

The National League of Cities Conference is November 11-15 in Orlando, Florida.

The Northeast Johnson County Chamber of Commerce Annual dinner is November 22nd.

Please remember to rsvp to Joyce by November 24th for the Mayor's Holiday Party on Friday, December 5th.

The Municipal Foundation will be hosting the annual Mayor's Holiday Tree lighting on Monday, November 24th at Corinth Square from 6:30 to 8:00 p.m.

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

Diana Ewy Sharp announced there would not be a Park & Recreation Committee meeting on November 12, 2008.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 9:35 p.m.

Joyce Hagen Mundy
City Clerk

CITY TREASURER'S WARRANT REGISTER

DATE WARRANTS ISSUED:

Warrant Register Page No. 1

November 10, 2008

Copy of Ordinance
2853

Ordinance Page No.

An Ordinance Making Appropriate for the Payment of Certain Claims.

Be it ordained by the governing body of the City of Prairie Village, Kansas.

Section 1. That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of funds in the City treasury the sum required for each claim.

NAME	WARRANT NUMBER	AMOUNT	TOTAL
EXPENDITURES:			
Accounts Payable			
90586-90677	10/3/2008	82,060.42	
90678-90682	10/6/2008	299.47	
90683-90684	10/13/2008	5,302.38	
90685-90772	10/17/2008	733,694.95	
90773-90778	10/22/2008	8,922.63	
90779-90873	10/31/2008	478,814.01	
Payroll Expenditures			
10/10/2008		224,125.29	
10/24/2008		228,492.40	
Electronic Payments			
Intrust Bank -credit card fees (General Oper)		598.87	
State of Kansas - sales tax remittance		1.48	
Marshall & Ilsley - Police Pension remittance		6,804.09	
Intrust Bank - fee		443.54	
KCP&L		13,148.58	
CBIZ - Section 125 admin fees		337.92	
Intrust Bank - purchasing card transactions		13,734.18	
United Health Care		73,581.13	
Kansas Gas		1,366.29	
TOTAL EXPENDITURES:			\$ 1,871,727.63
Voided Checks			
Dept of the Army	#90606	(124.01)	
Teri Carey	#85089	(35.90)	
Johnson County Parks	#88693	(1.00)	
Rich Talavera	#88825	(50.00)	
Don Landes	#89509	(88.56)	
Chief Supply Corp.	#90486	(48.95)	
Leslie's Pool Supply	#84121	(494.48)	
Andrew Wang	#84121	(25.00)	
Office Depot	#85540	(346.19)	
Julia Mullane	#86924	(2.91)	
Michael Lundeen	#87084	(300.00)	
TOTAL VOIDED CHECKS:			(1,517.00)
GRAND TOTAL CLAIMS ORDINANCE			1,870,210.63

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

Passed this 10th day of November 2008.

Signed or Approved this 10th day of November 2008.

(SEAL)

ATTEST: _____

City Treasurer

Mayor



PUBLIC WORKS DEPARTMENT

Council Meeting Date: November 17, 2008
CONSENT AGENDA

CONSIDER PROJECT 190719: 2008 STORM DRAINAGE REPAIR PROGRAM ENGINEERING CHANGE ORDER #1 (FINAL) - CONSTRUCTION ADMINISTRATION

RECOMMENDATION

Staff recommends the City Council approves Engineering Change Order #1 (FINAL) with BHC Rhodes for a decrease of \$16.50 to project 190719: 2008 Storm Drainage Repair Program.

Council Action Requested November 17, 2008

BACKGROUND

This project is complete.

FUNDING SOURCE

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

RELATED TO VILLAGE VISION

- CC1a. Make streetscape improvements to enhance pedestrian safety and attractiveness of the public realm.*
- CFS3a. Ensure streets and sidewalks are in good condition by conducting maintenance and repairs as needed.*
- TR3a. Ensure the quality of the transportation network with regular maintenance as well as efficient responses to seasonal issues such as snow removal.*

ATTACHMENTS

1. Engineering Change Order #1 (FINAL) from BHC Rhodes.

PREPARED BY

Thomas Trienens, Manager of Engineering Services

November 7, 2008

BHC

**CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT**

CHANGE ORDER NO. 1 (FINAL)

Consultant's Name BHC Rhodes

Project Title: 2008 Storm Drainage Repair Program Owner's Project No. 190719

Date Requested: November 17, 2008 Consultant's Project No. 9220

Original Agreement Date: March 3, 2008

The scope of work in the above Service Agreement has been modified as follows:

This project is complete.

Original Agreement Amount	<u>\$47,500.00</u>
Net Previous Change Orders	<u>\$0.00</u>
Subtotal	<u>\$47,500.00</u>
Net Decrease this Change Order	<u>\$16.50</u>
New Agreement Amount	<u>\$47,483.50</u>

The Agreement Completion Date has not been changed.

CONSULTANT

CITY OF PRAIRIE VILLAGE, KANSAS

By Bill Brungardt
Bill Brungardt, Vice President

By _____
Ronald L. Shaffer, Mayor

CITY OF PRAIRIE VILLAGE, KANSAS

By Thomas Trienens
Thomas Trienens, Manager of Eng. Services



PUBLIC WORKS DEPARTMENT

Council Meeting Date: November 17, 2008
CONSENT AGENDA

CONSIDER PROJECT 190868: 2008 CARS, ROE AVENUE RESURFACING (91st STREET TO SOMERSET DRIVE) ENGINEERING CHANGE ORDER #1 (FINAL) - CONSTRUCTION ADMINISTRATION

RECOMMENDATION

Staff recommends the City Council approves Engineering Change Order #1 (FINAL) with BHC Rhodes for a decrease of \$27,366.74 to project 190868: Roe Avenue (CARS) resurfacing (91st Street to Somerset Drive).

Council Action Requested November 17, 2008

BACKGROUND

This project is complete.

FUNDING SOURCE

The unexpended project funds will be transferred to Project 190864, 2008 Street Resurfacing Program. This amount is half of the total (the other half is the County's) or \$13,683.37.

RELATED TO VILLAGE VISION

- CC1a. Make streetscape improvements to enhance pedestrian safety and attractiveness of the public realm.*
- CFS3a. Ensure streets and sidewalks are in good condition by conducting maintenance and repairs as needed.*
- TR3a. Ensure the quality of the transportation network with regular maintenance as well as efficient responses to seasonal issues such as snow removal.*

ATTACHMENTS

1. Engineering Change Order #1 (FINAL) from BHC Rhodes.

PREPARED BY

Thomas Trienens, Manager of Engineering Services

November 7, 2008

**CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT**

CHANGE ORDER NO. 1 (FINAL)

Consultant's Name BHC Rhodes

Project Title: 2008 CARS Roe Ave Resurfacing (91st St. to Somerset Dr.)

Owner's Project No. 190868

Date Requested: November 17, 2008 Consultant's Project No. 9222

Original Agreement Date: March 3, 2008

The scope of work in the above Service Agreement has been modified as follows:

This project is complete.

Original Agreement Amount	<u>\$48,000.00</u>
Net Previous Change Orders	<u>\$0.00</u>
Subtotal	<u>\$48,000.00</u>
Net Decrease this Change Order	<u>\$27,366.74</u>
New Agreement Amount	<u>\$20,633.26</u>

The Agreement Completion Date has not been changed.

CONSULTANT

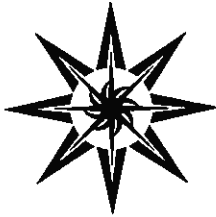
CITY OF PRAIRIE VILLAGE, KANSAS

By Bill Brungardt
Bill Brungardt, Vice President

By _____
Ronald L. Shaffer, Mayor

CITY OF PRAIRIE VILLAGE, KANSAS

By Thomas Trienens
Thomas Trienens, Manager of Eng. Services



CITY CLERK DEPARTMENT

Council Committee Meeting Date:
Council Meeting Date: February 17, 2008
Consent Agenda

Consider authorization to continue multi-year agreements in 2009

RECOMMENDATION

City Council authorize the continuation of the following ongoing or multi-year agreements for 2009

- ADP - Payroll & HR Services - expires 2011
- Allied Waste Services - Roll-off Containers - expires 2010
- City of Fairway - Building Inspector Services - expires 2010
- City of Westwood - Building Inspector Services - expires 2009
- Coffee Plus - Coffee Services - expires 2010
- DataMax - Public Works Copier - expires 2010
- Deffenbaugh Disposal - Refuse Containers - expires 2010
- Deffenbaugh Industries - Solid Waste Services - expires 2009
- Dictaphone Corporation - Lease/Voice Logger - expires 2011
- Federal Equitable Sharing Agreement - Seizure Funds - expires 2009
- First Choice Publishing - Design/Production Community Profile - expires 2010
- ImageQuest - Administration copiers - 2013
- Keller Fire & Safety - Fire Extinguishers - expires 2009
- Lexington Plumbing - Plumbing Services - expires 2010
- Midwest Office Technology - PD Copier - expires 2009
- Northeast Painting - Municipal Bldg. Painting - expires 2009
- Otis Elevator - Elevator Maintenance - expires 2010
- Priority Vending - expires 2009
- Sanitol - Custodial Services - expires 2010
- Shawnee Mission Tree Services - Tree Care - expires 2010
- Southwestern Bell - T1 Line Lease - expires 2013
- Store Financial - Gift Card Agreement - expires 2009
- VanBooven Landscape - Tree Planting - expires 2009
- Weather or Not - Weather Services - expires 2010

BACKGROUND

The City has agreements that have been previously approved by the City Council for multiple years. Since the City can only make commitments for one year, the City Attorney has advised that although, by contract, the agreements are current; they should have Council action each year accepting the continuation of these agreements for 2009. Funds have been budgeted, when needed, in the appropriate departments operating budgets for 2009.

ATTACHMENTS

Copies of the agreements are available upon request.

PREPARED BY

Joyce Hagen Mundy
City Clerk

Date: November 11, 2008



CITY CLERK DEPARTMENT

Council Committee Meeting Date:
Council Meeting Date: February 17, 2008
Consent Agenda

Consider authorization to continue on-going agreements in 2009

RECOMMENDATION

City Council authorize the continuation of the following ongoing or auto renew agreements for 2009

- ASCAP Agreement - Use of Music
- AETNA 401 Variable Annuity Contract - Deferred Compensation Plan
- Board of Police Commissioner - ALERT System Participation
- Bucher, Willis & Ratliff - Planning Consultant Services
- CBIZ - Benefits Consultant
- City of Mission - Code Enforcement Services
- EnServe Midwest, LLC - Disposal of Medical Waste
- Ericsson, Inc (M/A-Com)- EDACS FX PD software & Maintenance
- FP Mailing Solutions - Postage Meters PD & Admin
- Gilmore & Bell - Bond Counsel
- Heavy Contractors Assn - Memo of Understanding
- IBM & Choice Solutions, LLC - PD AS400 System Support
- Intrust Bank - On-line Banking Agreement & Credit Card Account
- Johnson County - AIMS Data Access Agreement
- Johnson County Wastewater - Right-of-Way Agreement
- Kansas City Crime Stoppers - TIPS Hotline
- Kansas City Power & Light M-Power Agreement
- Kansas City STAR - Retail Advertising Agreement
- Lathrop & Gage - Legal Services
- Leadsonline, Inc. - Public Safety Property Software Program
- Lincoln Financial - Long Term Disability
- Marshall & Ilsley Trust Company - Pension Consultants
- McGruff Truck Program
- Mid America Regional Council - Purchasing Cooperative
- Mid America Regional Council - 800 MHz Radio Agreement
- Mid America Regional Council - 9-1-1 Agreement
- Mobile Radio Communications - Pager Agreement
- Municipal Investment Pool
- New Directions - Employee Assistance Program
- New World Systems - IBM Support for CAD System
- NJPES - Joint Purchasing Agreement for office supplies/Staples
- Office Depot - Participation Agreement
- PropertyRoom.com, Inc. - Property Disposition Services
- SAMS Club Membership
- Shawnee Mission School District - Parking Agreement
- Standard Life Insurance - Employee Life Insurance
- Training@YourPlace - License/Software/Support - Codes & Court

VHB, Inc. - Infrastructure Software Support
Water District #1 - Right of Way Agreement

BACKGROUND

The City has agreements that renew automatically or are on-going in nature. Since the City can only make commitments for one year, the City Attorney has advised that although, by contract, the agreements are current; the agreements should have Council action each year accepting the continuation/renewal of these agreements for 2009. Funds have been budgeted, when needed, in the appropriate departments operating budgets for 2009.

ATTACHMENTS

Copies of the agreements are available upon request.

PREPARED BY

Joyce Hagen Mundy
City Clerk

Date: November 11, 2008

COUNCIL COMMITTEE OF THE WHOLE
November 3, 2008

The Council Committee of the Whole met on Monday, November 3, 2008 at 6:00 p.m. The meeting was called to order by Council President David Voysey with the following members present: Mayor Shaffer, Michael Kelly, Andrew Wang, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz. Staff members present: Quinn Bennion, City Administrator; Wes Jordan, Chief of Police; Bob Pryzby, Director of Public Works; Katie Logan, City Attorney; Karen Kindle, Finance Director; Dennis Enslinger, Assistant City Administrator; Nic Sanders, Human Resources Specialist; Chris Engel, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

Andrew Wang moved the approval of the Consent Agenda for Monday, November 3, 2008:

- **Approve Construction Change Order #1 (final) with O'Donnell & Sons Construction for an increase of \$13,129.60 to Project 190863: Shawnee Mission East High School Parking Expansion bringing the final contract amount to \$296,162.95**

COUNCIL ACTION REQUIRED
CONSENT AGENDA

The motion was voted on and passed unanimously.

Update on Transportation Cooperation Council

Diana Ewy Sharp asked Mr. Pryzby to explain the infrastructure permit process. Mr. Pryzby responded there are two primary reasons to change the CARS Program. First, there are not sufficient funds to operate the program and secondly, because of the 80% rule used in the allocation of funds that are available is unfair.

David Belz stressed the infrastructure fund does not exist. He is seeking direction from the Council if it is their recommendation that the TCC go forward with the proposal to establish an infrastructure fund. If the fund comes to be, he feels the technical people, i.e. Public Works Directors, would determine the implementation of the fund. In essence the current SMAC funds would become infrastructure funds available for use on drainage or street projects.

Mr. Pryzby stated if the funds can be put into one independent dedicated revenue fund, it would be appropriated by a much simpler process and would allow cities to receive their full allocation. Dave Belz stressed the process being discussed is only one idea and it has not been discussed with other cities. The question before the Council is does it support placing the SMAC and CARS program under a dedicated revenue source. Mr. Pryzby added this would take legislative action by the state as well at the request of Johnson County.

Quinn Bennion asked how far along the Transportation Council was in this process. Mr. Belz stated each representative is currently taking the information to their cities and seeking direction.

Council President David Voysey confirmed the Council was in support of moving forward with the suggested formation of an infrastructure fund.

David Belz reviewed how he would like to see the program develop. He feels the mill levy should stay the same allowing the fund to grow as property taxes rise. He would also support the redirection of gas tax funds into this fund as well as a potential new fee placed on motor vehicle registration.

Mayor Shaffer asked if the potential change in the Commission representatives would impact this. Mr. Belz responded that he did not know, but noted all of the cities have passed the charter resolution establishing the Council so he feels it should continue. Mr. Pryzby added there is enough support from the area Public Works Directors to keep moving forward on this.

Bob Pryzby reported the City recently received notice that the state overpaid Johnson County its share of the gas tax and would be withholding the overpayment from future distributions. This affects the CARS funding which could affect the City, depending on how Johnson County handles it.

COU2008-38 Update regarding Park & Recreation Master Plan

Diana Ewy Sharp introduced Doug Pickert with the Indigo Group to present an update on the Parks & Recreation Master Plan.

Indigo Group sent out surveys to 2100 Prairie Village households. They received 791 responses for a 95% confidence level. He felt the responses represented a good mixture reflecting the demographics of the City. Mr. Pickert stated the results of the entire survey can be found on the city's website.

40% of the respondents were over 50 years old; 17% between 40-49 and 16% between 30-39. 61% of the respondents had no children; 18% had 1 child and 14% had 2 children under 18. 29% of the respondents visit a park weekly; 21% visit monthly; 11% visit daily; 12% do not visit.

The top five activities done in the parks are: #1 - Walking/Jogging; #2, Dog Walking; #3 Visit Gardens; #4 Playgrounds and #5 Swimming. Picnics and biking received write in votes.

58% of the respondents do not visit the pool; 13% visit weekly or less than monthly; 5% daily. 82% of the respondents that do not visit the pool were over 50 years of age.

The top five pool facilities used were: #1 Zero-depth pool; #2 Adult pool; #3 Water slides; #4 Lap pool and #5 Kiddie/wading pool.

The overall rating of park satisfaction was very positive with most facilities scoring higher than 4 on a 5 point scale. Those reflecting under 4 included the pool and recreational program which could be reflected of the demographics of those returning the survey. Possible new park features included a nature walk, a dog park, an amphitheater, sculpture garden and climbing wall/challenge course.

Laura Wassmer stated she would like to see the breakdown of answers by age since the majority of the respondents were over 50. She is particularly interested in the 20 - 40 year age

group. Doug responded walking trails was the top feature requested in all age groups. He stated the results of the survey reflect the demographics of the City, more than 50% of the residents are over 50 years old.

The survey also investigated the need and/or desire for a Community Center. 66% of the respondents favored the City developing a community center and 60% of those would support working in a partnership with another entity to develop and manage a center. Respondents indicated a strong use of area facilities, particularly the Powell center. Respondents also indicated a wide use of other area recreational programming including Johnson County Park & Recreation programs as well as those offered by other cities.

79% of the respondents indicated they would like to see the development of a walking/biking trail system throughout Prairie Village to increase east of access to parks, schools, shopping areas and other public areas. Mr. Pickert shared ideas for possible implementation of such a trail.

87% of the respondents are satisfied with the current amount of park land in Prairie Village and 90% are satisfied with the access to existing park land. The survey also address potential funding the these enhancements - 47% would be willing to help fund a community center; 54% would be willing to help fund a trail system and 41% would be willing to help fund new park facilities.

David Belz expressed concern that 60% of the respondents were empty nesters with no children under the age of 18 and feels this skews the results. He also stated as a member of the community center committee, he would have liked to see more information gathered regarding community centers. Mr. Pickert responded their role was only to determine if public response merited further investigation by the community center committee.

Mayor Shaffer asked as a planning tool for the future, if the plan was looking to address the current demographics of the City or the desired future demographics, i.e. the encouragement of young families moving into and staying in Prairie Village. Mr. Pickert responded the question is valid, but noted looking 10 to 15 years in the future there was nothing to validate that there would be a significant change in the cities demographics. He does feel the City does need to do something to make the parks more attractive to families.

Michael Kelly asked if there were some services or amenities that should be added. Mr. Pickert responded he would recommend creating more social activities/opportunities in the existing parks. He stated there is a large potential for additional 50+ programming. There research indicated sports programming is being taken care of by other programs with the possible exception of an activity for the very young children. He noted sport facilities/sites are limited but appear to be meeting current demand.

Some options for other program would be 1) adult kickball; 2) teen activities tied into the existing skate park facility, mom's day out programs in the parks, skating rink, etc. Mr. Pickert also reviewed the possible development of a trail system with trails connecting existing recreational facilities to homes; connecting parks and school sites; connecting the north/south corridors of the city (particularly along Roe & Mission); connecting the shopping areas; and

connecting the east/west corridors of the City. The City could eventually become part of the metropolitan trail system.

Doug Pickert briefly reviewed possible enhancements for each of the City's existing parks and comments received from the citizen workshop held on October 27th.

Charles Clark noted the suggestion of purchasing individual lots for pocket parks within the City and asked for Mr. Pickert 's response. He replied a fund should be established for funds should the opportunity to purchase additional park land become available. He noted most of the existing parks are located in the center of the City and comments have been made by residents in the north desiring park land in their area. He would not recommend a map be developed identifying potential sites, but that the City be open if possibilities arise. David Belz asked what the minimum amount of land he'd recommend for a park. Mr. Pickert responded to accommodate playground equipment, shelter and some open area, he would expect two lots would be necessary. Charles Clark asked what the projected width of the trails being recommended was. Mr. Pickert responded 8' noting the County trails are 10'.

Diana Ewy Sharp asked Mr. Pickert to explain the next step in the process. The plan would be revised based on the input received, more detailed information would be added including financial and implementation strategies. The new document would be reviewed by the Master Park Plan Steering Committee, the Park & Recreation Committee and the City Council.

Charles Clark noted this is a long range plan. However, Mr. Pickert noted the plan must also address regular replacement and maintenance of facilities.

COU2008-80 Consider Agreement with Lowenthal, Singleton, Webb & Wilson for 2008 audit of the City's financial statements

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

The Finance Committee and staff discussed doing an RFP for audit services but agreed that continuity of the auditor during the implementation of Governmental Accounting Standards Board Statement 45 and the implementation of the new financial accounting software was very important.

Mrs. Kindle noted the proposed fee for the 2008 audit is \$20,590, an increase of 3% with funding available in the 2008 Financial Management Program budget. The agreement has been reviewed and approved by the City Attorney.

Diane Ewy Sharp made the following motion which was seconded by Charles Clark and passed unanimously:

MOVE THE CITY COUNCIL APPROVE THE AGREEMENT WITH

**LOWENTHAL, SINGLETON, WEBB & WILSON TO AUDIT THE CITY'S
2008 FINANCIAL STATEMENTS**

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2008-91 Consider Amendment to Records Retention Schedule & Council Policy 036

In 2002 the City adopted Council Policy 036 establishing a records management program and corresponding records retention schedule. At that time regulations electronic records were still being formulated and were not addressed in the City's policy. The proposed amendment specifically addresses the issue of electronic records and the retention of electronic mail messages. The Council Policy has been revised to reference the City's Administrative Policy AP1105b addressing electronic mail messages. These changes are reflected in Section V. B 2 & 3.

The records retention schedules are created in conjunction with the individual City Departments based on their records inventory, the value of the record, accepted records retention standards and required federal and stated retention rulings. The policy calls for the annual review of the retention schedule. The proposed changes to the specific retention schedules reflect changes in both the types of records being kept, where they are being kept and the length of time. For example, many of the personnel related records were previously maintained by the City Clerk or Accounting. These are now reflected in the HR schedule. Other changes address new records being kept; for example, in public works "stormwater utility fee data" has been added to their schedule and "Code Red" records have been added to the public safety schedule. Some records have been removed as they are no longer being created, such as quarterly reports for courts, council action sheets for public works and the city clerk. The length of time records are being kept has also been adjusted based on new recommendations on records retention and an analysis of the use/need for records.

The City Attorney has reviewed the proposed revisions to the retention schedule and found them to be in compliance with state, federal and employment regulations.

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

**MOVE THE CITY COUNCIL ADOPT THE PROPOSED REVISIONS TO THE
CITY'S RECORDS RETENTION SCHEDULE AND AMENDMENT TO COUNCIL
POLICY CP036 ENTITLED "RECORDS MANAGEMENT PROGRAM"
COUNCIL ACTION REQUIRED
CONSENT AGENDA**

Update regarding changes to Deffenbaugh routes

Dennis Enslinger reported that staff has talked with representatives of Deffenbaugh regarding the implementation of route changes within Prairie Village. This has already been done in other cities and is being undertaken to streamline their operations. However, the service routes are included in the contract and therefore, must have City Council approval. They would like to make the route changes effective December 1st.

Staff is recommending they come before the Council Committee at the November 17th meeting to request the change and answer any questions, with Council action December 1st and implementation on January 2nd. Deffenbaugh would send postcards out to all residents notifying them of the change. This would also allow time for the City to publish the new route in the Village Voice and post on the City's website. Mr. Enslinger stated they estimate 40 to 60% of the routes will change. All three trash services will be provided on the same day.

David Belz confirmed if this would allow them time to notify residents. Mr. Enslinger stated their would probably be only one mailing after the official council action. Charles Clark noted this has already taken place with Town & Country Homes Association. David Morrison suggested the City negotiate the savings they make from the implementation of this change be reflected in the City's contract.

Mr. Enslinger stated the current contract expires on December 31, 2009 and will be negotiated over the next year. He expects at that time for their to be a limit placed on the number of bags allowed, a limit on composting and an increase in fees of more than 4% . The City of Mission is currently renegotiating its contract and it is being based on the number of bags picked up.

David Voysey confirmed the problems encountered earlier this year have been resolved. Charles Clark stated the only issue to be discussed on November 17th is the authorization to change routes. Diana Ewy Sharp thought this would be a good time to bargain. Mr. Enslinger stated he felt that if that was attempted Deffenbaugh would choose to wait until the contract expired in 2009. He added Deffenbaugh is receiving pressure from Johnson County who is attempting to reduce the amount of material going into landfill.

David Voysey stated this item will be placed on both the Council Committee and the City Council agenda for November 17.

ADJOURNMENT

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

David Voysey
Council President

CITY OF PRAIRIE VILLAGE
PUBLIC WORKS DEPARTMENT
CONSTRUCTION CHANGE ORDER NO. 1 (FINAL)

Consultant's Name: BHC Rhodes

Project Title: SME Parking Expansion

Date Requested: November 3, 2008

Owner's Project No.: 190863

Contract Date: March 3, 2008

Contractor's Name: O'Donnell & Sons

REQUIRED CHANGES IN PRESENT CONTRACT

Contract Quantity	Previous Amount	Unit	Item Description	Adj. Quant.	Unit Price	Adjusted Amount
1	\$3,000.00	LS	Mobilization	1	\$3,000.00	\$3,000.00
1	\$21,600.00	LS	Demolition	1	\$21,600.00	\$21,600.00
1	\$16,600.00	LS	Clearing and Grubbing	1	\$16,600.00	\$16,600.00
3	\$2,550.00	EA	Large Tree Removal	3	\$850.00	\$2,550.00
630	\$44,100.00	LF	Linear Grading	630	\$70.00	\$44,100.00
3810	\$6,667.50	SY	Cold Milling (2")	1359	\$1.75	\$2,378.25
1003	\$57,471.90	TON	2" Asphalt Surface (Type 3)	1003	\$57.30	\$57,471.90
1080	\$53,892.00	TON	4" Asphalt Base (Type 1)	1080	\$49.90	\$53,892.00
1081	\$16,215.00	TON	4" Granular Subbase	1081	\$15.00	\$16,215.00
220	\$4,400.00	TON	12" Subgrade Modification	220	20	4400
2111	\$28,709.60	LF	Concrete Curb and Gutter - Type A New	2217	13.6	30151.2
12	\$534.00	SY	Replaced 4" Sidewalk	12	44.5	534
86	\$2,975.60	SY	New 4" sidewalk	86	34.6	2975.6
5	\$320.00	SY	Replaced ADA Ramp	5	64	320
10	\$590.00	SY	New ADA Ramp	10	59	590
279	\$1,464.75	SY	Sod-Fescue	2052	5.25	10773
31	\$147.25	SY	Sod- Bluegrass	0	4.75	0
43	\$268.75	SY	Sod-Zoysia	0	6.25	0
66	\$330.00	LF	Erosion Control - Silt Fence	66	5	330
3	\$14,250.00	EA	7' x 4' Standard Type Curb Inlet	3	4750	14250
20	\$400.00	LF	Drain Tile Connection (EST)	0	20	0
1	\$2,200.00	LS	Contractor Construction Staking	1	2200	2200
4347	\$4,347.00	LF	4" White Thermoplastic Pavement Markings	4347	\$1.00	\$4,347.00
0	\$0.00	TON	Base Wedging	150	\$49.90	\$7,485.00
			Contingent Items			

TOTAL \$283,033.35

0
0
NET TOTAL \$296,162.95
Increase \$13,129.60

Explanation of Changes

Project: 190863; SME Parking Expansion. This change order is to cover the following items:

Final As-Built Quantities

This change order increases the contract amount by \$13129.00.

Calendar days were not added as result of this change order.

Original Contract Price	<u>\$283,033.35</u>
Current Contract Price, as adjusted by previous Change Orders	<u>\$283,033.35</u>
NET increase or decrease this Change Order	<u>\$13,129.60</u>
New Contract Price	<u>\$296,162.95</u>

Change to Contract Time

The current contract deadline of December 1, 2008 will remain the same.

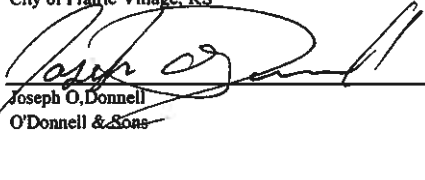
The City does not anticipate a related Engineering Change Order.



Thomas Trienens, Manager of Engineering Services
City of Prairie Village, KS

10/24/08

Date

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


Joseph O'Donnell
O'Donnell & Sons

Date
10-24-08

Date

LOWENTHAL SINGLETON WEBB & WILSON
P R O F E S S I O N A L A S S O C I A T I O N

CERTIFIED PUBLIC ACCOUNTANTS

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Audrey M. Odermann, CPA

—
Abram M. Chrislip, CPA
Brian W. Nyp, CPA
—

Members of American Institute
and Kansas Society of
Certified Public Accountants

October 7, 2008

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

We are pleased to confirm our understanding of the services we are to provide the City of Prairie Village, Kansas, (the City) for the year ended December 31, 2008. We will audit the financial statements of the governmental activities, each major fund, budgetary comparison schedules and the aggregate remaining fund information, which collectively comprise the basic financial statements of the City as of and for the year ended December 31, 2008.

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

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

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

Audit Objective

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

Management Responsibilities

Management is responsible for establishing and maintaining internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the financial statements of the respective financial position of the governmental activities, each major fund, budgetary comparison schedules and the aggregate remaining fund information of the City's and the respective changes in financial position and where applicable, cash flows, in conformity with U.S. generally accepted accounting principles. Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. You have requested that we prepare the financial statements that are the subject matter of this audit for the year ended December 31, 2008, hereinafter referred to as nonattest services. You are responsible for those financial statements. You are responsible for the substantive outcomes of these nonattest services, for making any decisions involving management functions related to the nonattest services and for accepting full responsibility for such decisions.

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

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

Audit Procedures-General

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

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

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

Audit Procedures-Internal Control

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

Audit Procedures-Compliance

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

Audit Administration, Fees and Other

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

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

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

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

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

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

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

We agree that our gross fee, including all expenses, for the above services shall not exceed \$20,590, except as noted above. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit, including delays resulting from the untimely delivery of and incomplete preparation of schedules and questionnaires we have requested from your staff. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

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

Very truly yours,

LOWENTHAL, SINGLETON, WEBB & WILSON
Professional Association
Certified Public Accountants

By Audrey Odemann

RESPONSE:

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

By: _____

Title: _____

Date: _____



City Council Policy: CP036 - Records Management Program

Effective Date: November 17, 2008

Amends: October 21, 2002

Approved By: City Council

I. SCOPE

II. PURPOSE

- A. This policy is to provide direction for a Records Management Program, to bring consistency to the conduct of the City's record keeping operations, to eliminate unnecessary records, and to clarify the established City records control procedures.
- B. Further, this policy establishes the responsibility for the custody of records to include:
 - 1. Location;
 - 2. Method of storage;
 - 3. Personnel responsibility; and
 - 4. Criteria and authority for active records, inactive records and destruction of records.

III. RESPONSIBILITY

- A. City Clerk

IV. DEFINITIONS

- A. **"Active Records"**: Records in current use; often retained in offices because frequent reference is needed.
- B. **"Department Manager"**: The officer who by ordinance or administrative policy is in charge of an office of the City of Prairie Village that creates or receives records.
- C. **"Essential Records"**: Any record of the City necessary for the resumption or continuation of operations of the City in an emergency or disaster, including but not limited to the re-creation of the legal or financial status of the City or the protection and fulfillment of obligations to the residents of the City.
- D. **"Inactive Records"**: Records which are seldom referred to, but which must be retained, temporarily or permanently because of administrative, fiscal, legal, historical and/or research value.
- E. **"Permanent Record"**: Any record of the City of Prairie Village for which the retention period on a records control schedule is given as permanent.
- F. **"Record"**: All volumes, documents, papers, letters, reports, drawings, plans, ledgers, maps, disks, microfilm, sound or video recordings, photographs and/or other material, regardless of physical form or characteristics, created, maintained or received by the City of Prairie Village, its officers or employees. Published material acquired and preserved solely for reference purposes, extra copies of documents preserved only for convenience of reference and publications, blank forms and duplicated documents are not included within the definition of records.
- G. **"Records Custodian"**: The employee of the City of Prairie Village designated on Attachment A, as the custodian for a specific City Department.
- H. **"Records Management Officer"**: The person designated as the Freedom of Information Officer/City Clerk for the City of Prairie Village.
- I. **"Records Management Program"**: The application of management techniques to the creation, use, maintenance, retention, preservation and disposal of records for the purposes of reducing the costs and improving the efficiency of record keeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographics and electronic and other records storage systems.

CP036 Records Management Program

- J. **"Records Retention Schedule"**: The document prepared by or under the authority of the Records Management Officer listing the records maintained by the City of Prairie Village, their retention periods, and other records disposition information that the records management program may require and any updates thereto, which shall be approved by the City Administrator and the Department Managers and adopted by the City Council. The current version of the Records Retention Schedule is attached hereto as Attachment B.
- K. **"Retention Period"**: Means the minimum time that must pass after the creation, recording, or receipt of a record or the fulfillment of certain actions associated with a record, before it is eligible for destruction.

V. POLICY

- A. In consideration of this policy established guidelines as set by Kansas Statutes, Federal Regulations, Legal Opinions and Record Value Determinations have been considered. These include, but are not limited to the following:
 - 1. KSA 10-111, as amended - Cancellation of Bonds and Coupons
 - 2. KSA 12-120, as amended - Destruction of Certain Records
 - 3. KSA 12-121 - Statutory Basis for Record Disposal of documents of temporary value after a reasonable time
 - 4. KSA 12-122, as amended, Reproduction of records on film
 - 5. KSA 12-123, as amended, Evidence in courts or administrative agencies
 - 6. KSA 13-518 - General Duties of Clerk, Records and Accounts, Deputies, Salaries
 - 7. KSA 45-215 through 45-225, as amended - Open Records Act
 - 8. KSA 45-401 - Government Records Preservation Act
 - 9. KSA 45-402 - Definitions
 - 10. KSA 45-403 - Records public property; destruction prohibited, except as permitted by retention and disposition.
 - 11. KSA 45-421©, as amended - Original copies kept until negative copy of film has been deposited in a secure place.
 - 12. KSA45-501 - Computer Disks and Tapes, recording on
 - 13. KSA 45-502 - Use of standard size paper for documents filed with state agencies and courts.
 - 14. KSA58-2224, as amended - Recordation of instruments, papers or documents, making of photographic or microphotographed copies deemed recording and record books.
 - 15. KSA 60-465, as amended - Authentication of copies of records.
 - 16. KSA 60-469 - Photographic copies to prove content of business and public records.
 - 17. F.L.S.A. 29 C.F.R. Subsection 516.5 and 516.6 - Payroll records, employment records, purchase of goods and supplies.
 - 18. AG Op. #76-88 - Public Records; destruction of Certain Records.
 - 19. Administrative Order No. 138 - The Supreme Court of the State of Kansas.
- B. Disposition of Records -
 - 1. Paper: The City staff is authorized to dispose of those records listed in the Records Retention Schedule after the minimum retention period has been fulfilled. It is not compulsory to discard the records. The records are grouped by departments in the Records Retention Schedule, See attachment B. Inactive records shall be readily accessible to staff.
 - 2. Electronic. Whenever possible, paper records will be saved and maintained electronically with those records following the approved Records Retention Schedule.
 - 3. E-mail. Retention of electronic mail messages (E-Mail) will follow Administrative Policy AP1105b - "Voice and Electronic Mail Message Procedure".
- C. Records Retention Schedule (Attachment B) -
 - 1. The Records Retention Schedule shall be created in conjunction with the individual City Departments based on their records inventory, the value of the record, accepted records retention standards and required Federal and State retention rulings.
 - 2. The Schedule shall identify the records. It will further provide the retention requirements of each record indicating the time period to be kept in active status in department offices; the number of years to be kept as an inactive record kept in the designated Records Storage Area and when the record can be legally destroyed.

CP036 Records Management Program

3. This schedule shall be approved by the City Administrator and the Department Head and adopted by the Governing Body.
 4. Updates to the Records Retention Schedule shall be coordinated by the City Clerk and presented to the City Council for approval and inclusion in the Council Policy on Records Retention.
- D. Responsibility - Designation of Records Management Officer. The Freedom of Information/City Clerk, and the successive holders of said office, shall serve as Records Management Officer for the City of Prairie Village.
1. Responsibilities of the Records Management Officer. The Records Management Officer shall be responsible for the implementation of the Records Management Program and shall:
 - a.) in cooperation with Department Managers identify essential records and establish a disaster plan for each municipal office and department to ensure maximum availability of the records in order to reestablish operations quickly and with minimum disruption and expense;
 - b.) develop procedures to ensure the permanent preservation of the historically valuable records of the City;
 - c.) monitor records retention schedules and administrative rules issued by the Kansas Historical Society to determine if the records management program and the municipality's records control schedules are in compliance with state regulations;
 - d.) disseminate to the City Council and Department Managers information concerning state laws and administrative rules relating to local government records; and
 - e.) ensure that the maintenance, preservation, microfilming, destruction, or other disposition of the records of the City of Prairie Village are carried out in accordance with the policies and procedures of the records management program and the requirements of the state law.
 2. Department Managers shall:
 - a.) cooperate with the Records Management Officer in carrying out the policies and procedures established in the City of Prairie Village for efficient and economical management of records and in carrying out the Records Management Program;
 - b.) adequately document the transaction of government business and the services, programs, and duties for which the Department Manager or his or her staff are responsible;
 - c.) maintain the records in his or her care and carry out their preservation, microfilming, destruction, or other disposition only in accordance with the policies and procedures of the Records Management Program of the City of Prairie Village; and
 - d.) report to the City Clerk during March of each year that his/her files have been purged and files transferred to the designated records storage area in accordance with the approved Records Retention Schedule.
 3. Records Custodians
 - a.) Be responsible for the neat and orderly filing of department records
 - b.) Take an audit/inventory of all files by February 15th of each year to ensure that the files have been purged;
 - c.) Examine all records going to storage and label records to be stored identifying the records and if possible, the destruction date.
 - d.) Determine which records are no longer actively used, but are not yet scheduled for destruction; advise City Clerk or possible revisions to the records retention schedule.
 4. Designation of Official and Alternate Records Custodians for each location of records is as follows:

<u>Department</u>	<u>Official Custodian(s)</u>
Administration	City Clerk
Codes Administration	Building Official
Municipal Court	Municipal Court Administrator
Accounting/Finance	Finance Director
Personnel	Director of Human Resources

CP036 Records Management Program

Public Works

Office Manager - Public Works

Public Safety

Computer Systems Specialist

VI. PROCEDURES

- A. This program has been prepared to aid City officials and employees in solving the growing problem of what can be done to dispose legally of official records after their administrative, legal, historical and/or fiscal values have expired and to set forth criteria for keeping records.

**CITY OF PRAIRIE VILLAGE
RETENTION SCHEDULE**

DEPARTMENT: City Clerk	Retention Period in Years		
	Active	Inactive	Destroy
ADMINISTRATION (Mayor & Council)			
Agendas	2 years		2 years
Appointments	Current	Term + 3 years	Term + 3 years
Committee Listings	Current	2 years	2 years
Committee Listing Master			
Committee/Council Minutes	2 years	Perm	
Council Records			
Council Packets	Current	1 year	2 years
Council Personnel Files	Current	Perm	
Council Pictures	Current	Perm	
Council Worksessions	2 years	Perm	
City Awards	Perm		
Correspondence, City Administrator's	2 years	3 years	5 years
Correspondence, Mayor's	2 years	2 years	4 years
City Policies (Administrative, Council, Personnel)	Current		
Council & Personnel Policy Master File	Perm		
CITY CLERK			
Abstract of Assessments	Perm		
Accident Reports involving City facilities, vehicles and/or Personnel	5 years		5 years
ADA Records	Perm	Perm	
Agreements/Contracts	2 years	3 years	Term + 5 years
Animal Records			
Licenses	Current	1 year	2 years
License Reports	Perm		Perm
Leash/Law Violations	2 years		2 years
Enumeration - Summary	5 years		5 years
Tag information	Perm	Perm	
Annexation Records	Perm	Perm	
Annual Reports	2 years	Perm	
1) Architectural Plans, Drawings City Facilities	Current	Perm	
Bad Check Correspondence	2 years		2 years
Bid Records	Current	4 years	5 years
3) Bond Documents	Current		3 years after maturity
Budget			
Final Document	2 years	Perm	Perm
Notice to County	2 years	3 years	5 years
Budget Preparation Materials	1 year	1 years	2 years
Capital Improvement Projects			
Contract/Change Orders/Final Reports	Current	Perm	
Project corres, pay estimates, inspections, etc.	Current	5 years	5 years
Celebrations/Dedications	Current	Perm	
Census Information	Perm		
Citizen Surveys	Current	Perm	
City Administrator's Reports	2 years		2 years
City Directories	Current		
Claims Against the City (insurance)	5 years		5 years
Comprehensive Plan	Current	Perm	
Computer System Documentation	Current		Life of equip
Correspondence - Policy Related	Perm		
General	2 years	3 years	5 years
Drug & Alcoholism Council Information	2 years		2 years

CITY CLERK - Retention Schedule	Active	Inactive	Destroy
Election Records			
Candidate filing documents	2 years		2 years
Correspondence	2 years		2 years
Disclosure of Substantial Interests	2 years		2 years
Election Voting Abstracts	Perm		Perm
Emergency Preparedness Records	Current	Perm	
Employee Events i.e. appreciation dinner, holiday lunch, etc.	Current	2 years	3 years
2) Equal Employment Opportunity Records	Perm		
Equipment Records			
Service Manuals, Maintenance records, etc.	Life of equip		Life of equip
Facility Reservation Records	1 year	1 year	2 years
Fax Confirmation Records	1 year		1 year
Franchise Records	Perm		
Grant Files			
Federal, State & Private	Perm		
CDBG	2 years	3 years	5 years
History of the City	Perm		
Incorporation Documents		Perm	
3) Insurance Policies	Current	5 years	Term + 5
Insurance Records	Current	5 years	Term + 5
League of Kansas Municipalities Information	2 years	3 years	5 years
Legal Documents - Lawsuits pending	Current		
Lawsuits closed	Perm		
Legal Opinions	Perm		
Legal Notices of Publication	5 years		5 years
Legislation Records; Legislative Breakfast, Programs, etc.	3 years		3 years
Leases	Current	5 years	Term + 5
Licenses			
Applications	Current	2 years	3 years
Reports	2 years	Perm	
Mailing Lists	Current		Superseded
Maps	Current	Perm	
Motor Vehicle Titles	Current		
Newsletters - Prairie Village Voice	3 years	Perm	5 years
Newspaper Clippings			
Having Historical City Value	2 years	Perm	
Having local interest value	2 years	3 years	5 years
Open Record Requests	2 years	3 years	5 years
Ordinances	2 years	Perm	
Parks			
Historical Information	Perm		
Correspondence	5 years		5 years
Ball Field Reservations	1 year	1 year	2 years
Shelter/Pavilion Reservations	1 year	1 year	2 years
Tennis Court Reservation	1 year	1 year	2 years
Pension Records (Non-personnel)	2 years	Perm	
Petitions - General	5 years		5 years
Placed on the ballot	Perm		
Postal Records: Bulk mailings, postage meter, etc.	2 year		2 years
Policy Manuals	Current		
Council Policy; Personnel Policy; Administrative;			
Prairie Village Art Exhibit Information	2 years	3 years	5 years
Proclamations	2 years		2 years
Procedures	Current		
Promotional Catalogs	Current		

CITY CLERK - Retention Schedule	Active	Inactive	Destroy
Property Files Deeds (real estate) Easements Right-of-way acquisition Vehicle titles Warranty Deeds	Perm Perm Perm Ownership Perm		
Recreation Records Program Flyers/Information Recreation Membership Applications Team Membership Applications Tennis Lesson Information Program Reports	Perm 1 year 1 year 1 year Perm	1 year 1 year 1 year	2 years 2 years 2 years
Redevelopment Audit Final Reports	Perm		
Resolutions	Perm		
Scrapbooks	Perm		
Short-term Special Use Permits	2 years		2 years
Solid Waste Program Records - Policy Contracts for Service Assessments to County Correspondence	Perm 2 years 5 years 2 years	3 years 5 years 3 years	Term + 5 10 years 5 years
Strategic Plan Records	Current	Perm	
Supply Requisitions	2 years		2 years
Surveys - City Others	Current Current	Perm 5 years	5 years
4) Tax Records Board of Tax Appeals City Property Tax Records Reports from the County Sales Tax Records	5 years		5 years
Tree City Information	Perm		
Traffic Safety Study	Current	Perm	
United Community Services Information	2 years		2 years
Unsafe Structure Files	2 years	3 years	5 years

- 1) KSA 79-1410 & KSA 79-1604 & KSA 45-221(a)(12)
- 2) KSA 45-221(a)(11) & (25)
- 3) KSA 12-120
- 4) The State of Kansas requires State Tax Records to be retained for 4 years.
- 5) KSA 45-221(a)(4)

Note: Kansas Statute of Limitations - General Contracts 5 years; Sales Contracts 4 years; Improvements to real property 2 years.

**CITY OF PRAIRIE VILLAGE
RETENTION SCHEDULE**

DEPARTMENT: Codes Administration	Retention Period in Years		
	Active	Inactive	Destroy
Annual Statistical Reports	2 years	Perm	
Building Permits	2 years	Perm	
Building Codes	Current	Perm	
Building Permit Reports	Perm		
Certificates of Occupancy	2 years	Perm	
Construction Plans - City Property	Current	Perm	
Contractor Licensing	2 years	3 years	5 years
Correspondence	2 years	3 years	5 years
Demolition Files	2 years	Perm	
Flood Insurance Maps	Current		
Informational Bulletins	Current		
Inspection Reports	2 years	Perm	
Inspection Schedules	1 year		1 year
MAPS			
AIMS	Current		
Address, Plat & Zoning	Current	Perm	
Monthly Reports	2 years	Perm	
PERMITS	2 years	Perm	
Elevator, Fence, Pool, Sign/Banner, Underground Tank			
Plan Review Comments	2 years	Perm	
*Plans - Commercial	Current	180 days	Term + 180 days
*Plans - Residential	Current	180 days	Term + 180 days
Subdivision Plats	Perm		
CODE ENFORCEMENT RECORDS			
Abatement Notices	3 years		3 years
Assessment Notices	5 years		5 years
Code Enforcement Correspondence/Notes/Photos	2 years	3 years	5 years
Code Enforcement Complaints - Substantiated	2 years	3 years	5 years
Code Enforcement Complaints - Unsubstantiated	2 years	3 years	5 years
Code Enforcement Inspection Reports	2 years	3 years	5 years
Code Enforcement Inspection Schedules	1 year		1 year
Hot Docket - Agendas/Minutes/Findings/Orders	3 years	Perm	
Rental Property Inspections (maintained by City Clerk)	3 years		3 years

*ICBO Section 106.5

Approved by:

Dennis Enslinger
Assistant City Administrator

**CITY OF PRAIRIE VILLAGE
RETENTION SCHEDULE**

DEPARTMENT: Finance & Accounting	Retention Period in Years		
	Active	Inactive	Destroy
Accounts Payable Records Vouchers, Invoices, Ledgers, Correspondence	2 years	3 years	5 years
Accounts Receivable Records Invoices, Correspondence	2 years	3 years	5 years
Annual & Special Reports	2 years	Perm	
Audit Reports	2 years	Perm	
Audit Proposals and Contracts	2 years	3 years	5 years
Banking Records Bank Statements; Deposit records, Check Register, cancelled checks	2 years	3 years	5 years
Certificates of Deposit	Current	Maturity + 5 years	Maturity + 5 years
Check Logs	2 years	3 years	5 years
City Budget	3 years	Perm	
Claims Ordinances	2 years	Perm	
Employee Time Records Time Cards, Time Sheets, Attendance reports	1 year	4 years	5 years
Fixed Asset Records	2 years	3 years	5 years
General Ledger	2 years	Perm	
Investment Records	2 years	3 years	5 years
Payroll Reports	2 years	Perm	
Payroll Records: W2's,	2 years	3 years	5 years
Purchasing Records, Purchase Orders	2 years	3 years	5 years
Receipt Records Receipt slips/books/ledgers	2 years	3 years	5 years
Tax Records	2 years	Perm	
Treasurer's Reports	2 years	3 years	5 years
Treasury Bills & related correspondence	Maturity	5 years	Maturity + 5 years
Vouchers & Requisitions	2 years	3 years	5 years
1099's	2 years	3 years	5 years
Labor and Statistics Reports	2 years	3 years	5 years
Journal Entries	2 years	3 years	5 years
Budget Preparation Files	2 years	3 years	5 years

Approved by:

Karen Kindle
Finance Director

**CITY OF PRAIRIE VILLAGE
RETENTION SCHEDULE**

DEPARTMENT: Human Resources	Retention Period in Years		
	Active	Inactive	Destroy
<i>Employment</i>			
Job Recruitment	1 year	2 years	3 years
Equal Opportunity Employment Program	Perm		
Affirmative Action Records	3 years		3 years
EEO-4 Employer Information Report	3 years		3 years
Employee Personnel Manual/Handbook (City Clerk maintains permanent master copy of manual)	Current		
Employee Applications/Resumes (Not Hired)	1 year		1 year
Physicals/Drug Test Results & Correspondence - Hired	Perm		
Physicals/Drug Test Results & Correspondence - Not Hired	1 year		1 year
Active Employee Records	Perm		
Inactive Employee Records		3 years	3 years
Employee Grievances	Perm		
Employment Eligibility Verification I-9	Term	3 years	Term + 3 years
Equal Opportunity Employment Program	Perm		
Employee Position Description	Perm		
<i>Compensation & Benefit Plans</i>			
Compensation Plans	Perm		
Benefit Plans	Perm		
Deferred Compensation Access Reports	2 years	3 years	5 years
Deferred Compensation Records - General	Term	3 years	5 years
Insurance Information - General	Current	5 years	5 years
Employee Classification Plans	Perm		
KPERS Accounting Records & Annual Reports	5 years		5 years
Pension Plan Actuarial Reports	Perm		
<i>Workers Compensation</i>			
Workers Compensation Records	Perm		
<i>Payroll Related Records</i>			
W-4	1 year	4 years	5 years
Direct deposit authorization, Payroll deduction authorizations	2 years	3 years	5 years

Approved by:

Nicholas Sanders
Human Resources Specialist

**CITY OF PRAIRIE VILLAGE
RETENTION SCHEDULE**

DEPARTMENT: Municipal Court	Retention Period in Years		
	Active	Inactive	Destroy
Abstract List	1 year		1 year
Bank Records	2 years	3 years	5 years
Cash Bond Receipts	2 years	3 years	5 years
Cash Receipts	1 year		After Audit
Closed Case Files - Minor	1 year	4 years	5 years
Closed Case Files - A & B Misdemeanor/C Assault	1 year	49 years	50 years
Court Disposition Dockets	1 year	Perm	
Expungements	1 year	Perm	
Monthly Reports	1 year	4 years	5 years
Municipal Court Procedure Manual	Current	Perm	
Tickets - Dismissed or Void	2 years	3 years	5 years
Tickets - Voided	1 year		DAA
Tickets	1 year	4 years	5 years

Approved by:

Bettina Jamerson
Municipal Court Administrator

**CITY OF PRAIRIE VILLAGE
RETENTION SCHEDULE
PUBLIC WORKS**

DEPARTMENT: PUBLIC WORKS Administration	Retention Period in Years		
	Active	Inactive	Destroy
Accident Reports - personal injury (copy)*	Current Employment	1 year	Term + 1 year
Accident Reports - property damage (copy)*	Current Employment	1 year	Term + 1 year
ADA Records Complaints/Correspondence Manuals	2 Current	3	5 years Superseded
Annual Reports (copy)*	Current	4 years	5 years
Assets less than \$1,000 value	Current	1 year	Term + 1 year
Assets value at \$1,000 or greater (copy)**	Current	1 year	Term + 1 year
Bids - Materials (copy)*	Current	1 year	Term + 1 year
Bonds - Maintenance (copy)*	Current	1 year	Term + 1 year
Bonds - Bid (copy)*	Current	1 year	Term + 1 year
Bonds - Performance (copy)*	Current	1 year	Term + 1 year
Budget Preparation Documents	Current	4 years	5 years
Budget (copy)*	Current	4 years	5 years
Calendar and Appointment Books	Current	1 year	Term + 1 year
Call Log Books	Current	1 year	Term + 1 year
Committee Agendas (copy)*	2 years		2 years
Committee listings (copy)*	Current	1 year	
Committee Minutes (copy)*	2 years		2 years
Correspondence	5 years		5 years
Department Training Records	5 years		5 years
Drawings - Construction	Current		Superseded
Driver's Licenses Copies	Current		Termination
Employee Application (copy)***	Current	1 year	Term + 1 year
Employee Records (copy)***	Current	1 year	Term + 1 year
Estimates for Purchases (copy)**	Current	1 year	2 years
Financial Statements (copy)**	Current	4 years	5 years
Invoices (copy)**	Current	1 year	2 years
Leave Requests	Current	1 year	Term + 1 year
Legal Notices (copy)*	Current		1 year
Manuals	Current		Superseded
Ordinances (copy)*	Current		
Packing Slips	Current	1 year	2 years
Pay Estimates (copy)***	Current	1 year	2 years
Petitions (copy)*	Current		1 year
Photos	5 years	Perm	
Plat Map (Copy)	Current		
Policies (copy)*	Current		Superseded
Publication Notices & Affidavits (copy)*	Current	1 year	2 years
Purchase Orders (copy)**	Current	1 year	2 years
Quotes (copy)**	Current	1 year	2 years
Software, Public Works	Current		Superseded
Timecards/sheets (copy)**	Current	1 year	2 years
Training Certificates	Current		
Vandalism Reports	5 years		5 years
Vendor files	Current		Superseded
Agreements			
Annual Service Agreements (copy)*	Current	1 year	Term + 1 year
Engineering Agreements (copy)*	Current	1 year	Term + 1 year

DEPARTMENT: PUBLIC WORKS Administration	Retention Period in Years		
Interlocal Agreements (copy)*	Current		
Rental Agreements (copy)*	Current	1 year	Term + 1 year
Capital Improvement Projects			
Agreements*	Current	Perm	
Bid*	Current	Perm	
Bid Bond*	Current	Perm	
Correspondence	Current	Perm	
Drawings	Current	Perm	
Maintenance Bond*	Current	Perm	
Pay Estimates**	Current	Perm	
Performance Bond*	Current	Perm	
Reports/Studies	Current	Perm	
Specifications	Current	Perm	
Change Orders*	Current	1 year	Term + 1 year
Easement and land taking documents (copy)*	5 years	Perm	
Citizen Requests			
Complaints about Service	5 years		5 years
Service Requests & Request Surveys	5 years		5 years
Street light - installation (copy)*	5 years		5 years
Street light - requests & work orders	5 years		5 years
Work Requests	5 years		5 years
Facilities			
Building Maintenance & Repair Records	1 year	2 years	3 years
Chemical Use Records	1 year	Perm	
Equipment Warranties	Current		Termination
Inspection Reports	1 year	2 years	3 years
Maintenance Reports	5 years		5 years
Pool Water Quality Tests	1 year	1 year	2 years
Sidewalk Inventory	Current		
Tree Planting/Trimming/Inspection/Removal	1 year	2 years	3 years
Maps			
Aerial Maps	5 years	Per,	
Maps	Current		Superseded
Parks			
Playground Inspections	1 year	2 years	3 years
Permits			
Driveway, Excavation, Right-of-way	5 years	Perm	
Drainage Permits	5 years	Perm	

Projects/Reports			
Bridge Safety Study/Inspection	Current		
Environmental Reports	5 years	Perm	
Infrastructure Condition Inspections	5 years		5 years
Inspection Reports	5 years		5 years
Operations Reports	Current	4 years	5 years
Pavement Management Report	Current		
State Required Reports	5 years	Perm	
Storm Drainage Studies	3 years	Perm	
Street Lighting Report	1 year	1 year	2 years
Street Sign Inventory	Current		
Traffic Safety Study	10 years		10 years
Vehicle Records			
Equipment/Parts purchases	1 year	1 year	2 years
Equipment Operating Costs	1 year	1 year	2 years
Fuel Consumption	Life of Vehicle		Life of Vehicle
Fuel Purchase	2 years		2 years
Service Manuals	Current		Life of Equipment
Vehicle Maintenance Records	Current		City Ownership
Vehicle Registrations	Current		City Ownership
Vehicle Title of Ownership (copy)	Current		City Ownership

*originals maintained by City Clerk

**originals maintained by Accounting

***originals maintained by Human Resources

Approved by:

S. Robert Pryzby
Public Works Director

**CITY OF PRAIRIE VILLAGE
RETENTION SCHEDULE**

DEPARTMENT: Police Department	Retention Period in Years		
	Active	Inactive	Destroy
ADMINISTRATION			
Accounts Payable/Receivable Records	2 years	3 years	5 years
Administrative Staff Mtg Agenda & Minutes	2 years	3 years	5 years
Agreements/Contracts	2 years	3 years	Termination + 5 years
Biased-Based Policing Reports	2 years	3 years	5 years
Bid Records	Current	4 years	5 years
Budget (copy)	2 years	Perm	
Budget Preparation Materials	2 years	3 years	5 years
CALEA Annual Report	3 years	3 years	Perm
CALEA Correspondence	3 years	3 years	6 years
CALEA On-Site Reports	3 years	6 years	Perm
Catalogs	Current		
Chemical Irritant Report - Annual	2 years	3 years	5 years
Citizen Surveys	Current	Perm	
Complaint Control Reports (CCR)	1 year	9 years	10 years
Complaint Documents - General	2 years	3 years	5 years
Correspondence - Chief	2 years	3 years	5 years
Correspondence - Office Manager	2 years	3 years	5 years
Crime Summaries - Monthly	2 years	3 years	5 years
Department Goals & Objectives - Annual	2 years	3 years	5 years
Employment Notices	2 years	2 years	4 years
Equipment Records	Life of equipment		
Fleet Accident Reports	2 years	3 years	5 years
Forfeiture Account Records	5 years	Permanent	
Grant Files - Federal	Current	Permanent	
Internal Affairs Reports	2 years	3 years	Termination + 2 years
Internal Affairs Summary - Annual	2 years	3 years	5 years
Job Task Analysis	Current		10 years
Lateral Transfer Process Documents	2 years	3 years	5 years
Lawsuit Documents - Closed	Permanent		
Lawsuit Documents - Current/Pending	Current		
Leave Requests (Vacation/Holiday/Sick)	Current	1 year	3 year
Legal Documents	Permanent		
Legal Opinions	Permanent		
Motor Vehicle Accident Summary - Annual	2 years	3 years	5 years
Performance Evaluation Appeals	5 years		Termination + 2 years
Personnel Files	Current	Termination + 2 years	to HR
Plans of Action - Monthly	2 years	3 years	5 years
Policy Manuals	Current	Permanent	
Postal Records	1 year	2 years	3 years
Promotional Process Records	2 years	8 years	10 years
Property Room Audits	2 years	Permanent	
Psychologicals - Current Employees	Current		Termination + 2 years
Psychologicals - Non-Hires			2 years
Purchase Orders	Current	4 years	5 years
Pursuit Reports	2 years	3 years	Termination + 2 years
Staff Meeting Agendas & Minutes	2 years	3 years	5 years

Strategic Plan Records	Current	Permanent	
Supply Requisitions	2 years	2 years	
Traffic Safety Study	Current	Permanent	
Use of Force Reports	2 years	3 years	Termination + 2 years
"Communicator" Additions/Deletions/Revisions	Current	Permanent	
"Code Red" Additions/Deletions/Revisions	Current	Permanent	
Crime Bulletins	2 years	3 years	5 years
IIF's	2 years	3 years	5 years
Intoxilyzer Repair Logs	Current	Permanent	
Investigations Monthly Activity Report	2 years	3 years	5 years
Investigations Staff Meeting Agendas	2 years	3 years	5 years
Siren Test Log	1 year	4 years	5 years
SIU Buy Fund Ledger/Reports	2 years	5 years	7 years
SIU C/I Files	2 years	8 years	10 years
SIU Intelligence/Complaint Files	2 years	3 years	5 years
SIU Operational Plans	2 years	3 years	5 years
SRO Juvenile Information Report	2 years	4 years	6 years
Storm Warning Notification	1 year	2 years	3 years
Training Requests	2 years	3 years	5 years
PATROL			
CFA's	Current		When vehicle is traded/sold
Property Audit - Annual	2 years	Permanent	
Readiness Checklist	1 year	2 years	3 years (after accreditation cycle)
Unannounced Audit - Annual	2 years	Permanent	
STAFF SERVICES			
Annual Audit of Records Unit	1 year	Permanent	
Detention Log in Records	1 year	Permanent	
Fire Inspection Reports	1 year	3 years	5 years
Hiring Processes	1 year	1 year	2 years
Monthly Intake Inspection Reports	1 year	3 years	5 years
Officer Training Records	1 year	5 year	Termination + 5 years
Parking District Records	1 year	3 years	5 years
Print Outs 9-1-1 calls	1 year	2 years	3 years
Towed Vehicles	1 year	3 years	5 years
Weekly Intake Inspection	1 year	3 years	5 years

EPARTMENT: Police Department	Retain and/or Destroy		
ACCIDENT REPORTS			
KSA 75-3504			
Case Files - Accidents	5 years minimum - or - Until Litigation is Settled		
Diagrams of Accident & Disaster Scenes			
Motor Vehicle Accident Location Maps			
Motor Vehicle Accident Report Summaries			
Motor Vehicle Accidents, Film Indexes			
Motor Vehicle Accidents, Indexes to			
Motor Vehicle Accidents, Information Exchange Forms			
Non-Reportable Accident Forms			

KSA 8-1601, et seq			
Motor Vehicle Accident Reports	5 years minimum or Until Litigation is Settled		
ARREST RECORDS (Arrest Folders/Arrest Files)			
KSA 75-3504			
Booking Records	Misdemeanors - 5 years minimum		
Criminal History Clearance Letters			
Criminal History Request Logs	Felonies - 20 years minimum		
Fingerprint Records			
Jail Inmate Medical Records	5 years minimum After Release		
Photographs - Mug Shots - Felonies	20 years minimum		
Photographs - Mug Shots - Misdemeanors	5 years minimum		
KAR 10-14-1			
Logs for Disseminations of Criminal History Record Information	Misdemeanors - 5 years minimum Felonies - 20 years minimum		
CASE FILES			
Case Files - Extraditions	20 years minimum after Statute of Limitations 80 years for Murder Cases Permanent for Unsolved Murder Cases		
Case Files - Felonies			
Case Files - Fugitives - Felonies			
Case Files - Fugitives - Misdemeanors			
Case Files - Juveniles - Felonies			
Case Files - Juveniles - Misdemeanors			
Case Files - Mental Illness			
Case Files - Misdemeanors			
Laboratory Reports - Felonies			
Laboratory Reports - All Others			
Field Interview Cards - Felonies			
Field Interview Cards - Misdemeanors			
Internal Investigation Files			
Offense Information Cards	20 years minimum after Statute of Limitations 80 years for Murder Cases Permanent for Unsolved Murder Cases		
Offense Report and Field Contact Forms from Other Counties (copies of)			
Offense Reports - Felonies			
Offense Reports - Misdemeanors			
Offense Reports - News Media Copies			
Reports from Other Law Enforcement Agencies - Felonies			
Reports from Other Law Enforcement Agencies - All Others			
Photographs - Crime Scenes and Evidence (negatives, prints, slides and films)			
Statements of Witnesses and Victims - Felonies			
Statements of Witnesses and Victims - All Others			
Voluntary Statements - Felonies			
Voluntary Statements - All Others			
COMPLAINTS			
Complaint Statements, Reports & Related Documents - Felonies	3 years minimum unless information is also contained in case files with a higher retention schedule		
Complaint Statements, Reports & Related Documents - Misdemeanors			
DAILY REPORTS	1 year		3 years
Daily Logs	3 years minimum		
Duty Logs			
Officers' Activity Reports and Cards			
Incident Cards and Log Books			
Incident Reports - Felonies			
Incident Reports - Misdemeanors or Non-Criminal Information Cards			

Narrative Incident Reports and Related Notes - Felonies	
Narrative Incident Reports and Related Notes - Misdemeanors	
INDEXES TO CASES/ARREST RECORDS	
Indexes to Cases - Felonies	20 years minimum after Statute of Limitations 80 years for Murder Cases Permanent for Unsolved Murder Cases
Indexes to Cases - Misdemeanors	
JAIL REPORTS	
Jail Admission Record Books	Permanent
Jail Escapes (documents concerning)	Permanent
JUVENILE ARREST RECORDS	
Juvenile Arrest Books and Cards	Minimum - Until the Age of Majority
NATIONAL CRIMINAL INFORMATION CENTER RECORDS	
National Crime Information Center (NCIC) Report Forms (copies of)	Minimum - Until Case is Terminated
PROCESS LOG	
Search Warrants (copies of) - Felonies	5 years minimum After Close
Search Warrants (copies of) - All Others	
SALES DOCUMENTS	
Sale of Impounded Vehicles or Evidence (documents concerning)	5 fiscal years minimum
OTHER	
Affidavits for Prosecution - Felonies	Permanent
Affidavits for Prosecution - All Others	5 years
Attorney General's Opinions	Permanent
Bomb Threat Reports	Permanent
Bulletins Received from Other Law Enforcement Agencies	Until no Longer Useful
Case Assignment Logs	5 years
Coroner's Reports	Permanent
Disposition Card Files or Registers - Felonies	Permanent
Disposition Card Files or Registers - Misdemeanors	5 years
False Alarm Notifications (copies)	Current year - destroy 2 years
Fee Collection Records/Books	3 fiscal years minimum
Grants for Police Equipment (documents concerning Governor's Committee on Criminal Administration and Law Enforcement Assistance Administration)	5 years after Termination and after Federal Audit Requirements are Met
Indexes to Items Received	5 years after Disposition
Information Directives or Flyers	Permanent (one copy)
Intelligence Reports	Permanent
Jail Reports	2 years after Inmate's Release
Juvenile Face or Data Sheets	Permanent
Juvenile Reports	Permanent
KBI Complaint and Investigation Reports	Permanent
KBI Copies of Monthly Reports to	5 years
KBI Criminal Record Abstracts - Felonies	Permanent
KBI Criminal Record Abstracts - All Others	5 years
Law Enforcement Plans	Permanent
Liability Waivers	5 years
Lists of House Numbers and Residents	Until Obsolete or Superseded
Master Name Index File	Permanent
Missing Persons Reports	Permanent
Notices of Hearings on Drivers' License Suspensions or Revocations	5 years
Personal Property of Jail Prisoners (documents concerning)	5 years after Disposition

Postmortem Examination Reports (copies of)	Permanent
Radio Code Number Lists	Permanent
Radio Equipment, Licenses and Other Documents Concerning	Until Superseded or for Life of Equipment
Receipts for Personal Property Taken From and Returned to Prisoners	5 years
Record Check Reports Sent (copies of)	5 years
Record Check Requests Received	5 years
Records Ordered Sealed by a Court	Until Ordered by Court to be Destroyed
Recovered Property Records	5 years after Disposition
Runaway Report Forms	Permanent
Sex Offenders Registers	Until Offender is No Longer Required to Register
Statistical Data, Compilations of	5 years if available in Annual Reports or Elsewhere - Permanent if not Available Elsewhere
Statistical Reports (copies of) - Annual Reports	Permanent
Statistical Reports (copies of) - All Others	5 years
Stolen Property Lists	20 years
Suspects Wanted, Records of - Felonies	Permanent
Suspects Wanted, Records of - All Others	Until No Longer Useful
Tape Recordings	5 years after disposition or until no longer useful if unrelated to criminal case
Tornado Watch Program (documents concerning)	Permanent
Traffic Studies (documents concerning - Final Reports)	Permanent
Traffic Studies (documents concerning - Other Documents)	Until No Longer Useful
Type-of-Crime Files	Permanent
Uniform Crime Reports (UCR) Offense Code Listings	Permanent
Uniform Crime Reports (UCR) Reports	Permanent
Uniform Crime Reports (UCR) Worksheets	2 years
Videotapes	5 years after Final Disposition
Wanted Notices for Alleged Criminals - Local Cases	Permanent
Wanted Notices for Alleged Criminals - All Others	Until No Longer Useful
KSA 8-2105	
Parking/Traffic Tickets - Officer's Copies	Minimum - Until No Longer Useful
KSA 2001 Supp. 21-4619	
Expunged Conviction Records - Felonies	Permanent
Expunged Conviction Records - Misdemeanors	5 years
KSA 19-1812 and 60-303	
Service and Execution	5 years minimum After Close
Service and Execution, Registers or Dockets of	
KSA 21-2501a	
Felony Offenses and Misdemeanors Drug Offenses Reported or Known to Have Been Committed (copies of Reports to KBI)	Permanent
Felony Offenses and Misdemeanor Drug Offenses Reported or Known to Have Been Committed (records of)	Permanent

MAYOR'S ANNOUNCEMENTS

Monday, November 17, 2008

Committee meetings scheduled for the next two weeks include:

Environmental/Recycle	11/19/2008	7:00 p.m.
Prairie Village Arts Council	11/19/2008	7:00 p.m.
Council Committee	12/01/2008	6:00 p.m.
Council	12/01/2008	7:30 p.m.

The Prairie Village Arts Council is pleased to announce an exhibit by the Mid-America Pastels Society during the month of November.

The Northeast Johnson County Chamber of Commerce Annual dinner is November 22nd.

Please remember to RSVP to Joyce by November 24th for the Mayor's Holiday Party. It is December 5th at Homestead Country Club.

The Municipal Foundation will be hosting the annual Mayor's Holiday Tree lighting on Monday, November 24th at Corinth Square from 6:30 - 8:00 p.m.

The Employee Holiday Luncheon will be held December 12th from 12:00 - 2:00 p.m. The Mayor will be handing out promotion certificates and Anniversary Awards.

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, and Prairie Village Gift Cards continue to be sold to the public.

INFORMATIONAL ITEMS
November 17, 2008

1. Prairie Village Arts Council Minutes - October 15, 2008
2. Tree Board Minutes - November 5, 2008
3. Sister City Committee Minutes - November 10, 2008
4. Mark Your Calendars
5. Committee Agenda

Prairie Village Arts Council
October 15, 2008
Minutes

The Prairie Village Arts Council met at 7:00 pm in the City Council Chambers of City Hall. Members present: Randy Kronblad, Chairman, Bill Rose, Angi Jones, Dan Andersen, Kyran Wilson, and Inge Dugan , Jack Shearer. Also present: Dennis Enslinger, City Staff.

Minutes

Committee approved minutes from the September 17th meeting with no revisions

Council Report

No report at this time.

Financial Report

Dennis Enslinger provided a breakdown of budget expenditures to date. There was a general discussion about using budget funds for the State of Arts Event rather than Municipal Foundation funds to the extent possible

State of the Arts

The Council indicated that the event was well received and a number of council members received complements regarding the event. There was some discussion about possible improvements. Some of the items mentioned were a PA system to be used to announce the winners of the event, that the display cards should list the medium along with the gallery handout, the council might look at serving some soda as an alternative

New Business

Review of request by Kale Van Leeuwen regarding exhibiting in 2009. It was decided that based on the Council's policy that artists must have been in a juried event, they would not review the application.

Review of request by L. Daniel Compton, photography, regarding exhibiting in 2009. The Council approved the artist's request and scheduled the show for June.

Review of request by Deana Winter, mixed media, regarding exhibiting in 2009. the Council approved the artist's request and scheduled the show for March.

There was discussion about the remaining openings (September and December) and that staff should send an invitation to all the artists in the current State of the Arts Show.

The Council also considered having the Prairie Village collection shown in January and February with a reception in February. The Council agreed to this combination and one reception in February.

Randy Kronblad noted that typically the Arts Council holds a budget discussion at the November meeting with dinner provided. The meeting typically starts at 6:00 p.m. It was decided that the meeting should start at 6:00 p.m. and dinner would be provided. The Council also briefly discussed developing a policy on how to approve wine at reception events. There was some minor discussion but no conclusion. It was decided that the item would be considered at the November meeting.

With no other business the meeting was adjourned at 8:10 p.m.

The next meeting will be at 6:00 pm on Wednesday, November 19, 2008.

Randy Kronblad
Chairman

TREE BOARD
City of Prairie Village, Kansas

MINUTES

Wednesday - November 5, 2008, 6:00PM Meeting
Public Works - Conference Room
3535 Somerset Drive

Board Members: Cliff Wormcke, Greg VanBooven, Luci Mitchell, Art Kennedy, Tony Rostberg

Other Attendees: Suzanne Lownes

- 1) **Review and Approve minutes from August 6, 2008 meeting** - Motion by Greg VanBooven and seconded by Cliff Wormcke to accept the minutes.
- 2) **Sub-Committee Report**
 - 2.1) **Fall Seminar**
 - a) **Review of Event.** Everyone thought that the event went well and they were happy with the attendance, and thought that Kim Bomberger was a knowledgeable speaker and thought the topic was very informative. Greg said that if the committee wanted he would happily coordinate next years event but would like input from the group on possible topics.
 - 2.2) **Arboretum Committee**
 - a) **Tree selection process for arboretum signage.** Art Kennedy said that he is make progress and Greg VanBooven went through the list of signs to identify which ones were shrubs that would not be on the City's inventory. It was decided to go through the list and pick out the trees first and then after that was done to then look at the shrubs.
- 3) **Tree Removal at Corinth Shopping Center** - There was no update on this issue
- 4) **Site Plan Review of CVS** - There was no update on this issue
- 5) **Discussion of issues with Tree Planting List** - Suzanne stated that we use the Approved Tree Planting List for all right-of-way re-plantings and that we had run into a few problems with people picking trees that were not appropriate for the right-of-way area. Greg VanBooven suggested that the Tree Board review the list and create sub-list of trees that are appropriate for planting in the right-of-way. Suzanne said she would send out the current list to Tree Board members and they can make suggestions at the next meeting.
- 6) **Old Business** - Suzanne Lownes updated the group that she had the information from Deb Nixon for ordering the Tree USA flags but was waiting to determine if there was enough budget money, there looks like there is so she will get them ordered.
- 7) **New Business** - Luci Mitchell reminded everyone of the Holiday Volunteer dinner that is scheduled for December 5th.

Art Kennedy said that he had discussed the Arbor Day Poster Contest with Kim Bomberger and thought that it would be a good idea to meet with the area elementary schools to promote this event with the 5th grade students. He will bring the packet information to the next meeting.
- 8) **The next meeting agenda** - Next meeting will be December 3rd at 6:00PM at Public Works.

SISTER CITY COMMITTEE
10 November, 2008
MINUTES

CALL TO ORDER

Vice-Chairperson Carole Mosher called the meeting to order at 7:00 PM. Members present: Rod Atteberry, Dick Bills, Cindy Dwigans, Bob McGowan, JoAnn Memming, Carole Mosher and Cleo Simmonds. Also present: Vera Glywa and Hildegard Knopp.

MINUTES

Bob McGowan moved for approval of the October 13 minutes. Cleo Simmonds seconded and the motion passed unanimously.

OLD BUSINESS

- A. Display Case. Rob Atteberry to address Fine Arts Committee to share their case. Need a 2009 calendar designating month's use of each committee.
- B. Open World Visit Wrap Up. Thank you notes; Cleo Simmonds has written to each of the host families. Carol Mosher to write to the school people. JoAnn Memming to write to City officials. A photograph, taken by Bob Glyna at the signing of the Memorandum of Understanding Formalizing the Sister City Relationship, August 18, 2008, was given to each person at the meeting. The Committee thanks both Bob and Vera Glywa for their thoughtfulness.
- C. Roster - Adding the Sister City Alliance Member. Carole Mosher to verify.

FUNDRAISING

- A. Wreath sales. Sold 24, \$275.00 profit. Explored possible increase in sales next year. Also discussed other possible avenues of fundraising.

NEW BUSINESS

- A. December meeting. Short session at City Hall, then pot luck dinner at private residence. Rod Atteberry and Cleo Simmonds both volunteered their homes. Cindy Dwigans to coordinate who brings what. Dinner does not include spouses.
- B. Committee Officers. To be determined at January meeting. Recommendations; secretary, treasurer, public relations, fund raising, historian.
- C. International Student Reception. Carole Mosher to do advance planning.
- D. Laryssa Galushyna's e-mail of October 29, 2008. Cleo Simmonds to correspond and determine details of proposed May visit. Discussion of who might make the trip.
- E. Sister City Committee article in January 2009 VILLAGE VOICE. Author to be determined.

ADJOURNMENT

The next scheduled meeting will be Monday, December 8 at 6:00 PM at City Hall. The meeting was adjourned at 8:30 PM.

Carole Mosher
Co-Chairperson

**Council Members
Mark Your Calendars
November 17, 2008**

November 2008	Mid-America Pastel Society exhibit in the R. G. Endres Gallery
November 22	NEJC Chamber of Commerce Annual Dinner
November 24	Mayor's Holiday Tree lighting
November 27	City offices closed in observance of Thanksgiving
November 28	City offices closed in observance of Thanksgiving
December 2008	Tom Wilson, Melanie Nolker & Wendy Taylor mixed media exhibit in the R. G. Endres Gallery 6:30 to 7:30 p.m.
December 1	City Council Meeting
December 3	Council of Mayors Holiday Social
December 5	Mayor's 2008 Holiday Party
December 12	Employee Holiday Luncheon 12:00 - 2:00 p.m.
December 12	Artist reception in the R. G. Endres Gallery 6:30 to 7:30 p.m.
December 15	City Council Meeting
December 25	City offices closed in observance of Christmas
January 2009	
January 1	City offices closed in observance of New Year's Day
January 5	City Council Meeting
January 19	City offices closed in observance of Martin Luther King Jr. Day
January 20 (Tues.)	City Council Meeting
February 2009	Prairie Village Arts Collection mixed media exhibit in the R. G. Endres Gallery
February 2	City Council Meeting
February 16	City offices closed in observance of President's Day
February 17 (Tues.)	City Council Meeting
March 2009	
March 2	City Council Meeting
March 16	City Council Meeting
April 2009	Christi Roberts-Bony oils exhibit in the R. G. Endres Gallery
April 6	City Council Meeting
April 20	City Council Meeting
May 2009	Kay Trieb photography exhibit in the R. G. Endres Gallery
May 4	City Council Meeting
May 18	City Council Meeting
May 25	City offices closed in observance of Memorial Day
June 2009	
June 1	City Council Meeting
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 6	City Council Meeting
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 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 19 City Council Meeting

November 2009

November 2 City Council Meeting
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

December 7 City Council Meeting
December 21 City Council Meeting
December 25 City offices closed in observance of Christmas

COMMITTEE AGENDA

November 17, 2008

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

- COU2006-27 Consider Project 190855: Tomahawk Road Bridge Replacement (assigned 8/28/2006)
- COU2006-33 Consider Lease of Public Works from Highwoods Properties, Inc. (assigned 8/29/2006)
- COU2006-38 Consider Park & Recreation Committee Master Plan (assigned 09/27/2006)
- COU2007-02 Consider Reducing size of Council & term limits for elected officials (assigned 1/8/2007)
- COU2007-27 Consider Project 190864 - 2008 Paving Program (assigned 3/9/2007)
- COU2007-35 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)
- COU2008-80 Consider Agreement with Lowenthal, Singleton Webb & Wilson to Audit the City's 2008 Financial Statements (assigned 10/29/2008)
- COU2008-81 Consider Revisions to the Records Retention Schedule (assigned 10/14/2008)
- COU2008-82 Consider Renewal of Special Use Permit for the operation of a daycare program at 7501 Belinder (assigned)
- COU2008-83 Consider Interlocal Agreement with Johnson County for Project 190865: Roe Avenue - 83rd Street to Somerset Drive (assigned 11/10/2008)
- COU2008-84 Consider Joint Legislative Platform with Johnson County & Johnson County Cities (assigned 11/11/2008)
- COU2008-85 Consider Building Security (assigned 11/11/2008)
- COU2008-86 Consider Upgrading the Police Department's CAD & Records Management System (assigned 11/12/2008)
- COU2008-87 Consider Interlocal Agreement with Johnson County Park & Recreation District for use of facilities for 50+ Programming (assigned 11/11/2008)

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)